

Town of Lunenburg Conservation Commission

Richard Bursch, Chair
Todd Dwyer, Vice-Chair
Bob Pease
Tom Bertram
Carl Luck
Jack Rabbitt
Kenneth Jones



Tel: (978) 582-4146
960 Massachusetts Ave.
Lunenburg, MA 01462

Matthew S. Marro,
Conservation Administrator

MINUTES

Wednesday, March 1, 2017 7:00 PM regular meeting
Ritter Memorial Land Sue Building
960 Mass Ave
Lunenburg, MA 01462

Call to Order- Meeting Started at 7 PM with Chairman Bursch presiding and all members in attendance

Announcements

Public Comment JR spoke to working on outreach about the Asian Longhorn Beetle

Appointments/Hearings –commences at 7 PM

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Notice of Intent by George Hudson for work at 35 Pine Acres Drive will be held. Work entails the re-building of a single family home within the 100 foot buffer zone of a wetland resource area. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4146 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Ritter Memorial Building 960 Mass Ave Street on March 1, 2017. The public is invited to attend.

DOCUMENTS PRESENTED WERE THE NOTICE OF INTENT AND A PLAN BY DANIEL WOLFE DATED FEBRUARY 2, 2017.

Steve Sears appearing on behalf of the applicant. He related the history of the original structure and how it caught fire. He noted the structure is within the same foot print with 2 minor exceptions. He further explained the reasoning for the location of the septic system. He noted the garage that is within the buffer but not the no structure zone. There will be no grading for the new garage. RB noted that the wattles and the silt fence should maintain the limits of the 50 foot zone. KJ mentioned that the site visit generated no concern. Motion to approve the Order of Conditions with the addition of wattles and silt fencing maintaining the 50 foot zone with the exception of the "bump out" made by TB and seconded by BP with a unanimous vote to approve.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Notice of Intent by Jonathan Boyd for work at 121 Peninsula Drive will be held. Work entails clearing of trees and remedial landscaping near a single family home within the 100 foot buffer zone of a wetland resource area. Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4146 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Ritter Memorial Building 960 Mass Ave Street on March 1, 2017. The public is invited to attend.

DOCUMENTS PRESENTED FOR CONSIDERATION WAS THE NOTICE OF INTENT, PHOTOS, AND MODIFIED SKETCH PLAN BY THE APPLICANT.

Mr. Boyd came to the Commission with some pictures of the property and explained his proposal to the commission. The Commission reviewed the septic as- built with a drawing. JR noted that there was a pre-existing alteration and MM was aiding the applicant. JR also noted that the trees along the shore line was providing some shade. JR expressed adding some work on

the plan that had been discussed for future work not currently on the plan. MM noted that there should be planting on the shore to replace any tree cut. It was determined as there was more work that was not indicated on the original file, the applicant can work to update them.

Continue to the 15th by motion of BP and a second by TB with a unanimous vote to approve.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public meeting on a request for a determination by William and Rosina Emkey for work at 445 Townsend Harbor Road will be held. Work entails the installation of an addition within the 100 foot buffer zone of a wetland resource area Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4146 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Ritter Memorial Building 960 Mass Ave on March 1, 2017. The public is invited to attend.

DOCUMENTS PRESENTED FOR CONSIDERATION WAS A REQUEST FOR A DETERMINATION AND A MODIFIED SKETCH PLAN BY APPLICANT DATED MARCH 2016.

Steve Sundstrom representing the applicant. The home is 28 feet wide. The applicant wants to add 14 feet to the side of the house. The 30 foot no touch zone is the front and the house runs into the 50 foot no structure zone. JR noted it may be 28 feet from the shore to the house and not 30. CL inquired as to what the hardship was. RB and other commissioner's noted that the addition could be placed in the front. Motion by JR for a positive determination with no waiver granted - cl seconded and the commission voted unanimously.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public meeting on a request for a determination by The woodlands At Hickory Hills Board of Trustees for work at 208 Northfield Road will be held. Work entails vegetation management and the installation of dock and a kayak rack structure within the 100 foot buffer zone of a wetland resource area Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4146 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline, the meeting is scheduled in the Ritter Memorial Building 960 Mass Ave on March 1, 2017. The public is invited to attend.

Bob Pease and Tom Bertram recused. Documents presented for consideration was a Request for a determination form with narrative and photo documentation by the applicant.

Ed Wexner of 8 Iris Ct and Sandra Habe of 104 presented for the Woodlands .Mr. Wexner outlined the content of the application and the work proposed under the application. JR asked if there was a Kayak was on the ground would they be moved to the Kayak Cove. Ms. Habe answered the ones currently on a shoreline would be lifted off the ground with racks of their own. JR indicated that he was concerned it would result in expansion of intrusion into the shore line. KJ indicated he wanted to continue with the presentation should be given as he feels it answers the concerns. Ms. Habe pointed to the areas of the application where plantings have been proposed and as well as a handicap dock. She noted that out of 300 feet of shoreline, 95 percent is untouched. It was noted the areas touched were the Kayak cove and the boat launch/dock. Mr. Wexner outlined maintenance proposed of shoreline areas. RB inquired if a posting of instructions could be placed by the Kayak Rack to allow for the users to be educated.

Abutters: Letters were read aloud into the record. (NOTE: ALL LETTERS AVAILABLE IN THE COMMISSIONN OFFICE IN THE FILE) Letters addressed issues such as, concern for shore line and historical uses of the property.

Joan Pease of 11 Wintergreen spoke about imminent revegetation efforts and inquired if they could plant sweet fern. The answer was yes.

Steve Douglas of 24 Wintergreen Court inquired as to the commission's feelings on sail boats. The Commission indicated it was a decision of the trustees.

