



CONSERVATION COMMISSION

Town of Townsend,
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Rec'd Townsend Town Clerk
22 JUL '21 AM 9:49

Karen Hill, Chairperson

John Hussey, Vice Chair

James Deroian

James LeCuyer

Anne LeCuyer, Clerk

Jenifer Eaton

Minutes

Wednesday, May 26, 2021 at 7:00PM Zoom Meeting

1.0 Preliminaries

1.1 Open Meeting KH opened the meeting at 7:00pm

1.2 Roll Call JE(A) AL(P) JL(P) JD(P) JH(P) KH(P)

1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting

4.5 Resignation letter from Jennifer Eaton, dated 5/21/21, re; Conservation Administrator position

3.6 Sign Emergency Certification Form for beaver dam breach and flow device to be added at Hog Hill Rd and Haynes Rd.

4.6 Volunteer response form from James Gates, 73 Turnpike Rd

JD moved add in the appropriate locations. JH and JL seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

1.4 Chair's Report Comment during the meeting

1.5 Agent's Report Comment during the meeting

1.6 Review of Minutes- Approve and release 5/12/21 Minutes

AL and JH move to approve and release .JD seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

2.0 Hearings and Appointments:

2.1 7:05 PM Continuation Notice of Intent DEP 308-0683

Applicant: James and Dale Gates

Location: 73 Turnpike Road

Project: The proposed project is the removal of the existing detached garage and to reconstruct a new detached garage and associated grading in Riverfront and within the 100' Buffer Zone

KH opened the hearing at 7:05PM. Stan Dillis (SD), Dillis and Roy Civil Design Group presenting. We have received the DEP file number and NHESP issued a No Take.

JH moves to approve with a standard Orders of Conditions. AL seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

JH and AL move to close the hearing. JD seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

2.2 7:15 PM Continuation Notice of Intent DEP 308-

Applicant: Rodger Rapoza on behalf of Townsend Cemetery & Parks

Location: Off Jefts Street

Project: The proposed project is for installation of a gate and cedar timbers within Riverfront of the Squannacook River

KH opened the hearing at 7:18. Rodger Rapoza (RR) present. KH- Last week DEP notified the Commission and RR that they have to file electronically. Until you do so, DEP will not acknowledge that you have filed. I have other questions, have you notified the abutters and published a legal notice? RR-I don't know, I am responsible for the physical part of this project and I can answer questions on that. KH-All of that has to happen prior to this being placed on our Agenda. Right now there is nothing that we can do without a DEP file number. We can't make a decision without that. We can vote to waive the filing fee, if we so choose. A request to do so would be recommended. JD-Rodger do you have enough information to keep moving on? RR-Yes.

AL moves to continue to 6/9/21. JL seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

2.3 7:25 PM Request for Determination of Applicability TWB 2021-105

Applicant: Brooke Shattuck

Location: 104 Lunenburg Road

Project: The proposed project is to install an 18 x32 pool in the Buffer Zone of an intermittent stream.

KH opened the meeting at 7:26. Brook Shattuck(BS), present. KH- I went back out there today to get an accurate measurement. It's 70 feet from the closest point of the pool to the intermittent stream. There aren't many other suitable locations on the property. I had discussed with the homeowner to run a hose to backwash the filter as far away from the intermittent stream as possible. BS corrected the size of the pool. It is actually four feet longer in the opposite direction of the intermittent stream.

JD moves to issue a negative 3 determination. JH and JL seconded

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

JD moves to close the meeting. JH seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

2.4 7:30 PM Request for Determination of Applicability TWB 2021-106

Applicant: David and Lynn Hillier

Location: 1 Woodland Drive

Project: The proposed project is for the removal of trees, under growth and the installation of a shed in the buffer zone of an intermittent stream.

KH opened the meeting at 7:30. JH recuses himself. KH- We were went out there today, there are 3 or 4 trees that he would like to remove. The loss of canopy is minimal. The undergrowth is clearly less than 10 years old and it was obvious that he had been maintaining it prior. The undergrowth has no real value because of the canopy. His intention is to let the forest floor revegetate with low growing perennials like Canada Mayflower and the like. This will create habitat for small mammals.

AL moves to issue a negative 3 determination. JD seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(recuses) KH(Y)

JL moves to close the meeting. JD seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(recuses) KH(Y)

3.0 Work Session:

3.1 Approve and sign Certificate of Compliance, DEP 308-566, 172 Fitchburg Road

KH-They have requested a waiver of Condition #48 in the OOC. This condition states that all wetlands must be delineated. The wetlands have been delineated for the entire subdivision and recorded with the registry of deeds. In the past the Commission has granted this waiver.

