



Office of the  
**CONSERVATION COMMISSION**

Town of Townsend  
272 Main Street  
Townsend, Massachusetts 01469  
978-597-1700, ext. 1739  
[conservation@townsendma.gov](mailto:conservation@townsendma.gov)

RECEIVED  
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

---

**Meeting of the Townsend Conservation Commission**  
MINUTES

Wednesday, November 9<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 an 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**

<https://us02web.zoom.us/j/81160548693?pwd=eVhFQUF4b25ONWl5amhtV3VadmVVZz09>

**Meeting ID:** 811 6054 8693

**Passcode:** 406363

**One tap mobile**

+13017158592,,81160548693#,,,,\*406363# US (Washington DC)

+13126266799,,81160548693#,,,,\*406363# US (Chicago)

**Dial by your location**

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Find your local number: <https://us02web.zoom.us/j/81160548693>

**1.0 Preliminaries – Votes May Be Taken:** (YouTube Timestamps)

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

**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** None

**1.5 – Review/Approve the meeting minutes from 10/18/22**

*AL motions to approve 10/18 meeting minutes, JS seconded  
PJ (Y) JS (Y) JG (Y) AL (Y) CS (Abstains) LM (Y). The motion passes.*

**1.6 – Agent’s report** (2:03-8:20)

1. Building Permit interdepartmental signatures
  - a. 74 Brookline Street
  - b. 310 Main Street
  - c. 98 West Meadow Road
2. Referrals completed
  - a. BOS: License Renewals for Common Victualler, Alcoholic Beverages
3. BOH interdepartmental signatures
  - a. 3 Saunder Road
4. Request for Townsend OOC Extension – 27 Scales Lane, fully compliant as of 10/25/22 to continue processing request at 11/9 meeting
5. Continued efforts to contact Applicants with outstanding OOCs to get COCs filed
6. NOI – 22 Sauna Row Road. Standard OOC issued on 10/31/22
7. RDAs – 421 & 423 Main St. Neg-3 Determination of Applicability issued on 10/31/22
8. Request for COC – 35 Adams Road. Issued complete COC on 11/1/22
9. Request for COC – 54 Barker Hill Road. Issued complete COC on 10/31/22
10. NOI – Intake/completeness review for Harbor Trace WTP & Assoc Waterlines, public inquiries. Site visit 11/2/22. Hearing scheduled for 11/9/22.
11. Intake of complaint regarding sedimentation/erosion originating from private property at 158 Main St. Site visit 10/28, letter mailed to property owner on 10/31
12. Mailed out second letter indicating attempt to connect with owner at 61 Edward Rd on 10/31/22
13. Req for COC – 6 Ball Rd. Intake 11/2/22. Site visit 11/2/22
14. Emailed Asplundh re: concerns of tree felling into wetlands at Haynes/Hog Hill Rd reported on 10/31, trees left in wetlands. Connected with staff on 11/2/22 and trees were removed 11/4.
15. Check in with Applicant for Squannacook WMA for scheduling and application status 10/26 and 11/2

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

**2.1 – 7:10PM – Notice of Intent, DEP #308-0XXX, TWB #2022-139** (8:23-43:38)

**Applicant: Townsend Water Department**

**Location: Portions of the roadway rights-of-way of Harbor Trace Road, South Street, South Harbor Road, Ash Street, South Row Road, and Emery Road**

**Project/Status: The proposed project is for the development of a PFAS Water Treatment Plant off of Harbor Trace Road and associated waterlines along the above referenced roads. Part of the construction will take place within Bordering Lands Subject to Flooding, Riverfront Areas, and 100 feet of Bordering Vegetated Wetlands.**

*AL motions to open the hearing, JS seconded  
The motion passes unanimously*

JS reads the legal notice aloud and it was confirmed before the hearing that all abutters had been notified. Dave Vigeant, with the Townsend Water Department, and several employees of Tighe and Bond, the engineering consultants, are present at the hearing to discuss the project. Louis Soracco and Dave Vigeant are present in person and Julia Novotny & Mary Danielson are present via Zoom. LS explains that a water treatment plant (WTP) is needed because there have been high amounts of PFAS found in both the Harbor Trace & Witch Brook Wells. The Harbor Trace Pump Station is the largest source of water for the town and the level of PFAS found is over the State's regulatory limit, so the station is required to remain offline until the PFAS levels can be reduced. In addition to the proposed WTP there will also be a water transmission main between both wells so that the WTP can treat both sites. The water main extensions are for redundancy, so that if a water main breaks, the town will still have access to running water. JN shares her screen to show where the project will require work in CC jurisdictional areas. She also shares a table that shows how they will be installing the water main near every relevant culvert. LS adds that the contractor will have specific instructions to record the conditions of the entire work area before any construction is done. JC reminds the CC that this hearing has to be continued to the next CC meeting on December 14<sup>th</sup> because this application is still waiting on DEP comments. JG opens up the hearing to public comments and asks that the questions be relevant to the CC. Any non-relevant questions/concerns will be passed along to the TWD, so that they can be addressed at the Board of Water Commissioners Zoom meeting on 11/14. One resident, who lives on Harbor Trace Rd, is concerned that the building of the WTP will increase her water bill costs. The CC informs her that this question is not relevant to the CC and that she should attend the BWC meeting. JG does, however, let her know that the construction costs are being covered by the state. LS explains that Massachusetts has passed new legislation that has drastically reduced the amount of PFAS that is acceptable in drinking water. Massachusetts, along with the federal government, is helping to pay for the construction of WTPs in areas where the PFAS levels are high so that municipalities can get under the legislated levels.

*AL motions to continue the hearing to 12/14/22, JS seconded  
The motion passes unanimously*

## **2.2 – Appointment for 158 Main Street and possible offsite wetland violations (43:50-1:11:37)**

The property owner, Doc McGee, is present at the meeting so that they can discuss a recent complaint they received about siltation runoff blocking the culvert that goes into the Rail Trail. JC had mailed a letter to DM inviting him to come before the CC for discussion. The CC would like to come up with a plan to mitigate the damage to the culvert and to stop it from happening again. DM explains the situation and that he has re-seeded the swale where the erosion is taking place, placed haybales to prevent runoff, and has cleared the culvert of existing sediment. He also mentions the fact that there is more water than usual draining onto his property recently and that he is not sure where it is coming from. LM took a visit to the site recently and believes the haybales should be moved to different locations to better stop the sediment from running into

the culvert. JC shares her screen to show pictures of where the haybales are currently located. She also shows a picture of a ditch that had been dug on the Rail Trail property and LM would like to see it restored with new vegetation. The CC ultimately decides to not require the ditch to be filled in. The CC however does ask DM to move the haybales into the ditch and at the bottom of the stream so that it limits/stops the sediment from getting into the culvert, DM agrees. The CC then have a brief discussion about where all the water might be coming from and both parties agree to schedule a site visit so that they can walk the property to try to find the source of the water.

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

#### **3.1 – Request for 1-year OOC Extension for 27 Scales Lane, TWB #2019-156 (1:11:40-1:15:16)**

JC explains that the applicant requested an extension back in April, but that JC noticed that the OOC hadn't been recorded and that all the erosion control barriers had been removed. JC requested that the applicant record the OOC and replace the erosion control barriers before discussing approval of request. The applicant has done all that has been requested so JC believes that a 1-year extension can now be issued. There is no DEP # because the wetlands near the property are considered Isolated Wetlands and under town jurisdiction only. The 1-year extension begins on the date of the meeting.

