



Conservation Commission  
Town of Townsend  
ph: (978) 597-1700 x1739  
email: conservation@townsendma.gov

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TOWN OF TOWNSEND  
TOWN CLERK

Jennifer Eaton, Vice Chair  
James Gates

James LeCuyer

Anne LeCuyer  
Joan Savoy, Clerk

Jessica Consolvo, Conservation Agent

## Meeting of the Townsend Conservation Commission MINUTES

Wednesday, January 12th, 2022 @ 4:00 pm

THIS IS AN OPEN MEETING AND ALL ARE INVITED TO ATTEND

**In the Selectmen's Chambers, 2<sup>nd</sup> floor**

Or via remote ZOOM @ 4:00 pm

Join Zoom Meeting

<https://us02web.zoom.us/j/88073524142?pwd=bjB2cXR6RStLT0hsMWtaNU9PZE42UT09>

**Meeting ID:** 880 7352 4142

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## **1.0 Preliminaries – Votes May Be Taken:**

**1.1 - Call the meeting to order and roll call** Meeting called to order by Vice Chair JE at 4:10PM under the Wetlands Protection Act (WPA) and the Townsend Wetlands Bylaws (TWB).

Roll Call: JS (Present), JG (Present via zoom), JL (Absent), AL (Absent), & JE(Present)

**1.2 - Announce the meeting is being video recorded. Is anyone else recording?** No one else is recording.

**1.3 - Chairman's Additions and/or Deletions** JE would like a motion to delete 3.11 from the agenda, as she would like to discuss this topic with everyone present.

*JS motions to delete 3.11, JG seconded*

*The motion passes unanimously*

**1.4 - Agent's report** JC reports 3 building department signoffs and 4 septic signoffs.

**1.5 - Chair's report** JE informs the CC that the MACC digital handbook is now available and to contact Matt if they want access. She also welcomes Michael Crowley as the new Land Use Coordinator, and he introduces himself to the commission.

**1.6 - Review/Approve the meeting minutes from 12/8** JS would like a minor typographical change for 3.3.

*JG motions to accept meeting minutes from 12/8, JS seconded*

*The motion passes unanimously*

## **2.0 Hearings and Appointments– Votes May Be Taken:**

### **3.0 Work Session – Votes May Be Taken:**

**\*3.1 - Discuss & review volunteer response form from Mr. David Vigeant (Townsend Water Department Superintendent) to potentially serve on the CC** DV, who is at the meeting in person, informs the CC that his background is in environmental sciences and geology. He was a chemical work officer in the army for 15 years, doing decontamination and predicting contamination. He also has a wetlands delineation certification through UNH and informs the CC that he is the current Superintendent of the Water Department here in Townsend, as well as a land surveyor. He also spent 19 years in the Chelmsford Water Department. He believes his expertise can assist the town and that being on the board will also help him in his job as Superintendent. He heard from Beth, Townsend Planning & Zoning Administrator, that there were openings on the board and that he should consider applying. JE mentions that they have moved on from the turmoil over the summer and are moving in a better direction, DV believes he can help in this. DV informs the CC that he lives in Tyngsborough and has previously been on the Historical Commission in Chelmsford. JS asks why he wouldn't instead try to serve on the CC in the town he lives in, instead of where he works. DV wants to focus on Townsend because it's where he works, and he reiterates that it would help him be more effective at his job. JS believes that there is a potential conflict of interest in working for the Water Department while serving on the CC. JE informs DV that the function of the CC is to primarily enforce the Townsend Wetland Bylaws, so that the resources of the town stay protected. JG believes that the final vote to recommend to the BOS should wait until JL and AL are present. However, he also states that DV has qualifications and knowledge that would be valuable to the CC and would fill 1 of the 2 vacant spots on the board. JS informs the CC that they can't push back a vote just because members aren't present. JG would also like to have DV sit in on a second meeting before a vote is held because it would give him a better idea about the work the CC does. He mentions he had to do the same while he was applying to be on the board and while DV watched some of the meetings on Zoom, it's a different experience being in person.

