



Conservation Commission
Town of Townsend
272 Main Street
Townsend, MA 01469
ph: (978)597-1700, ext. 1739
email: conservation@townsendma.gov

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Meeting of the Townsend Conservation Commission Minutes

Wednesday, September 22, 2021 @ 7:00 pm
in the Selectmen's Chambers, 2nd floor

I. Preliminaries – Votes may be taken:

1.1 Open Meeting Roll Call Meeting is called to order by Vice Chair JE at 7:03pm. Roll Call: JG(P), JE(P), JS(P), AL(A), JL(A)

1.2 JE Announces that the meeting is being recorded. No one else is recording the meeting.

1.3 Chairman's Additions or Deletions JE requests add 3.4 "Update on process of writing and posting legal notices" JG motions to add 3.4 to the Agenda, JS seconded. JG(Y), JS(Y), JE(Y) -all in favor

1.4 Agent's Report JE reports that JC is working on Annual Stormwater report, has done a couple of septic sign offs, submitted our referral to the Planning Board regarding 5 Turnpike Rd, the RDA for 5 Balsam Dr was mailed to the applicant and JC is to follow up with DEP regarding 9/15 South Row Rd site walk (with Wescon and Tom Rebula of DEP)

1.5 Chair's Report JE gives update on Campbell Farm CR. It has been returned by the Planning Board with one comment which is likely an edit and will be corrected by JC and submitted ASAP. JE adds that the CR is to likely be submitted by Friday the latest. JE also mentions Squannacook Greenways is requesting an extension for the second meeting in October, and last JE mentions the site walk South Row Rd that took place 9/15 with DEP

1.6 Review/ Approve minutes from 08/25/2021 JS motions to approve the 8/25/2021 minutes, JG seconded. JG(Y), JE(Y), JS(Y) - all in favor

II. Appointments and Hearings – Votes May Be Taken

No Appointments or Hearings

III. Work Session - Votes May Be Taken

3.1 Vote/ Approve comments to return to Planning Board RE: 203 Main St. JE asks if everyone has seen the proposed plan, JS asks if that the proposed plan is for signage at Hannaford, JE indicates yes and that she has seen the map of the project but can not determine if it is

jurisdictional. JE then determines that the proposed plan for 203 Main St is not Hannaford Signage is for a residential deck. JS indicates there was to be an update and JE indicates that there was an issue with the Building Dept and it sounds as though it is a property line dispute. JS requests more information before we issue comments, JG questions the Commission's jurisdiction over property line dispute. JS comments that she would like JC to weigh in. JS indicates that the Commission is supposed to provide comments. JG says he has no comment. JS states that if the Building department is OK with it and it is in the property lines she has no issue. JE can not find any evidence of the project being a jurisdictional resource area JS comments that it is being appealed. JE indicates that the issue is that part of the proposed deck would be over the property line and is non jurisdictional. JS indicates that we have the decision from the Building department in writing. JS believes no comment is necessary JG comments that it is not adding an impervious surface . JG motions not to add comments to Planning Board referral regarding 203 Main St. JS seconded. JG(Y), JS(Y), JE(Y) - all in favor

3.2 Vote/ Approve comments to return to Planning Board RE: 18 Main St. JE states that this is the Hannaford Store and they are proposing additional signage. JG adds that the proposed project is 2 additional signs. JS adds that they are non- illuminated and she has visited the site. JG comments that he has no issue if the signs are non illuminated, JS agrees. JG motions to approve no comments for 18 Main St. JS seconded. JG(Y), JS(Y), JE(Y) - all in favor

3.3 Review Fee Schedule for TWB and neighboring towns JE asks the commission if they have viewed the fee schedules and if they have comments. JS indicates that we are on par with Pepperell and compares the RDA and NOI fees and notes that we are \$50.00 vs Pepperell's \$100.00. JG makes the comment that in Groton, an addition to a single family house is \$250.00. JS adds that research time for ConCom staff is \$20.00 an hour and asks if we want to change that. JG indicates yes, but adds that fee increase should not shock applicants and suggests an implementation schedule. JE agrees and likes that the Request for COC during the time of OOC is free. JE states that applicants that let OOC expire is a problem for the Commission. JS indicates that the Commission should be clear that when it expires the fee is \$500.00, JE adds that it is \$50.00. JG asks what that is based on, JS notes recent past precedent of applicants being charged \$500.00. JS suggests we move the discussion to the next meeting pending research, JE adds we need to discuss the procedure for raising fees with the Town Administrator. JS states that the fee should discourage applicants from letting OOC expire. JG adds that he feels it should be "phased in" and follow a fiscal year. JC asks if we would want to consider applicants who have not started their projects . JG suggests checking TWB for guidance and comments that \$500.00 is a lot and there are many projects outstanding as of now. JS believes there are many expired OOCs. JE indicates that expired OOCs may need to be reissued. JE suggests we make a list of fee increases. JG suggests having a threshold, JS agrees. JS feels we should go up tp \$50 for an RDA and \$100 for NOI. JG adds that because so much of Townsend is located in a resource area, projects accrue costs by the need for hiring engineers and permit filing. JE states that it may not be up to the Commission and further information is needed and the fee increase may

