



Office of the
CONSERVATION COMMISSION

Town of Townsend
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R E C E I V E D
MAY 12 2023

**TOWN OF TOWNSEND
TOWN CLERK**

Chair: James Gates (2024) **Vice-Chair:** Colby Streeter (2025) **Clerk:** Vacant
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, March 22nd, 2023 @ 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

<https://us02web.zoom.us/j/84650154940?pwd=Z2FOVzlseVY2aGlVMEdXdk04VkliQT09>

Meeting ID: 846 5015 4940

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One tap mobile

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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 7:11PM.

RC: PJ (P) LM (P) JG (P) AL (P) KS (Present at 7:25PM)

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 1.4-1.6 moved until after appointments.

1.4 – Chair’s report JG asked the contractors at 75 Pierce Road to put up erosion control barriers.

1.5 – Review/Approve the meeting minutes from 2/8/2023 JG has some questions about the paving of Campbell Farm Lane and does not remember JC asking him to follow up with Beth at the end of the agent’s report on 2/8. After a brief discussion with KS about the project, JG ultimately trusts MM and does not need MM to make any changes to the minutes.

*AL motions to approve the 2/8 meeting minutes, LM seconded
The motion passes unanimously*

1.6 – Agent’s report (28:43-38:43)

1. Building Permit interdepartmental signatures
 - a. None
2. Referrals completed
 - a. None
3. BOH interdepartmental signatures
 - a. None
4. Completed approvals
 - a. None
5. **Applications**
 - a. An NOI was submitted for 75 Pierce Road on 3/20. This is for work done on an addition to a single-family home within 100 feet of an intermittent stream. This will be on the 4/12 agenda.
6. **Miscellaneous**
 - a. Enforcement Order – 158 Main St issued ratified/amended EO on 1/19. Compliance ongoing.
 - b. Intermittent stream discovered at 75 Pierce Rd after work had begun. Work is stopped until an OOC is issued. The NOI hearing is planned for the 4/12 meeting.
 - c. Potential wetland violations at 127 Main St and 96 Fitchburg Rd. Letters sent to property owners on 3/10 requesting permission to access their properties to determine if remedial actions or permits are required.
 - d. Potential wetland violation at parcel across from 206 South Row Rd. Eric Chartrand is looking into the situation and is planning to send a violation letter to property owner.
 - e. James LeCuyer Volunteer Response Form still on file. Letter sent 3/13 asking Mr. LeCuyer if he was still interested in serving on the Commission.
 - f. Potential dumping of trash on Conservation land off of Route 13 at the sand pits.

*JC asks if the disturbed area across from 206 South Row Road is in the CC’s jurisdiction and MM believes so. There is a brief discussion about the trash off of Route 13 and the CC recommends contacting Patricia Huckabee of Fish & Wildlife. MM also informs the CC that JC is coming back from leave on 3/27 and is going to work remotely until further notice.

2.0 Hearings and Appointments– Votes May Be Taken:

2.1 – Enforcement Order, 158 Main St, Updates from 3-8 – 3-22 (1:01-7:00)

Status update from property owner/engineer that includes proof that the work outlined in the Emergency Mitigation plan was completed, that sediment continues to be removed, and that a long-term plan to address stabilization & remediation is in progress.

MM shares his screen to show pictures taken by Courtney and MM on 3/22. The pictures show that the 2 check dams illustrated on the Emergency Mitigation Plan (EMP) have been installed. Courtney informs the CC that the check dams have done a good job at limiting the amount of sediment that is flowing into the culverts. The final remediation plan, sediment removal, and installation of the rest of the EMP continue to be works in progress. There is a brief discussion about whether or not to continue having Terry and Courtney come in for every meeting. The CC decides to play it by ear.

2.2 – Appointment for 75 Pierce Road regarding work done within 100 feet of an intermittent stream (7:03-21:21) Mike Gray is present at the meeting and he is the listed applicant on the NOI that was submitted 3/20. MM fills in the CC on what has been going on at the site. The contractors have put down erosion control, the dirt pile, that was on a steep slope within 100ft of the intermittent stream, has been pushed back into the hole, carpentry work was allowed to continue on the 2nd level, and all heavy machinery work has been paused. Back in November the stream wasn't readily apparent and was unfortunately missed on a site review. However, in the comments on the Building Permit JC did ask that they put erosion control barriers down since they were very close to the wetland buffers. This was missed by the applicant, but the erosion controls were installed as soon as JG called. The NOI will be on the 4/12 CC agenda and the CC might ask for some remediation measures since work began before the NOI was filed. LM asks if it is certain that the discovered water is a stream and MM confirms that Dillis & Roy delineated the feature as an intermittent stream. LM wants to make sure that moving forward the CC tries to be more diligent in the future so that these mistakes don't happen.

