

Conservation Commission
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R E C E I V E D
NOV 10 2021
TOWN OF TOWNSEND
TOWN CLERK

Karen Hill, Chair
Jenifer Eaton, Clerk

Jim Deroian, Vice Chair
James Gates

James LeCuyer

Anne LeCuyer
Joan Savoy

7/28/21 Minutes Townsend Conservation Commission Meeting
partially recorded by TCAM and uploaded to the Townsend, MA YouTube Channel

I. Preliminaries

1.1 The meeting was opened by the Chair, KH at 7:00 pm.

1.2 The Roll Call consisted of KH, JD, JL, AL, JE, JG and JS present (full Commission).

1.3 When discussing topics not reasonably anticipated by the Chair 48 hours in advance of the hearing, KH added items 4.5 and 4.6 to the agenda. KH asked for a motion to add the items to the agenda but JL interrupted and asked that TCAM be made to stop the recording of the meeting. Discussion ensued. JS said TCAM operates like the press and cannot be kicked out. KH says the ConsComm position has been that they never wanted their meetings recorded by TCAM, put on YouTube or broadcast live on Channel 9, etc. Discussion ensued. KH called for a motion to eject TCAM and stop the recording. JL made the motion and it was seconded by AL. More discussion ensued and JD asked to move the motion. The vote was in favor KH, JL and AL; JG abstained and JS and JE voted against. The vote carried. JS announced she was now making a personal recording. The TCAM recording stopped at 6:39 minutes.

1.5 There is no record of the Agent's report available.

1.6 A vote was made by KH to approve and release the 7/14/21 minutes. Unanimous and JS abstained.

II. Hearings and Appointments:

2.1 – At 7:08 pm KH discussed the Request for Determination of Applicability TWB 2021-107 by Julie Ward (JW), 26 Proctor Road, and the proposed project was the removal of some trees. KH said it was an after-the-fact filing. JW was present and said the trees had not been cut down so it was not. KH discussed a report on the situation given by a former Commissioner and JW explained the chaos of that day, the tree hazard, and why she filed. She said someone called the police, etc. The event happened in May. The property is in the riverfront so she had to file. Kevin Smith was present and added to the discussion. KH requested a motion for a Negative 3 Determination. JD moved and JL seconded. Unanimous yes vote. Commission signatures collected, etc. KH asked for a motion to close the public meeting. AL made the motion and JG seconded. Unanimous yes vote.

3.1 - KH next opened the discussion and or approval of the Conservation Restriction for the Campbell Farm Open Space Preservation Development/Dana Roberts (DR). DR was present. KH said to remove the haying verbiage as you don't hay a wooded area. KH said she called John Gioia (at EEA) and he had not seen the OSPD before March 1st and he did not reject it. KH said the CR is the wooded area. KH asked if anyone had issues with the version she had supplied the Commission. JE said there were many problems with it and she had the copy Town Counsel (TC) had approved. DR asked where it came from as he had never seen it, etc. JE described how she had been the ConsComm Administrative Assistant and she and Veronica Kell had worked on it and sent it to TC. DR said his version had been approved on December 2nd. Much discussion ensued. KH said the copy she gave the Commission did not contain the comments and that was a mistake she made. JD said DR shouldn't be waiting and said someone isn't communicating. KH asked for a vote on the version she had supplied the commission, as supplied by the landowner, or vote on the one no one had ever seen. SD suggested that if the commission didn't look a the vetted version it would be returned. KH said what she had distributed that night had been approved by the Commission on December 2nd. JS said don't we have to get the right copy and take it from there? KH said the Commission had already approved the draft she had given them. JD said it would be kicked back by the BOS like SD said and it should be tabled. JE said she had sent a letter to the Chair at least a week prior saying her copy wasn't the correct one. JS said isn't the goal for now to get the right copy? DR was given a copy of TC's copy. KH said she had a motion so who could second it? JL seconded. Unanimous vote yes.

3.3 – KH moved to discuss MACC dues saying the Commission had to vote to sign the voucher to pay the MACC dues. KH asked for a motion. JG made the motion to sign the voucher and AL seconded. JD noted that JE was not in the room. Conversation about the classes ensued.

KH jumped to 4.1, Letter from Civil Solutions Inc. Request of Continuation of Public Hearing, dated July 19, 2021 re: 3 Libra Lane, "that had to do with the newspaper." She then discussed 4.2, Letter from Julie Ward requesting a continuation of public hearing, dated July 19, 2021 re: 26 Proctor Rd, "again the newspaper." She also said she got an ENF form from the Water Department that she didn't supply the Commission because it was too many pages. The Water Department had to show there was no adverse effects as per new well. Discussion ensued. KH said this form goes to EEA and it outlines the history, etc.

KH then discussed the letter from DEP dated 7/22/21 in regard to 308-681 and 308-682 Wescon Lot 1 and 2 on Emery Road saying DEP acknowledged that Wescon filed Superseding Orders and that they filed in a timely manner. JS said the letter was really about setting up a site walk with DEP, Wescon and their attorneys. KH said she told DEP the Commission is fairly flexible timewise and they do not have to allow us on their property, however. Discussion ensued.

KH then discussed item 4.5 letter from Dillis and Roy dated 6/2/21 requesting the COC saying everyone had already seen that (as it was discussed earlier) and she apologized and she