JC reminds the CC that the vote is just to recommend DV or not to the BOS and that it is the BOS who have the final say. JS's final point before the motion is to say while she appreciates the application, she believes that there is a conflict of interest. JE punctuates the point by bringing up what happened while she was the CC Admin. Asst. She remembers when he came by the office to argue one of the CC's decisions to deny a project. This denial was based on the CC's comprehension of the Townsend Wetland Bylaws, and so DV's decision to argue against the denial does not sit well with her.

*JS motions to recommend DV to the BOS for appointment to the CC, JE seconded  
JG (Y) JS (N) JE (N) The CC votes 2-1 to not recommend DV*

**3.2 – Discuss Wild & Scenic Community Grants with members of Squannacook Greenway & the NRWA** Joan Wotkowicz of Squannacook Greenways is on the zoom call so she can talk about the new community grants that are available in 2022 and to answer any questions the CC has. JS brings up that the stone wall embankment along Hawthorne Brook that holds the dam in place, is falling apart and that it might be a good spot to spend some grant money to improve. JW mentions that only 5,000 dollars are available and that this project would probably need greater funding. Veronica Kell (BOS liaison) chimes in that, as a wild and scenic committee member who worked for the town on this grant last year, she knows that the committee was focused on the Squannacook River and Adams Dam. Their plan for this year was to use grant funding to pay for a consultant, who would come in and look at the erosion of the steps by the trestle, and then inform the committee what work needed to be done. Rodger Rapoza (Cemetery & Parks) is also on the zoom call and agrees with VK that they need to use this money to pay for a consultant. Depending on what the consultant says, the work might need additional funding from separate grants. VK asks JW if everything in the watershed is included in this grant or does the focus have to be on the Squannacook River. JW states that since Hawthorne Brook is a tributary of the Squannacook it would indeed be included. VK brings up the fact that the Bipartisan Infrastructure Bill might have funds that can be used for the Hawthorne Brook bridge. She mentions that the town is working on organizing what grants they will be using this year and for what projects. VK mentions that while she doesn't believe an OOC is required to hire the consultant, the CC should continue to keep an eye on the situation. VK and JW agree that they should get multiple quotes from different consultants, and they ask JC and MC to assist with this if they can. VK asks if anyone on the CC knows what the DER is and JG responds that they are the Department of Ecological Restoration who restore and protect rivers, wetlands, and watersheds. JG and JC agree that restoring the riverbank would most likely fall under their jurisdiction and that it is probably worth reaching out to them for help on this project. VK reminds the CC that this grant is due February 1<sup>st</sup>. RR volunteers to be the one to reach out. VK also mentions that this issue will be discussed at the BOS meeting January 18<sup>th</sup> and they will have additional time to get a formal request done by February 1<sup>st</sup>.

**3.3 – Discuss and approve Request for Letter of Support for Squannacook River Rail Trail** The CC had the time to review the letter that JC drafted up and they all approve.

*JS motions to approve the Letter of Support, JG seconded  
The motion passes unanimously*

**3.4 – Approve (2) Requests for Certificate of Compliance for 159 & 161 Brookline Rd DEP #308-506 & #308-316** JC, who visited the site on 1/10, explains that there were 5 OOCs issued from 1996-2010 and so all 5 are long expired. The CC issued COCs for 3 of these permits last summer, but the last 2 remaining open permits from 1996 and 2005 still need COCs issued. The 1996 permit had a 2<sup>nd</sup> OOC that was issued a COC and the 2005 permit had a 2<sup>nd</sup> amended OOC that was issued a COC. The 1996 permit was for work that doesn't appear to have been done and the 2005 permit was for the 2 storage facilities

being within the 200ft riverfront area buffer.

*JG motions to approve the 2 COCs, JS seconded  
The motion passes unanimously*

**\*3.5 – Approve (1) Request for Certificate of Compliance for Warren Rd DEP #308-0685** This OOC required there to be 6 4-6ft maple trees planted. JC went to the site on 1/10 and saw that the trees have been planted, but one of them snapped in half under the weight of the snow. JE believes there is a timeline in the OOC where the CC will go back in the spring to check on the trees. JC mentions that generally plant succession should be monitored for at least 2 growing seasons. She recommends doing so to ensure 85% of the trees survive. JS is concerned that the trees appear to be more 3-4ft and not the stipulated 4-6ft. Going forward she would like the CC to be more explicit and have a strict 6ft requirement, so this doesn't happen again.