just be suggestive. JG indicates that we would have an increase in the ConCom bank account balance as a result of the fee increases and we are limited in ways we can spend funds. JS states that there is not as much money as you would think. JG adds that we should have an answer as to how the money would be used. JC asks if there is a fee per square foot of impact to the wetland buffer, and could we charge a fee per size of area impacted. JG comments that that would add up quickly. JG notes that an Abbreviated notice of resource delineation is in there already at \$1 per ft. JS mentions that the current fee schedule was updated in 2010, JG adds that inflation was at 2% or 2.5% JS suggests we go to the Town Administrator or BOS to see if this is in our purview and how to proceed. JE agrees and would like more information. JS asks VK our Commission liaison, if we have the right to change our fee schedule. VK responds that she knows that other departments have changed fees, Town Clerk, Building dept may and the Selectmen voted on it. VK states that if you are not an elected board, BOS may need to vote on the fee increase but is uncertain and the Town Administrator should be consulted. VK adds that there wouldn't be an issue with a fee increase as long as we stay in line within what the area commands. JG motions to table the fee increase until discussion with the Town Administrator, JS seconded. JE(Y), JS(Y),JG(Y) - all in favor

3.4 Update on writing and posting legal notices policy JE indicates that at the previous meeting we voted to write and post legal notices for applicants moving forward. JE states that the Conservation Commission will write all legal notices, and notes that it will be the Admin's job once a Conservation Admin is hired but for now we can share responsibility. JE adds that it will be posted in the Lowell Sun or Sentinel and Enterprise and we are to bill the applicant before the notice is placed. JE reverts back to fee schedule and inquires if it can be noted with the rest of the fees as "plus cost of legal notice". JE adds that to the list for discussion with the Town Administrator. JE asks for thoughts on that. JS states that her thought is if payment is needed before the ad is placed it needs to be timely. JE indicates that applicants should be given notice on the fee schedule of the legal notice billing charge. JS asks if the applicant must pay before we post the ad, JE confirms yes. JG recounts his experience of being billed by the engineer for his project. JE adds that the applicant should know there is a separate fee for the legal ad. JS comments that when we gather information from applicants they need to be told to bring the check asap and let them know the current rate. JG suggests asking the Town Administrator. JG suggests making it part of the fee. JE indicates that she did not see any mention of legal notices when reviewing neighboring fee schedules from either Pepperell or Groton. JS suggests providing legal notice fee information to the applicant during the application process. JG adds that we could reach out to Stan Dillis who may be able to suggest a manner in which this

the process could be coordinated efficiently as he works in surrounding towns. JS volunteers to research fees at the Lowell Sun and Sentinel and Enterprise newspapers. JG asks if there has been any interest in ConCom vacancies. JE and JS both reply "No". JS replies that recently someone has expressed a vocal interest but has not formally submitted a VRF. JG expresses concern about having a quorum if one of us is sick. JS reminds the commission that those who can not be in person can always use the Zoom link until April 2022. TCAM adds that this may be extended, but as of now April 2022 is the drop off date. JS adds that in the future the option to attend via Zoom may be up to individual boards. TCAM indicates that a board member could participate remotely by phone, but there must also be a quorum of physically present members. JS asks VK if she has anything to add. VK states that remote access has always been allowed, you must provide access and once the emergency order expires it will go back to dial in. JS asks if an in person quorum will be necessary VK states that the dial in member would count towards a quorum.

IV. Correspondence

4.1 Letter from BOS requesting any outstanding orders on applicants for licensings *JE states that there are no outstanding licenses*

V. Education and Conferences - Votes May Be Taken

5.1 Review upcoming MACC courses and adjust that Commissioner's would like to attend and adjust/address and conflict with meeting(s) *JE asks if the commission has looked at the MACC course schedule JG states he has interest in the fall conference JS adds that classes are starting soon JE mentions that registration is necessary JS asks JE if there is conflict with the 10/20 meeting and MACC course JE states the Unit 105 is during the 10/20 meeting and we will not have a quorum if we all take the class and suggests possible adjustment of meeting date. JS expresses concern about taking the course and not having a quorum. JE states that we would have to move the meeting to 10/27 JE asks TCAM if there is a conflict with another board for that date and time. TCAM indicates we already are scheduled for 10/27 JS indicates that there is an extra week in between meetings- no changes made*

5.2 Report on NRWA Virtual Program on Invasive Plants *JS remarked on how great the program was and highlighted the fact that Pepperell and Groton belong to an cooperative invasive species group and the possibility of Townsend joining as per suggestion of AL Futterman (NRWA) JS suggests TCAM posting information to the public about invasive species before or during commission meetings JG suggests posting on the town website JS expresses the need to educate the public on Japanese Knotweed as it is being used as ornamental JS volunteers to bring information invasives group to the next meeting*

5.3 State Salting Guidelines for ACEC *JG indicates that he could not find any information on salting guidelines JE shares resource management plan guidelines for ACEC and indicates that there was nothing mentioned there. JG adds that the materials were written prior to concern for salting.*

VI. Items for Discussion at Next meeting: *Invasives including but not limited to Japanese Knotweed, Information for joining the invasive species group Pepperell/ Groton, Policy for changing fee schedule , stormwater pollution for educating residents*

VII. Next Meeting *Wednesday October 13, 2021 at 7pm BOS Chambers 2nd floor*

VII. Adjournment *JG motions to adjourn at 7:52, JS seconded. JE(Y), JG(Y), JS(Y) - all in favor*

Draft Minutes prepared by Jennifer Eaton

