



Conservation Commission
Town of Townsend
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TOWN CLERK

James LeCuyer (2022)	Anne LeCuyer (2023)	James Gates (2024), Chairman
Colby Streeter, Vice-Chairman (2025)	Linda Mack (2024)	Joan Savoy, Clerk (2022)
Jessica Consolvo, Conservation Agent		Matthew Matos, Administrative Assistant
	Michael Crowley, Land Use Coordinator	

Meeting of the Townsend Conservation Commission MINUTES

Wednesday, June 22nd, 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/86707806488?pwd=TGV6bVNLYWlwQ011OW83MDJINGVTdz09>

Meeting ID: 867 0780 6488

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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 7:01PM under the Wetlands Protection Act (WPA) and the Townsend Wetland Bylaw (TWB).

Roll Call: JS (P) LM (P) AL (P) JL (P) JG (P) CS (Arrives at 7:05PM)

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 JG adds 4.3 – BOS voted on 6/21/22 to appoint Patricia Jemiolo to the CC. He also notes that he has asked for a meeting with the BOS and the Town Admin regarding this appointment because the procedure was different than how it has worked in the past.

1.4 – Chair’s report None

1.5 – Review/Approve the meeting minutes from 5/25/22 & 6/8/22 CS arrives at the start of 1.5.

*AL motions to approve 5/25 minutes, CS seconded
JS (Y) LM (A) CS (Y) AL (Y) JL (Y) JG (Y). The motion passes.*

JS points out a typo in 1.3 of the 6/8 minutes, she would like to see that corrected. During this discussion **the CC decide to add 4.4 – Discuss keeping complaints from town residents anonymous & 5.1 – Wild & Scenic workshop on invasive species 6/25/22**

*AL motions to approve the 6/8 minutes, JL seconded
JS (Y) LM (A) CS (Y) AL (Y) JL (Y) JG (Y). The motion passes.*

1.6 – Agent’s report (8:50-11:35)

1. Building Permit interdepartmental signatures
 1. 209 Pierce Road
 2. 3 Magnolia Lane
 3. 3 Capricorn Lane
 4. 35 Bayberry Hill Rd
2. Referrals completed
 - 32 Main Street
1. BOH interdepartmental signatures
 - 198 North End Road
 - 15 Emery Road
1. OOCs issued in the past without COCs – 13 inquiries made to date
2. RDA – 46 Emery Road tree cutting for safety concerns – put on hold 3/7/22
3. Request for COC – 1 Bailey Rd 308-639 resubmitted 6/13
4. Request for COC – 5 Bailey Rd 308-638 resubmitted 6/13
5. Request for COC – 7 Bailey Rd 308-637 resubmitted 6/13
6. RDA – 1 Brown Road - completed Determination on 6/15
7. RDA – 12 South Street – completed Determination on 6/15
8. Request for Townsend OOC Extension – 27 Scales Lane intake & site visit
9. Request for COC – 4 Capricorn Lane intake & site visit
10. RDA – 33 Greenville Road (Recycling Center) intake & site visit
11. Pre-con inspection for 10-12 Spaulding St
12. Received correspondence re: MACC membership renewal

2.0 Hearings and Appointments– Votes May Be Taken:

3.0 Work Session – Votes May Be Taken:

3.1 – TWB 2022-131, 33 Greenville Road Request for Determination of Applicability for improvements to the existing transfer station, some of which will occur within 100 feet of a drainage basin (12:03-32:40) JL would like the record to show that the property in question is a recycling center not a transfer station. Stan Dillis is on the Zoom call representing the Board of Health/the Town of Townsend. SD shares his screen and describes the project to the CC. JL wants to also add what he knows about the site because he was on the BOH when they put in the culvert. There is discussion about whether he should be allowed to speak because it is unclear if the applicant is the Town of Townsend or the BOH. JG points out that on the WPA form and the MESA filing the applicant is listed as the Town of Townsend. SD also mentions that the owner of the land is the Town. However, on the plans, they say that they were prepared for the BOH. JG asks Michael Crowley for guidance but after some back-and-forth there is still confusion over who exactly is the applicant. JG believes the applicant is the Town because that is what is on the WPA form and the Mesa filing, however, MC believes that it is both the Town and the BOH. As a compromise the CC decides that while JL must recuse himself from this application because of his position on the BOH, which is a conflict of interest, he can still speak to the CC as an applicant. JL walks to the other side of the table as an applicant and shares his knowledge of the site's history to the CC. JC, alongside members of the CC, went to the site on 6/15 and in her opinion the drainage basin should not be classified as a wetland. Therefore, the project does not fall under the CC's jurisdiction and is not subject to review by the CC. The CC agrees that the project is non-jurisdictional.

