



Office of the

CONSERVATION COMMISSION

Town of Townsend,
272 Main Street
Townsend, Massachusetts 01469

Michael Turgeon, Chairman

John Hussey, Vice-Chairman

James Le Cuyer

James Deroian

Anne Le Cuyer

Karen Hill

Minutes

Memorial Hall-Selectman's Chambers

Wednesday, August 21, 2019 at 7:00PM

1.0 Preliminaries

1.1. **Open Meeting** – Michael Turgeon (MT) opened at 7:05pm

1.2. **Roll Call** – Anne LeCuyer (AL), John Hussey (JH), Michael Turgeon (MT), James Deroian (JD), James LeCuyer (JL) present; Karen Hill (KH) absent.

1.3 **Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting - none**

1.4 **Chair's Report** – MT welcomed back James Deroian; JH

1.5 **Agent's Report** – agent not present

1.6 **Review of Minutes** - 7/10/2019 Minutes – JH motioned to accept & release, JL seconded, AIF.
7/24/2019 Minutes – JH motioned to accept & release, AL seconded, AIF.

2.0 Hearings and Appointments

2.1 7:05 pm **Request for Determination of Applicability TWB #2019-160**

Applicant: Tri-Mont Engineering for Unitil

Location: area near 43 Emery Road

Project: For the purposes of determining an appropriate design to replace a portion of the gas main located in Emery Road, subsurface soil borings are necessary to determine appropriate method. All soil boring work will be confined to the paved roadway.

MT opened the hearing at 7:10pm; Brendan Kearns (BK) from Tri-Mont Engineering advised the soil borings will be limited to paved roadway and erosion controls will be installed as needed; MT asked if any catch basins are nearby and reiterated erosion controls will be needed on each side. MT reviewed the plans; JD asked how many borings are being done; BK advised only two. JH & AL motioned to issue a Negative 2 Determination of Applicability with conditions to install erosion control waddles between the test holes and edge of road; JL seconded, AIF.

2.2 7:20 pm **Discuss Conservation Restriction & Mandatory Referral Notice from Planning Board for 187 North End Road**

Applicant: Stan Dillis

Location: 187 North End Road

Project: Stan Dillis to discuss Conservation Restriction for 187 North End Road.

MT opened the appointment at 7:20pm; Stan Dillis in attendance and reviewed the Conservation Restriction; there are two parcels going to Fish & Game and another parcel that the owners would like to retain for agriculture purposes. Recreational vehicle use is specifically excluded in the Conservation Restriction; the only vehicular use allowed is for the associated agricultural use. JH asked if the agricultural parcel will be Chapter 61A land – Stan unsure at this time. Stan asks if the Conservation Commission would accept the Conservation Restriction so the owners can finalize it with Planning Board. The Conservation Commission indicated they are in favor of the Conservation Restriction. MT added comments to the Mandatory Referral Notice from Planning Board that the Commission is in favor of the Conservation Restriction.

2.3 7:35 pm **Continuation of Notice of Intent DEP#308-665**
Applicant: **Ducharme & Dillis for Diane Silva**
Location: **59 West Meadow Road**
Project: The proposed project is to restore historic wetlands and grades within the buffer zone to a 3/1 slope. Project is located within the ACEC and Estimated Habitat of Rare Wildlife

MT opened the hearing at 7:35pm; Stan Dillis (SD) advised the Habitat study has been completed and site walk scheduled with Natural Heritage. JD asked if the habitat study identifies the species found during the habitat assessment; Stan clarified the assessment is looking at the habitat of the species. JD also asked how the assessment was conducted and if cameras were used and length of time of assessment; Stan suggested going on the site walk to inquire of state representative.

JH motioned to continue the hearing to September 11, 2019 at 7:35pm. JL seconded; AIF.

3.0 Work Session: n/a

4.0 Correspondence: JH motioned to add the DEP correspondence Negative Superseding Determination of Applicability regarding 28 Adams Road to Agenda Item 1.3; AL seconded. AIF

JD asked for a brief recap of the filings on 28 Adams Road. MT advised there were concerns raised by a group of residents regarding trenches on the property and the state conducted a site visit after the Commission issued a Negative Determination of Applicability. MT read the State's findings that the area where the work was conducted meets the definition of Land in Agricultural Use provided in 310 CMR 10.04; the maintenance of drainage trenches meets the definition of Normal Maintenance of Land in Agricultural Use provided at 310 CMR 10.04, and therefore is subject to the statutory exemption provided in paragraph 24 of the Act.

5.0 Items for discussion at the next meeting - MT advised JD that Rhonda Gallant has submitted a Volunteer Response form for the Conservation Commission.

6.0 Advertisements and Conferences - none

7.0 Next meeting: September 11, 2019 at 7:00pm

8.0 Adjournment - JL motioned to adjourn, JH seconded AIF.