JL moves to grant the waiver. Al seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

JH moves to approve and sign. JL seconded

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

3.2 Vote to recommend for re-appointment. John Hussey for a three year term ending June 30,

2024. *Al moves to recommend. JL seconded.*

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

3.3 Vote to recommend for re-appointment. James Derorian for a three year term ending June 30,

2024. *AL moves to recommend. JL and JH second.*

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

3.4 Discussion on restoration for Warren Road lot owned by Kenneth Tully and Kevin Smith

move forward right now. The Building Commissioner has input and I don't think that he has done yet. I think that we need to wait to another meeting. JL agrees. SD-Kevin obviously jumped the gun on the driveway. How do you want to handle this NOI, RDA? Obviously he needs to restore the area. There are a lot of moving parts with this and I would like to get this cleaned up. KH-We all went out there today so that we could be familiar with what we were going to talk about tonight. Everyone has just seen it today. SD- Would it expedite things if we file an NOI? KH- I think that an NOI is needed for the restoration. AL agrees. JD moves to request an NOI. JH seconded. JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

3.5 Approve and sign Certificate of Compliance, DEP 308-586, 159 Brookline Road.

Tabled

3.6 Sign Emergency Certification Form for beaver dam breach and flow device to be added at Hog Hill Rd and Haynes Rd

KH-I had sent JH to look at this. JH-Water is encroaching the road. There have been issues with beavers in the same area before. It's a situation that is going to keep coming up. It needs to be addressed. JD-Is Jim at Highway monitoring this? KH-Yes. They will be doing the work, we have to give them permission.

JD moves to sign. JH seconded.

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

4.0 Correspondence:

- 4.1 Letter from Mass Fish and Wildlife re; NHESP Draft Priority Habitat Map for Public comment, beginning May 3,2021
- 4.2 Letter for Building Commissioner, Eric Chartrand, dated 5/13/21, re; Warren Road lots owned by Kenneth Tully and Kevin Smith
- 4.3 Letter from ERB & SOUTHCOTTE, Fitchburg, MA, dated May 18, 2021, re; request for Certificate of Compliance DEP 308-566, 172 Fitchburg Road, and asking for a waiver of Oder of Condition #48.
- 4.4 Memo from Board of Selectmens' Office, dated 5/19/21, re; Appointments FY22
- 4.5 Resignation letter from Jennifer Eaton, dated 5/21/21, re; Conservation Administrator position
- 4.6 Volunteer response form from James Gates, 73 Turnpike Rd.

KH welcomed James and asked him to tell the Commission a little about himself. He has a formal education in landscape Management. He has worked in the landscape field and now the construction field. He has worked on environmentally sensitive projects including Squannacook Meadows and the Rail Trail. He thinks that we need to adopt something about salt usage. He feels that he will bring an outsiders view as he has only lived in town for 4or5 years. He has a general interest, living on the Squannacook. KH- We usually ask you to sit in on a few meetings to make sure that what we do suits you. Then we will recommend to the Selectmen that they appoint you to the Commission.

A brief discussion was had about the work in the Conservation Office. KH- this is not on the agenda-let's move on.

5.0 Items for discussion at the next meeting: Off Jefts St

6.0 Advertisements and Conferences:

7.0 Next meeting: June 9, 2021 at 7:00pm

JL- the BOH sent a letter to the Selectmen giving the okay, starting June 1st, to open town hall and have open meetings. KH- The state of emergency ends June 15th, so until the BOS states otherwise, we have virtual meetings until 6/15/21. After that, in-person meetings will be back on.

8.0 Adjournment

AL moves to adjourn at 7:52. JL seconded

JE(n/a) AL(Y) JL(Y) JD(Y) JH(Y) KH(Y)

Per the Governor's Order and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public.; provided, however, that the public bodies shall ensure public access to deliberations through adequate, alternative means, which include (but not limited to) telephone, internet, or satellite enabled audio or video conferencing

or other technology that enables the public to clearly follow the proceedings of the public body while they are occurring. The Order also allows remote participation by all members of a public body; and waives the requirements that a quorum and the chair be physically present at a meeting location. The Chairperson reserves the right to adjust the sequence of hearings/appointments and any other business on the agenda.