3.0 Work Session – Votes May Be Taken:

3.1 – Mandatory Referral Notice from PB regarding revised site plan at 22 Main Street (38:47-44:51) The applicant is proposing alterations to structure, driveway configuration, and addition of parking spaces at 22 Main Street to operate a veterinary hospital. MM informs the CC that the Squannacook River is behind this property and there are wetlands shown on MassMapper that are approximately 120 feet from the back property line. MM & JC would like to have a field confirmation that this site is outside the CC's jurisdiction since MassMapper can be outdated and not very precise. KS believes that the wetlands are a long distance behind the property, but the CC believes they would feel more comfortable if MM or JC went out to the site and confirmed for themselves. The CC decides to leave a comment for the Planning Board stating that the Conservation Agent will field verify the location of the wetlands and will notify the CC and the PB if there are any issues.

3.2 – Proposed changes to Townsend Wetland Regulations 150-2(k) (44:52-48:51)

The CC had mentioned how much they liked Groton's plan requirements at the last meeting and so MM merged the plan requirements from Townsend and Groton together. He also made grammatical/format changes and added 35-foot buffer lines as a requirement, which the CC have often made applicants add to submitted plans. MM recommends scheduling a Public Hearing to make all the proposed changes to the Regulations at once, including JC's proposed changes from several months ago. These changes will make it easier for applicants to understand what they need to do when applying for a permit.

4.0 Correspondence – Votes May Be Taken:

4.1 – Updated DCR Forest Cutting Plan for Gilchrist Road (48:55-50:54)

DCR will be harvesting a little over 70,000 Board Feet of mostly white pine in a 10 acre area off of Gilchrist Road. Forester comments have been added since the CC last looked at this FCP and he recommends harvesting occur between 10/15 – 3/15. ACEC recommends using portable bridges to cross resource areas.

4.2 – Division of Ecological Restoration accepting Culvert Replacement Municipal Assistance Grants until 3/31 (50:56-54:02)

The CC has several culverts in mind that they would like to see replaced and JG will reach out to Jim Smith of the Highway Department after the meeting and let him know that there is grant money available ranging from \$25,000 up to \$400,000.

4.3 – List of current grant opportunities provided by the NERO Circuit Rider (54:03-56:35)

JG reads the list aloud that includes Culvert Replacement Municipal Assistance Grants, Coastal Resilience Grant Program, Municipal Vulnerability Preparedness Action Grants, Parks and Conservation Grants, Loans for Dam and Seawall Repair or Removal, Landscape Partnership Grants, Small Communities Conservation Grants, and Environmental Justice Grants. KS brings up Adams Dam as a potential project that could use Grant money.

4.4 – Updated BVW Delineation Handbook, updated field data sheets, and updated Inland Wetland Replacement Guidelines provided by MassDEP (56:36-57:24)

MM will print out these updated copies and the CC agrees that these materials would be good to bring on site visits.

4.5 – Army Corps of Engineers’ proposal to revise MA General Permits (57:28-59:43)

MM gives a synopsis to the CC. The USACE has requested that MassDEP issue Water Quality Certifications for the MA GPs in accordance with the federal Clean Water Act. Section 401 of the CWA requires any applicant for a federal permit/license that may result in discharge of a pollutant into waters of the U.S. to obtain a WQC from the appropriate state agency.

4.6 – Resignation Letter from Joan Savoy (59:51-1:01:28)

JG reads the letter aloud to the CC. The CC appreciates the time and work JS has given to the Commission and MM has already sent her an email thanking her for her service. MM will coordinate with JS about taking over the invasive species training class that JS was organizing. JG also mentions wanting to push forward with the “did you know” educational materials that JS was proposing.

5.0 Education and Conferences – Votes May Be Taken:

6.0 Items for discussion at next meeting:

158 Main Street Enforcement Discussion, parcel across from 206 South Row Road, 127 Main Street, 96 Fitchburg Road, and 75 Pierce Road NOI

*The CC thanks LM again for her service to the CC and wishes her the best of luck moving forward. This will be LM’s last meeting as a Conservation Commissioner.

7.0 Next meeting: Wednesday, April 12th, 2023 at 7:00 pm, BOS Chambers, 2nd floor. This meeting will also be held via virtual Zoom remote in accordance with Covid-19 safe meeting guidelines.

8.0 Adjournment: