



Conservation Commission  
Town of Townsend  
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RECEIVED  
JUN 13 2022  
TOWN OF TOWNSEND  
TOWN CLERK

James LeCuyer (2022)  
Colby Streeter (2025)

Anne LeCuyer (2023)

James Gates (2024)  
Joan Savoy, Clerk (2022)

Jessica Consolvo, Conservation Agent

Matthew Matos, Administrative Assistant

## Meeting of the Townsend Conservation Commission MINUTES

Wednesday, May 11<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

<https://us02web.zoom.us/j/83548871291?pwd=c1AxaVNodU9KS0I1THRKbGF4b2VEQT09>

**Meeting ID:** 835 4887 1291

**Passcode:** 107179

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Find your local number: <https://us02web.zoom.us/j/kddr0XPmOx>

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

**1.1 – Call the meeting to order and roll call** AL calls the meeting to order at 7:03PM under the Wetlands Protection Act (WPA) and the Townsend Wetland Bylaw (TWB).

Roll Call: JG (P) JL (P) JS (P) CS (P) AL (P)

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

**1.3 – Meeting Decorum Letter from Town Administrator (read by LUC) (2:00-5:55)**

Michael Crowley (Land Use Coordinator) reads out loud the letter sent to the CC by the interim Town Administrator (Ross Perry) on 5/5, regarding meeting decorum and the poor behavior shown at the 4/27 CC meeting. There are some technical difficulties on MCs end and JC finishes the reading of the letter.

**1.4 – Vote for officers (5:56-22:56)**

*JL nominates JG to be Chairman, CS seconded  
The nomination passes unanimously. JG accepts the position.*

There is some discussion over nominating JS or JL to be Vice Chair, as well as not nominating anyone, but the CC ultimately decide to nominate CS.

*JS nominates CS to be Vice Chair, CS seconded  
The nomination passes unanimously. CS accepts the position.*

*CS nominates JS to continue to be Clerk, JG seconded  
The nomination passes unanimously. JS accepts the position.*

**1.5 – Chairman’s Additions and/or Deletions None**

**1.6 – Chair’s report None**

**1.7 – Agent’s report (23:20-25:30)**

1. Building Permit interdepartmental signatures
  - a. 2 Granite Road
  - b. 67 Highland Street
2. Referrals completed
  - a. none
3. BOH interdepartmental signatures
  - a. 116 Wallace Hill Road
4. Conservation-owned land: seven site visits and inventory reports completed to date.
5. OOCs issued in the past without COCs – 13 inquiries made to date
6. RDA – 46 Emery Road tree cutting for safety concerns – put on hold 3/7/22
7. 10-12 Spaulding Street OOC issued 5/4/22
8. Request for COC – 1 Bailey Rd 308-639 intake & visit
9. Request for COC – 5 Bailey Rd 308-638 intake & visit
10. Request for COC – 7 Bailey Rd 308-637 intake & visit
11. OOC Extension Request & minor amendment –50 Highland St 308-667 intake & visit
12. OOC Extension Request – Rail Trail intake
13. RDA – 41 Greenville Road deck installation intake
14. Visit to 75 Barker Hill Road to locate wetland boundary for proposed in-law suite

15. RDA – 116 Wallace Hill Road septic replacement intake
16. Updates to OOC cover letter
17. Visit to 1 Capricorn Lane for review of tree cutting on ConsComm owned land

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

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

**3.1 – TWB 2022-125, 41 Greenville Road Request for Determination of Applicability for the installation of a deck connection between an existing deck and pool within a wetland buffer (25:40-29:40)** The CC agree that since the pool already exists and the deck is further from the wetlands than the pool, the project should be approved.

*JS motions to issue a negative-3 determination, CS seconded  
The motion passes unanimously.*

**3.2 – TWB 2022-126 116 Wallace Hill Road Request for determination of Applicability for the replacement of a failed septic system within 100-feet of an intermittent stream (29:40-46:46)**  
Jack Maloney is on the Zoom call representing the applicant and would like to correct the record that it is not an intermittent stream but a field swale. JM shares his screen with the CC so that they can go over the site plan together. AL and JL, who were on the site walk, said it was more of a drainage ditch and since it was in a grass field with no wetland vegetation, the ditch could be considered not wetlands at all. JC has no opinion since she was not present at the site walk. Regardless, JM filed an RDA just in case and he plans to have erosion control barriers protecting the swale from potential runoff.