*AL motions to issue a negative-6 determination, CS seconded
JS (Y) LM (Y) CS (Y) AL (Y) JG (Y) JL (recuses himself). The motion passes.*

3.2 – Request for OOC Extension for 27 Scales Lane, TWB 2019-156 (32:43-37:30)

JC informs the CC that the previous DEP# on file was incorrect and that a DEP# does not exist for this project. She believes this is because the wetlands that are present near 27 Scales Lane are isolated, in which case, the applicant does not need to submit anything to the state. JC has made a site visit out to the property and noticed that the erosion control barriers have already been taken down. She has also not been able to find proof that this application was filed with the Middlesex Registry of Deeds. JC recommends continuing this item until the applicant reaches out to the CC to address these two issues.

*JS motions to continue, AL seconds
The motion passes unanimously*

3.3 – Request for COC for 4 Capricorn Lane, DEP #308-624 (37:33-40:30)

JC informs the CC that the work that was approved for this project was never completed and that she went to the property to confirm. The applicant is requesting a COC confirming that the OOC is invalid, so that it can be recorded, and her title can be cleared.

*JS motions to issue COC marked with invalid OOC, AL 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 6/8) (40:48-43:05) The applicant submitted the necessary fees and so this matter is ready to be voted on by the CC. The submitted fees were based on the new fee schedule because the applicant withdrew their original application and resubmitted once the new fee schedule was approved.

*AL motions to issue COCs for these 3 projects, JL seconded
The motion passes unanimously*

4.0 Correspondence – Votes May Be Taken:

4.1 – Update on 61 Edward Road from Michael Crowley (43:07-53:33)

MC was able to make contact with the property owner and he has discovered that the property owner is physically unable to move trash out of the wetland. MC asks the CC that any enforcement or fees be suspended to allow himself and JC to work with the resident on the best solution for everybody. The CC agree that this is a good idea, and they mention several volunteer groups that could help clean up the area. MC and JC are tasked with working on this with the resident, but the CC wants to be updated and JG suggests September 1st as a potential deadline for this situation to be resolved.

4.2 – Renewal fees for MACC membership (53:34-55:13)

JS updates the CC on her correspondence with the MACC. She plans to email them back about the past due invoice because she is certain that it has already been paid. JC will also send them an updated list of CC members for their records. It is unclear at the moment as to which budget the MACC membership fees should come out of, but JC will meet with the town accountant and update the CC at the next meeting.

4.3 – BOS voted on 6/21/22 to appoint Patricia Jemiolo to the CC (55:22-1:01:10)

PJ introduces herself to the CC and briefly explains why she is looking to join the CC. The CC then discuss some of their duties and responsibilities. JG and JS mention that the MACC is a great resource for learning about conservation and recommend that she take some of their classes once she gets sworn in.

4.4 – Discuss keeping complaints from town residents anonymous (1:01:11-1:07:18)

Recently a town resident sent in a complaint and asked that it be kept anonymous from the CC. The CC discuss whether they are ok with this practice moving forward. There is a general consensus that this is acceptable and that it will help to make residents more comfortable informing the CC of potential problems. However, JL brings up the point that anonymity can be abused and so anonymity should be allowed only on a case to case basis. The CC agree to leave it up to the department staff's discretion as to when they decide to keep it anonymous from the CC. MC reminds the CC that if there is a public records request town employees are still legally required to include names when they turn the records over.

5.0 Education and Conferences – Votes May Be Taken

5.1 – Wild & Scenic workshop on invasive species 6/25/22 (1:07:25-1:09:11)

JG reminds the CC that the Wild and Scenic Stewardship Council is offering a free workshop on invasive plants this upcoming Saturday 6/25/22.

6.0 Items for discussion at next meeting:

Update on MACC correspondence & 27 Scales Lane OOC extension

7.0 Next meeting: Wednesday, July 13th, 2022 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:

*JL motions to adjourn at 8:15PM, CS seconded
The motion passes unanimously*