



Office of the  
**CONSERVATION COMMISSION**

Town of Townsend  
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**R E C E I V E D**  
DEC 19 2022

TOWN OF TOWNSEND  
TOWN CLERK

**Chair:** James Gates (2024)     **Vice-Chair:** Colby Streeter (2025)     **Clerk:** Joan Savoy (2025)  
Anne LeCuyer (2023)     Kevin Smith (2023)     Linda Mack (2024)     Patricia Jemiolo (2025)  
Jessica Consolvo, Conservation Agent     Matthew Matos, Administrative Assistant

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**Meeting of the Townsend Conservation Commission**

MINUTES

Wednesday, October 26<sup>th</sup>, 2022 @ 7:00 pm

THIS IS AN OPEN MEETING AND ALL ARE INVITED TO ATTEND

**SELECTMEN'S CHAMBERS, 272 MAIN STREET, TOWNSEND, MA**

Or via remote ZOOM for convenience

Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting will not be suspended or terminated if technical problems interrupt the virtual broadcast, unless otherwise required to by law. Members of the public with interest in a specific agenda item should make plans for in-person attendance.

TCAM Inc. is inviting you to a scheduled Zoom meeting

**Join Zoom Meeting**

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

**1.1 – Call the meeting to order and roll call** JG calls the meeting to order at approximately 7:00 PM.  
Roll Call: LM (P) JS (P) JG (P) AL (P) KS (Absent) CS (Absent) PJ (Arrives at 7:09 PM)

**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** None

**1.4 – Chair’s report** (0:34-5:03) JG attended a class on agricultural ditch maintenance and found it informative. LM asks JG if she can bring an item up for discussion and JG agrees to let her speak. LM was informed of a wetland violation at a field across from Gary’s Farm Stand. There is a large amount of siltation runoff that ended up in the creek and culvert on the Rail Trail property. JG & JC were already aware of this situation and were planning on visiting the property on 10/28, and they invite LM to join them. This topic of discussion will be on the agenda for the next meeting after the CC has gotten a chance to take a visit to the property. PJ arrives at the end of the Chair’s report.

**1.5 – Review/Approve the meeting minutes from 9/28/22** \*1.5 & 1.6 are pushed until after 2.1 since it is already 7:10 PM\*

*AL motions to approve 9/28 meeting minutes, PJ seconded  
The motion passes unanimously*

## **1.6 – Agent’s report** (16:14-22:47)

1. Building Permit interdepartmental signatures
  - a. 67 Highland St
2. Referrals completed
  - a. BOS: License Renewals of Class I, II, III Licenses, Entertainment Licenses
3. BOH interdepartmental signatures
  - a. 2 Walnut St
  - b. 238-extension South Row Road
  - c. 5 Madison Ave
  - d. 3 Campbell Farm Lane
4. Request for Townsend OOC Extension – 27 Scales Lane con’t, awaiting 1x compliance items
5. Continued efforts to contact Applicants with outstanding OOCs to get COCs filed
6. NOI – 238 South Row Road intake & processing; site visit 9/21. Hearing rescheduled for 10/12/22 due to previous lack of quorum. Issued OOC 10-18-22.
7. NOI – 22 Sauna Row Road. Site visit 10/19, hearing 10/26.
8. RDAs – 421 & 423 Main St intake 10/12/22, site visits 10/19/22
9. Request for COC – Intake for 6 Shirley Rd. inspection 10/5/22, DEP 308-0692. Issued COC 10/19/22
10. Request for OOC Extension – Intake for 3 Wheeler Rd; inspection 10/5, DEP 308-0678. Issued 10/19/22.
11. Request for COC – Intake for 35 Adams Rd. Inspection 10/14/22
12. Request for COC – 54 Barker Hill Road, continued from July. Inspection 10/19/22.
13. Minor Stormwater Project – issued minor SW permit for 22 Ponderosa Drive on 10/17/22
14. NOI – Intake/completeness review for Harbor Trace WTP & Assoc Waterlines, public inquiries

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

### **2.1 – 7:10PM – Notice of Intent, DEP #308-0694, TWB #2022-136 (6:25-13:18)**

**Applicant: Jane Potsaid**

**Location: 22 Sauna Row Road**

**Project/Status: The proposed project is for the replacement of a subsurface sewage disposal system. Part of the construction will occur within 100 feet of Vinton Pond**

