

Town of Lunenburg Conservation Commission

Bob Pease, Chair
Richard Bursch, Vice Chair
Patricia Adams
Catie Childs
Jack Rabbitt
Jeffrey Viviano
Michael Larouche
Richard Tremblay, Associate



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

Matthew S. Marro,
Conservation Administrator

January 19, 2022
7:00 PM .

ZOOM REMOTE

MINUTES

Call to Order Announcements

All members were in attendance called to order at 7 PM by Chairman

Public Comment *Comments are to be limited to 3 minutes and on a subject matter under the direct jurisdiction of the commission. Comments about current agenda items are to be made during the comment period of the specific agenda item. Please address all comments to the Chair.*

Jack rabbit spoke to storm water requirements and potential overlap with conservation regulations. He will send the minutes from the storm water committee.

Minutes of previous meetings – December 1 2021 & January 5 2022

Minutes from Dec 1, 2021. BP reviewed minutes, approved with amendments by a motion of JR and a second from RB with a unanimous vote to approve

Minutes from Jan 5 2022 BP reviewed minutes, approved with amendments by a motion of JR and a second from RB with a unanimous vote to approve

Appointments/Hearings –commences at 7 PM

Public Hearing

The Conservation Commission will hold a public hearing on a Notice of Intent by Eric Fowler for the development of a 4 lot residential subdivision at 711 Massachusetts Ave.

Wes Flis appeared on behalf of the applicant. BP noted that a DEP number was issued and read the comments for the record. Wes Flis introduced the project and outlined the existing conditions the wetland resource areas and the orientation of the wetlands in relation to the proposal. He further described the methods of compliance with stormwater management standards and the review results from Graves Engineering they conducted for the Planning Board. Mr. Flis also outlined the proposed grading and erosion control proposal. He reviewed the total proposed disturbances in the riverfront showing it was under 10% not including the stormwater as it is permitted under the river protection act and outlined other options for construction of the proposal of the site. He cited

compliance with zoning regulations that applied and the economical feasibility of the proposal as presented. He noted that planning board and zoning board of appeals approved the proposed project, They will also need to apply for An access permit from Mass DOT from the main road (route 2A) and they will apply for federal NPDES.

JR asked if planning board granted stormwater permit. RB noted the DEP mentioned the alternatives analysis and wanted to know why it could not be reduced in buildings or configuration. Mr Flis noted that there was economic feasibility that was tied into the 4 units. RB asked for some evidence of the economic viability. Mr. Flis will consult with his client. RB asked about the current state of development of the property. It was noted that there are cart paths along the property, however it was mostly undeveloped. CC requested if there were any vegetation that would be removed within the 30 foot no touch zone. Mr Flis showed the commission on the plans that the 30 foot zone was left proposed as untouched. BP noted that his site visit noted early successional growth with a high density of invasives. He noted that the area where the lots were proposed has piles of broken and plastic pots. Mr Flis noted that would be cleaned up. JR asked if the area was in at special environmental sensitive zones. Mr Flis reviewed the GIS database and noted it was not. The meeting was continued to February 2nd 2022 to allow the applicant to put together an economic feasibility narrative by a motion of RB and a second by JV with a unanimous roll call vote to approve the motion.

CONTINUED PUBLIC HEARINGS

The Conservation Commission will hold a public hearing on a Notice of Intent by Paul Gosselin for the relocation of an existing drain line on 21 Brookview Terrace.

Continued to February 2nd 2022 by a motion of RB and a second by BP with a unanimous vote to approve the motion.

The Conservation Commission will hold a public meeting on a request for a determination by Paulo Majovski for work at 2 Gabe's Place for the removal of trees within the buffer zone.

BP noted that he, JV and MM noted that they conducted a site visit prior to the snow fall. BP noted that based on the size of the trees that were cut down it would be appropriate to ask the applicant to replant .MM reviewed the delineated wetland area and that planting 12 pin oaks would satisfy the ratio of the re-planting along with the calculations prescribed within the regulations. JR asked for demarcation of the 30-foot zone. MM noted that if the pin oaks were planted, the detritus cleaned out and the demarcation agreed to then he felt it could have proceeded with a negative determination. JV agreed with MM's assessment. RB agrees with the concept but would like to see it in writing first. ML wanted to know if the owners were in agreement and that he would be comfortable with the documentation followed up. PA also agreed to have it in writing, CC also agreed to have it in writing. The owner asked about areas to be allowed to be cut and stated they were in agreement The meeting was continued to February 2, 2022 by a motion of RB a second by JR and a unanimous vote to approve the motion by roll call vote.