Bob Pease 11 Wintergreen noted that he has a similar sail boat as discussed, he anchors it slightly offshore.

There was still some question as to the kayaks and boat storage. CL indicated a preference to have a continuance to have issues that were addressed during the hearing added to the documentation prior to approval.

Anne Denny Brown inquired as to how branch trimming is documented with respect to canopy maintenance. It was noted that this was going to be listed in the revision.

It was noted that there are two trees that needed to be removed by March 15 now due to beaver damages. CL motioned to allow, KJ seconded and the commission voted unanimously.

KJ made a motion to continue to March 15th to resubmit the requested adjustments in scope- CL seconded and the commission voted unanimously.

CONTINUED-Request FOR AN INSIGNIFICANT CHANGE on a notice of intent/current order of conditions by Sunshine Nominee Trust for a modification to a previously approved detention basin at 554 Lancaster Avenue will be held. The meeting is scheduled in the Ritter Memorial Building 960 Mass Ave Street on March 1, 2017. The public is invited to attend.

BP felt the commission didn't ask for the flows on the update and should be voted on. BP moved to issue the insignificant change- KJ seconded. TB asked CL for clarification of the information he requested. After explanation by CL, BP amended the motion to have all updated information included on the as-built. KJ seconded with the amendment and the commission voted unanimously.

Appointment- Lake Shirley Improvement Corporation- Updates –Joanna Simeone and Domininc Meringolo appeared in front of the commission to review the scope of the upcoming year. It was noted that the LSIC was going to work with Dr. Ken Wagner to determine a testing regimen that fit the budget and could give meaningful information. There was a 2 phased approach discussed with a survey in late April, May and June to evaluate areas that need treatment and to continue to document troubled areas as the season progresses. The goal was to provide an efficient targeted treatment for July. The LSIC will come back in May after the first round of survey.

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a **CONTINUED** Notice of Intent by Gougen Construction for work at 675 Reservoir Road will be held. Work entails the demolition and construction of a single family home, the installation of driveway and a septic system within the 100 foot buffer zone of a wetland resource area Application and supporting documents are available for review at the Conservation Commission office by calling 978-582-4146 ext 431 by appointment. Emailing a PDF is also an option on request by emailing lcc@lunenburgonline the meeting is scheduled in the Ritter Memorial Building 960 Mass Ave Street on March 1, 2017. The public is invited to attend..*

DOCUMENTS PRESENTED FOR CONSIDERATION WAS AN UPDATED LAND RECLAMATION PLAN BY HANNIGAN ENGINEERING DATED FEBRUARY 24, 2017.

Chris Anderson and Charles Caron appeared representing Mr. Gougen and presented a plan updated to fulfill the commissions requests. He narrated the changes to the planting/restoration plan the commission requested. CL reiterated his prior concerns that there should be more than 5 4-6 diameter trees planted to replace the seven removed trees that were greater than 7 inch caliper trees within the 50 ft zone outside of the limit of work.. RB noted that he made clear that he would like to see understory planted underneath the trees. TB noted that he asked about the adding the 7 inch trees to reduce the need for understory. KJ indicated agreement with TB. There was discussion on adding trees to the 3 to one slope. It was noted the following issues need addressing: Replication area, Biomass total of plantings, the details on the slope and the request for the proposed swimming pool, utilities and driveway to be added to plan. It was noted the floodplain was dressed and will slightly increase. A Construction sequence will be addressed as well.

KJ moved to continue until the next meeting. TB seconded and the Commission voted unanimously.

Administrative Hearing –

338 Sunset (Continued) CARL LUCK RECUSED HIMSELF AS A COMMISSIONER.

Chris Mackenzie appeared and presented an as built topographic. A planting plan was presented and the engineer proposed an overlay of just the plantings. It was advised that any plantings, docs or other structures desired should be added to the plans and resubmitted. The meeting was continued to March 15th by a motion of KJ and second by TD. The commission unanimously approved the motion (CL recused)

Current Business

1. Signatures on documents to be issued.
2. Certificates of Compliance
3. Enforcement
 - 43 Island Road Continuation from 2/1/17- MM noted that Hannigan is working on an asbuilt.
 - 338 Sunset Lane Continuation from 2/1/17 – see above
 - 675 Reservoir Road – see above
 - 183 Hemlock Dr Continued until April 19, 2017
 - Emerald Place Beach Erosion Continued from 2/1/17 – Noted that an Enforcement order issued by the 15th if no results.

New Business –

Old Business – Forest Stewardship Grant implementation – discussion of Goals and other items related to grant – Mr. Gouldrup was essentially completed with his draft and will present.

Determination of fines 101 Pleasant Street – MM working with Town Counsel and noted that there was a total of 11,000 dollars. MM noted that procedure is now to issue a 21 day demand letter and that if there was no payment, it would be remanded to Adam as the commission doesn't have authority to lien property. MGL ch 40 section 21D and the local by-law regarding fining procedures was reviewed.

Approval of 2/1/17 minutes

Committee Reports –

- *Holman St property program*
- *Storm water Committee Report*

Agents Report /Action Items :

- *Annual Report -update*
- *Budget Update*
- *Hearings/Meetings/Appointments scheduled for the 3/15/17 meeting*
- *Appeal on 120 West Street*

Communications

Meeting Schedule- **Next meeting for March 15, 2017 at 7:00 PM In the Billotta meeting room, second floor, Town Hall, 17 Main Street,Lunenburg, MA**

Public Comment For Meeting Close.

Adjournment

The meeting was adjourned at 11:28 PM with KJ moving to Adjourn and TD seconding,

NOTE: ALL DOCUMENTS PRESENTED ARE ON FILE AT THE COMMISSION OFFICE.