*AL motions to open the hearing, PJ seconded*

*The motion passes unanimously*

JS reads the legal notice aloud and confirms that all abutters have been notified. Matthew Marro, of Marro Environmental Consulting, is present at the meeting and is representing the applicant Jane Potsaid, who is also present at the meeting. There was a site visit conducted on 10/19 with members of the CC and the applicant, but Matthew goes over the plans again with the CC to ensure that there is no confusion over the work being done. The applicant is proposing to replace an existing cesspool and the new tank, water-main, waterline, and a small portion of the leech field will be in the 100 foot wetland buffer. Mr. Marro has also brought updated plans that include the extension of hay bales along the side of the house to act as erosion control. JC recommends issuing a standard OOC with Attachment A.

*LM motions to approve DEP #308-0694 with a standard Order of Conditions, JS seconded*

*The motion passes unanimously*

*JS motions to close the hearing, AL seconded*

*The motion passes unanimously*

Jane Potsaid gives Mr. Marro her consent to receive the OOC so that he can bring it to the Registry of Deeds to be recorded.

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

### **3.1 – Hazard Mitigation Plan/Municipal Vulnerability Preparedness Plan review/discussion**

(22:50-44:32) Beth Faxon, administrative assistant for the Planning Board and the Zoning Board of Appeals, is present at the meeting to discuss the HMP & MVP plans with the CC. These plans were adopted during the pandemic by the BOS and MEPA. The plans were designed to identify the strengths and weaknesses the town has in fighting climate change and in preparing for natural disasters. BF would like to specifically discuss the sections of Table 7.1 where the CC is identified as the body responsible for implementing certain hazard mitigation and climate strategies. MM shares his screen so that BF can point out the areas relevant to the CC. JS asks how these objectives are being funded and BF explains that there are a variety of grants that the town could apply for. However, the town has not had much success in obtaining funding in the past, partially due to how competitive some of these grants are, especially the MVP Action Grant, but also because the Land Use Coordinator and Grant Writer positions have been vacant for long periods of time. The CC and BF have a brief discussion where they think of several potential ideas that would help to fulfill the objectives of these plans. The plan will need to be updated in 2025 and it also calls for annual status updates. BF asks the CC to record any action items they take and to send them to her so that she can include them on the upcoming annual update in December.

### **3.2 – Request for Determination of Applicability, TWB 2022-137, 421 Main Street for the removal of approximately 25 trees within a Riverfront Area (44:36-54:34)**

JC gives a brief description of the site and the scope of work to the commissioners who weren't able to attend the site visit. The applicant, Albert Caddrette, who is present in person at the meeting, is attempting to remove 25 trees that pose a risk to his home. Most of these trees are dying or dead and they are positioned in such a way that if they were to fall, they would fall on his house. Due to safety concerns, JC recommends issuing a Negative-3 Determination and allowing the removal of these trees. LM suggests potentially having the applicant plant more trees to replace the ones that are being removed. The CC considers this option but ultimately decides not to require it due to the location of the septic system and because the trees being removed only make up a small portion of the trees on the property. However, moving forward the CC would like to start implementing tree replacement as part of their approval process.

*JS motions to issue a Negative-3 Determination, AL seconded  
The motion passes unanimously*

**3.3 – Request for Determination of Applicability, TWB 2022-138, 423 Main Street for the removal of 1 tree within a Riverfront Area (54:35-56:05)**

*JS motions to issue a Negative-3 Determination, LM seconded  
The motion passes unanimously*

**3.4 – Certificate of Compliance Request for 35 Adams Road, DEP #308-0671 (56:06-59:20)**

JS recuses herself because she is the property owner at 35 Adams Road. JS walks to the other side of the table and describes the project to the CC, as an applicant. A ground mount solar array and an extension to their driveway were installed in a 100 foot wetland buffer. JC visited the site and confirmed that the project area was stabilized, and that grass had begun growing back.