The Conservation Commission will hold a public hearing on a Notice of Intent by Mark Brightman for work at 524 Northfield Road for the replacement of a septic system wall the filling of a former swimming pool within the buffer zone.

DEP number was given. MM recapped the last meeting. JR moved to issue an Order of Conditions with the erosion protection as the limit of work. The motion was approved by a roll call vote with RB abstaining.

The Conservation Commission will hold a public hearing on a Notice of Intent by William Emkey for work at 445 Townsend Harbor Road for the replacement of railroad tie steps and a timber retaining wall within the buffer zone.

Continued to Feb 2 ,2022 with a motion by RB a second by JV and a unanimous vote to approve by roll call vote.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Request for a Determination by Matthew Butterworth for the placement of a shed within the buffer zone at 188 Whalom road.

MM recommended the RDOA be given a positive determination. RB moved for a positive determination JR seconded and the commission voted unanimously to approve the motion by rollcall vote.

CONTINUED TO FEB 2, 2022

The Conservation Commission will hold a public hearing on a Notice of Intent by Zachery Taylor for the construction of a new duplex home, septic and related site grading.at 123 Chase Road.

NEW BUSINESS -

Review / approval of Timber Sale Prospectus for Hawes and Rayno Conservation Areas

BP reviewed the changes to the prospectus. He noted that he was informed that a formal parking lot on open space would need to go to site plan review. The prospectus was approved by a motion of RB and a second by ML with a unanimous vote to approve the motion by a roll call vote.

Appointment of Richard Tremblay as informal Associate Conservation Commission Member

Richard Tremblay appeared before the conservation commission and expressed interest in being a part of the Conservation Commission. He spoke of his activities with the community. BP noted what is involved in being an associate member of the commission. ML spoke of his experience with the Conservation Commission. The Commission welcomed Mr Tremblay to the commission as an associate member. JR asked if there was any legal liability with associate members. MM noted no. BP will double check with Adam on Monday afternoon.

Old Business- update on encroachment issues at 192 Townsend harbor Road remaining materials to be removed at break of weather per homeowner.

By Law review committee Review of existing Wetlands Bylaw for possible future amendments

ENFORCEMENT:

441 Townsend Harbor Road :Nick Eaton presented a drawing showing the roof line in compliance with the original order. The Commission will request the building commissioner confirm his approval of the presented design. RB suggested that any further changes for the final be submitted as a field change to the commission.

615 Townsend St: Waiting for the building commissioner to return
Leominster Road- NOI for next meeting
NON 48 Oak Ridge Road. Conferring with counsel on Monday
EO 205 Arbor St- released due to confirmation from DEP it is exempt as agriculture
23 North Cove Road- MM to site walk with the owner.
190 Peninsula- MM to resend a letter requesting the promised planting plan.
2 gages place currently under consideration of a request for a determination

Update on trails grant – status report, if any.

Request to approve a \$1000 purchase order to the Montachusett Regional Planning Commission for grant related GIS work to be funded from the timber rights fund.

BP requested 1000 dollars from the timber rights fund for further GIS hours to complete the previous hours obtained from the original grant money This was approved unanimously by the commission on roll call vote by a motion of RB and a second by JV

Certificates of Compliance 139 Northfield Road MassDEP No. 208-1094 COC approved by a motion of ML and a second by JV with a unanimous vote to approve the motion by roll call vote.

Extension Permit –

Committee Reports – Any Update

Administrator's Reports/action items:

Administrators Determination

Open space and land and Trail use issues and strategies:

Review and discussion of list of potential improvements to Lunenburg Conservation Areas
Approval of letter of endorsement for proposed improvements by Lunenburg Snow Riders as part of an application for a Recreational Trails Program Grant

BP reviewed a letter of support to the Lunenburg snow riders for proposed trail improvements and presented lot improvements. He reviewed a parcel-by-parcel list of suggested improvements. The commission voted to issue the letter of support by a motion of PA a second by CC and a unanimous vote to approve the motion

Communications / public comment Adjourn The meeting was adjourned by a motion of PA seconded ML and the commission unanimously approved the motion by roll call vote at 9:04 PM.

Meeting schedule: Next meeting is February 2, 2022 at 7:00 PM BY ZOOM PLATFORM