*JS motions to approve COC, JG seconded  
The motion passes unanimously*

**3.6 - Vote to approve Fee Schedule Changes to send to BOS for approval** There are 2 proposed fee schedules, one from JS and one from JG & JL. JS sent everyone on the CC data that shows the median household income of Townsend compared to neighboring towns. She points out that the household incomes are similar and yet these other towns have considerably higher fees than Townsend. Therefore, JS would like the CC to approve her fee schedule, which has higher fees than JG's plan, because there is justification for it and because the CC needs additional money for necessary supplies. JG agrees that the fees need to be raised but he wants to do it more gradually and believes that this is too drastic a change. He believes that this will deter people from building and permitting projects or they will do it without the permits at all. He raises the point that these projects increase home values and so it increases the tax dollars the town receives. He mentions that the town is in dire straits because of actions in the past but that this shouldn't put a burden on people that are trying to improve their properties. JE brings up the fact that there isn't too much of a difference between the two plans, but JG mentions that these fees add up. JS reminds the CC that the fees are maxed out at 1,300 dollars and that this isn't too much of a burden on the houses that are being developed recently. JG doesn't believe that there are very many houses being built at all and asks JS how many homes have been built in Townsend over the last 7 years (42 since 2015). JS and JE bring up the fact that even with the proposed new fees they are still lower than neighboring towns. JG knows that JS and JE will vote for JS's plan so he agrees to vote in approval as well, so that the CC can move on.

*JS motions to accept the JS fee schedule for recommendation to the BOS, JE seconded  
The motion passes unanimously*

**3.7 – Review draft form “Request for Agent Consultation”** The CC have reviewed this previously and agree that it should be added to the new fee schedule.

*JS motions to approve Request for Agent Consultation, JG seconded  
The motion passes unanimously*

**3.8 – Review Right of Entry Agreement for tree clearing on 1 Capricorn Lane** JE reminds the CC that this is a liability agreement for a resident to cut down trees on land owned by the CC. JC mentions that Adam with town council wrote the agreement, and this reassures the CC that everything is in legal

order.

*JS motions to approve right of entry agreement, JG seconded  
The motion passes unanimously*

**3.9 – Review and approve FY23 Conservation budget and capital guidance (due ASAP)** JE reminds the CC that edits to the budget were sent out this afternoon. The CC say they have had time to review the changes.

*JS motions to approve the FY23 Conservation budget and capital guidance, JG seconded  
The motion passes unanimously*

**3.10 – Review Conservation Department draft of 2021 Annual Report (due 1/28)** JE mentions that she has a few edits, but there are no additional comments from the other members of the CC. JE will send these edits to the CC Admin and they will be added before the final town report is sent in.

*JG motions to approve the Annual Report, JS seconded  
The motion passes unanimously*

**3.11 – Discuss protocol for site walks** Deleted by Vice Chair.

**3.12 – Discuss upcoming inventory of Conservation-owned properties and site visits** JC would like to conduct these sites during the winter, so she is currently writing letters to some private property owners because a lot of CC owned land isn't accessible without walking through private property. JC tell the CC that they can most likely start in the next couple of weeks and reminds the CC that there are about 30 different parcels of land equaling approximately 500 acres. The town administrator has requested that the CC do a cumulative status report on all CC owned land to ensure the land isn't being used illegally.

**\*Fixed mistakes from 1/12 agenda**

**4.0 Correspondence – Votes May Be Taken:**

**5.0 Education and Conferences – Votes May Be Taken:**

**6.0 Items for discussion at next meeting:**

Invasive species management and upcoming site visits to CC owned land.

**7.0 Next meeting:** Wednesday, January 26, 2022 at 7 pm, BOS Chambers, 2<sup>nd</sup> floor. This meeting will also be held via virtual Zoom remote in accordance with Covid-19 safe meeting guidelines.

**8.0 Adjournment:**

*JG motions to adjourn at 5:10, JS seconded  
The motion passes unanimously*