*JL motions to issue a negative-3 determination, AL seconded  
AL (Y) JL (Y) JS (N) CS (N) JG (Y). The motion passes.*

**3.3 – TWB 2022-120 (Continued from 4/27), 46 Emery Road Request for Determination of Applicability for the removal of trees immediately adjacent to both a pond and surrounding wetlands (47:03-50:10)** The applicant has asked to postpone this item indefinitely.

*JL motions to put TWB 2022-120 on hold until notice from applicant, CS seconded  
The motion passes unanimously*

**3.4 – Request for COCs for 1, 5, & 7 Bailey Road: DEP #308-639, #308-638, and #308-637 (Continued from 4/27) (50:12-1:14:43)**  
JC had some concerns that the original plans submitted for these projects had some inaccuracies or omissions but the CC members who were present on the site walk (AL & JL) have no issues with the completed work. The CC are OK with issuing the COC but since it has been more than 3 years since the OOC was issued there are fines that must be issued. The applicant, who is on the zoom call, asks the CC if there is any way to waive or decrease these fees due to the Covid-19 pandemic. There is confusion over what fee schedule should be used, and since the fee schedule is currently being reworded to be clearer and more concise, the CC decide it might be best to vote on this matter once the new fee schedule is approved. MC also plans to discuss this matter with the town legal counsel and try to find out what the best practice is.

*AL motions to continue 3.4 and to put a hold on additional fee accrual, CS seconded  
The motion passes unanimously*

**3.5 – Vote to approve plans for Townsend Hill Maple Sugar House located in Campbell Farm CR** (1:14:46-1:24:55) MM shares his screen so that the CC can read the emails between the applicants and JC. The CC have had a chance to review the plans for the maple sugar house and members of the CC saw the proposed site at a previous site visit. The applicant did not share if he plans to run electricity to the structure, and if so, if that is allowable under the CR. JS would like to continue this item until the CC can see the applicant's electrical plan.

*JS motions to continue 3.5 to next meeting, CS seconded  
The motion passes unanimously*

**\*3.6 – Vote on potential CC fee schedule revisions** (1:25:00-1:29:00)  
The CC decide that they need more time to look over the potential changes and would like to continue this topic to the next meeting.

*JL motions to continue 3.6 until next meeting, AL seconded  
The motion passes unanimously*

**\*3.7 – Enforcement discussion for 61 Edward Road** (1:29:03-1:42:15)  
There have been several complaints from residents regarding litter in this resident's yard and in a nearby wetland. JC has sent several letters to this resident asking for them to remove the litter, but as of yet, much of the trash is still there. JC has the right to begin issuing fines but would like approval from the CC before she does so. JC has not been able to make physical contact with the property owner. JC and the CC agree that they should see the property and send a letter inviting the property owner to a CC meeting before issuing any fines.

*JL motions for an off site visit and sending a meeting invitation letter to resident, AL seconded  
The motion passes unanimously*

**\*3.8 – Vote for haiku contest & grading Earth Day tests** (1:42:20-1:44:26)  
JS announces that Leanora Becker has won the haiku contest and will be receiving a 50 dollar gift certificate to Evans. Meghan Donovan won the Earth Day quiz drawing and will also be receiving a 50 dollar gift certificate to Evans.

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

**4.1 – Letter requesting 66 Bayberry Hill Road be removed from 61B Designation** (1:44:28-1:48:28)  
JG reads the letter aloud to the CC. MC informs the CC that there is no action required from the CC at this time. While the CC does have oversight over chapter land, at the moment it is being handled internally, and MC will keep the CC apprised of the situation as it unfolds.

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

**6.0 Items for discussion at next meeting:**  
Site walk decorum

**7.0 Next meeting:** Wednesday, May 25<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:**

\*Corrections to mistakes on 5/11 agenda

*JL motions to adjourn at 8:52, JG seconded  
The motion passes unanimously*