*JS motions to issue 1-year OOC Extension for TWB #2019-156, AL seconded  
The motion passes unanimously*

#### **3.2 – Certificate of Compliance Request for 6 Ball Road, DEP #308-0673 (1:15:21-1:16:52)**

JC visited the site and ensured that the grass was growing back and that the bank of the pond had been replanted with native wetland vegetation. JC is in favor of issuing the COC.

*AL motions to issue COC for DEP #308-0673, PJ seconded  
The motion passes unanimously*

#### **3.3 – Mandatory Referral Notice from ZBA regarding 75 Pierce Road (1:16:54-1:20:15)**

This referral Notice is regarding proposed plans to build an accessory apartment at 75 Pierce Rd. JC mentions that while this project is not in a CC jurisdictional area, she did notice a mistake on the application that she would like to see corrected. Question 4 on the application asks, "are there any brooks, streams, swamps, bogs, lakes, ponds, or other wetlands on the lot or within 100 feet of the lot". This was marked no but it should be marked yes. The CC agrees that this comment, along with a comment mentioning it is not jurisdictional, be submitted to the ZBA.

*JS motions to issue comment(s) to the ZBA, AL seconded  
The motion passes unanimously*

#### **3.4 – Mandatory Referral Notice from PB regarding proposed Zoning Bylaw amendments to 145-42 & 145-54.1 (1:20:17-1:23:10)**

The PB is proposing changes to 145-42, entitled "Site Plan Review Special Permit", and 145-54.1, entitled "Age-restricted development". The CC has no comment on the proposed changes.

*JS motions to submit no comment to the PB, AL seconded  
The motion passes unanimously*

### **3.5 – Review of TWB Chapter 150-4 through Appendix (1:23:25-1:45:05)**

JC shares her screen so that the CC can review TWB Chapter 150 together. She proposes adding “and/or the Wetlands Protection Act” to 150-4(A)(1). She would also like to add “if necessary, a resident or firm can request an Emergency Certification/Certificate from the Commission” to 150-4(G). The CC also has a brief discussion on how they should handle enforcement going forward based on what is written in 150-4. Finally, JC has several additional items she would like to see added to 150-4 like hyperlinks for Appendix forms, updating the Appendix attachments, and adding an ACEC provision. The CC agree with most of JC’s proposed changes but would like for there to be more research on what other town bylaws have in regard to the ACEC, before changing anything. JC informs the CC that she plans to meet with Town Counsel to review the proposed changes to TWB Chapter 150.

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

#### **4.1 – ZBA Transmittal of Decision (145:07-1:45:41)**

The ZBA has approved a special permit to operate a storage facility at 161 Brookline Rd. The CC has no comments or concerns.

#### **4.2 – Updated DCR Forest Cutting Plan & Notice of Intent for Gilchrist Road (1:45:42-1:46:29)**

The CC has already received the FCP for this property, but it has been updated with service forester comments. The CC has no additional comments or concerns.

#### **4.3 – DCR Barker Hill Road Proposed Harvesting Updates (1:46:30-1:48:11)**

The DCR is planning to “remove trees at risk to forest pathogens, release established regeneration, remove hazard trees along forest roads and trails, and provide wildlife habitat”. There was a site walk on 11/8 to discuss the project with the public. The CC will be notified by the DCR before they begin work.

#### **4.4 – Title V Proposed Regulations (1:48:19-1:50:38)**

JG reads the email from MassDEP aloud to the CC. MassDEP is proposing to amend the current Title 5 regulations to better enhance protection of embayments and estuaries from nitrogen pollution. There will be 3 public meetings via Zoom on 11/30, 12/1, and 12/5. Written comments will be accepted until 12/16. Information on how to send comments and register for the zoom meetings is on the MassDEP website.

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

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

Continuance of Harbor Trace NOI, 5 Madison NOI, Squannacook Meadows RDA, Educational Materials

**7.0 Next meeting:** Wednesday, December 14<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:**

*LM motions to adjourn at 8:57 pm, AL seconded*

*The motion passes unanimously*