*LM motions to issue a COC for DEP #308-0671, AL seconded  
PJ (Y) LM (Y) JG (Y) AL (Y) JS (Recused). The motion passes.*

**3.5 – Certificate of Compliance Request for 54 Barker Hill Road, DEP #308-0676 (59:21-1:02:06)**

JC reviews the details of this request with the CC. Back in 2019 when the OOC was issued, some of the demolition in the buffer zone was done without permit approval. So as part of the reclamation enforcement for that oversight, the CC at the time ordered 35 new plantings in the buffer zone. The CC also required the owners of the property to wait for two growing seasons to pass before requesting a COC. There have now been two full growing seasons and JC visited the site to confirm that the plants had grown in and that everything was built according to plan. JC recommends issuing a full COC.

*AL motions to issue a COC for DEP #308-0676, LM seconded  
The motion passes unanimously*

**3.6 – Review of TWB Chapter 150-2(L) through 150-3 (1:02:46-1:42:44)**

JC shares her screen so that she can review the different sections of the Townsend Wetland Bylaw together with the CC. They have a brief discussion about 150-2(L) where they gain a better understanding of the different types of fees that they can apply to projects that come before the CC. JC would like to change the Abutter definition to correctly follow the state regulations. So, she wants to delete "determination of applicability" and add "Abbreviated Notice of Resource Area Determination". The CC also have a long discussion about how Agricultural Use is defined in 150-3 and learn more about the relationship between agriculture and conservation in Townsend. JC also has minor proposed edits to

Alter, Applicant, Buffer Zone, Floodplain, Lake, and Person that proved the reader more clarity. She would also like to add to the definition of Groundwater to better explain its importance for drinking water. JC and the CC also discover that Land in Agricultural Use has an inaccurate reference. JC recommends replacing it with “see definition of Agricultural Use” or getting rid of the definition entirely. JG also suggests looking at what other Right-to-Farm communities have in their local Bylaws. JC would like to add “removal of stumps” to Selective Cutting and would also like to have clarification on whether this is only applicable in CC jurisdictional areas. She recommends adding “within a jurisdictional Conservation area”, but she will discuss the issue with Town Council before coming to a final decision. JC also plans to do more research on Wet Meadows and may add more to the definition if needed. The CC and JC agree to finish up the review of Chapter 150 at their next meeting.

### **3.7 – Review/discuss guidance on hunting in Townsend (1:42:48-2:00:31)**

The CC combines 3.7 & 3.8 into one discussion. MM explains to the CC that the town has gotten several calls/emails over the last couple of months from people asking about Townsend hunting regulations and where they are allowed to hunt. MM & JC are hesitant to send people out to hunt on our conservation lands when the property boundaries are not properly marked. MM shares his screen so that he can show the town website where he created a page called Hunting in Townsend. The page has links to the state regulations, wildlife management zone map, wildlife management areas, and hunting season dates & bag limits. It also asks residents to please hunt in the State Wildlife Management Areas until proper signage can be put up to mark the edge of conservation lands. MM & JC are clear that they are not outlawing hunting in conservation lands, they are just asking people to temporarily hold off due to safety concerns. MM & JC have 250 sign markings that they are planning to put up as soon as they can, prioritizing the largest conservation lands with frontage first. There is a brief discussion on what the best way to delineate the property would be. MM also shows the updated Townsend Conservation Commission Land Uses document where the ATV and hunting information have been moved to other documents. The list of Townsend Conservation Lands and some other out of date information have been removed as well. JC informs the CC that the current plan is to post these signs and additional signs with regulation information at the entrance of some of the bigger properties, and then to go from there. JC also mentions that a GIS map of the conservation maps is being made and this will also help in making it clearer where the conservation lands are.

### **3.8 – Review/discuss uses of CC owned land \*See 3.7**

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

### **4.1 – Planning Board Transmittal of Decision (2:00:33-2:01:33)**

JG reads the ToD aloud to the CC regarding the PB’s decision to allow conversion of a commercial building at 256 Main Street to four one-bedroom residential units. The CC doesn’t feel a need to discuss this further.

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

### **5.1 – Upcoming MACC classes Nothing new to report.**

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

Plant list recommendations for future projects, “did you know?” educational materials

**7.0 Next meeting:** Wednesday, November 9<sup>th</sup>, 2022 at 7:00 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:**

*AL motions to adjourn at 9:11PM, LM seconded  
The motion passes unanimously*