

Town of Lunenburg Conservation Commission

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Anna Petrie
Conservation Administrator

May 3, 2023
7:00 PM
Minutes
ZOOM REMOTE

Roll Call: BP, CC, JV MW, RT, ML, RB

Absent: AP

Call to Order at 7pm

Announcements: N/A

Public Comment:

Carl Strathmeyer asks, that according to the agenda, the Water District is presenting under a notice and not under a hearing?

BP confirms.

Gwen Moss states that he has questions about the Water District study itself.

BP states this is not the time just yet for questions.

Minutes of previous meetings –April 19th ,2023 RB/MW M/S to approve. Roll Call vote, unanimous to approve.

Appointments/Hearings –

Notice of Utility Maintenance Activities, Hickory Hills Well Pilot Study, Lunenburg Water District

BP recuses himself, making MW host.

Louis Soracco from Tighe & Bond to represent the Water District. LS states there will be a limited scope of work at the well site. LS explains that there will be a temporary tank next to the well's building, which then will be pulling water from the existing well which will feed the pilot. The Pilot will produce 10 gallons a

minute with iron, manganese, PFAs- free water that will be discharged upland. LS states that under the Wetlands Protect Act, this study is exempt due to its minimal impact, and would like confirmation from the Commission. LS also states that this is not a permanent plan.

MW states that she sees the exemption from the Wetlands Protection Act, though no position for exemption from the local Lunenburg By-law. MW asks for the duration of the study?

LS states that originally it was proposed to be a yearlong, though it has changed to 6 months or under.

MW asks if the 20,000-gallon tank will be on site the entire duration?

LS confirms, to avoid substantial discharge or discharge containing any amounts of PFAs.

MW asks if the tank will be within the 100-foot buffer zone?

LS confirms, will be directly next to existing building.

MW asks how the discharge will be controlled or monitored?

LS states there will be someone on site monitoring and testing. The testing will vary from 1 to multiple times a day dependent on the test type. LS also states that the water will be tested prior and after discharge.

RB asks if this is filtration or chemical removal?

LS states that it is mainly filtration, with some already existing chemical removal for pH adjustment.

RB asks if the filters will be in the building?

LS confirms.

RB asks for confirmation that 200 gallons per minute will be put into the tank and 10 gallons per minute of out the tank?

LS confirms.

RB asks if during tank filling there will be personnel on site?

LS confirms.

MW states that the Wetland Protection Act regulation describes temporary study examples for exemption, though this temporary study seems complex and does not seem to match the transient nature of the regulation's examples.

RB states that currently this study is not exempt from the Lunenburg local By-law and states that it at least requires an RDA submittal.

MW asks for a straw poll or motion in regard to the position of the commission's standing.

RB/ML M/S to require submission of RDA for pilot study at Hickory Hills well site. Roll Call vote,

unanimous to approve.

BP comes back from recusal.

NEW PUBLIC HEARINGS

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 Determination of Applicability by Arrive Lunenburg for the proposed addition of sand at the beach front area and installation of a concrete pad at 1 Lakefront Ave.

RB to recuse himself.

Mark Bursch to represent the property. MB states that it is intended to add up to 100 cubic yards of sand which is under general maintenance along with installing a 20 x 12 concrete pad with a roof structure for kayak storage.

BP asks if the concrete pad is within the 30 foot no touch zone?

MB states that it is the best location for regular site maintenance and is at the 35-foot mark.

BP asks if the applicant was notified of the 50 foot no structure zone?

MB confirms, stating that the structure could be moved but the proposed location seemed more doable for maintenance.

RT asks if the sand that is going on the beach is also going into the water or if it will be just maintained on the beach?

MB confirms just on the beach.

RT asks if the concrete pad could be moved just outside the 50 foot and have stone surrounding the bases for runoff.

MB states that there is a drainage system that was installed 5 years ago after erosion on the beach.

RT asks about the tree on the plans.

MB states no trees or vegetation will be removed.

MW states that the existing parking area is regrid and seems to be a pervious surface. MW also states she too would like to see the structure outside the 50 foot no structure zone.

ML asks if it's doable to move the lower end of the structure just outside the 50-foot zone and to cause less problems with the existing tree?

MB states that it is doable and would have to confirm with the client on a better location outside the 50 foot no structure.

MW/ML M/S to issue a negative determination under the conditions of a submission of a diagram showing the cement pad outside the 50 foot no structure and subject to a maximum addition of 100 cubic yards of sand over the next 3 years. Roll Call vote, unanimous 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 Thomas and Melanie Payne for the proposed construction of three replacement retaining walls, a replacement patio and a set of replacement stone stairs at 647 Reservoir Road (DEP #208-1289).

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 Thomas and Melanie Payne for the proposed construction of a replacement landscaped wall with 2 sections, a replacement wall 56 feet in length and a replacement of a set of concrete stairs at 649 Reservoir Road (DEP #208-1288).

These 2 properties to discussed together.

Matt Marro to represent the applicants. MM presents a plan that represents both NOIs. Both properties will have walls replaced that will not be expanded. There are some shrubs alongside one portion of the walls that will have to be removed. MM also states that there is a proposed 12 x 20 ft paver patio at 647 Reservoir.

RT asks how tall the new 49-foot wall would be?

MM states it would be as tall as the existing bank, which is about a foot.

RT asks if the patio is all new construction?

MM confirms.

MW asks how the existing beach area is more pervious than the proposed paver patio?

MM states that paver patios are semi-pervious and absorb much runoff. MM also states that the existing beach area is highly erodible.

MW asks how much of the brick paver patio is inside the 30 ft no touch?

MM states 6 x 20 ft.

MW asks if the trees/shrubs that are being removed will be replanted?

MM states that he does not recommend planting the replacements in the same area. MM will reach out with AP to come up with an appropriate area for replanting.

ML asks for the dimensions for the fieldstones at the lakefront.

MM is unsure of the dimensions of the actual fieldstone, but they will be larger fieldstones and not small like the existing fieldstones.

ML asks how placing a new wall in an area where it hasn't existed before is allowable or beneficial with considering the regulations.

MM states that work like this has been allowed by the commission before, for it provides shoreline stabilization. MM also states that this property's shoreline is being affected negatively by the wake and the lawn close to the shoreline is collapsing.

BP confirms that in the past it has been permitted for properties to place stones along the edge to prevent erosion. BP also states that it wouldn't be necessarily a wall, but just stones in place to prevent shoreline erosion.

JV asks if the proposed wall will be constructed further into the lake? The existing shoreline seems to angle in and the plans for the wall are straight which would put it further into the water.

MM states that it would not go further into the water.

JV asks for any erosion control?

MM confirms there will be erosion control in place.

JV asks if there will be any barrier placed behind the wall?

MM states there will be a gravel base behind the wall.

JV thinks the wall and patio descriptions should be on the plan along with tree removal/replanting.

JV states that the diagram of the shape of the shore at 647 does not match aerial photographs

JV asks about the patio and whether it will have a base pack?

MM says there will be no filling and patio will be flat.

BP asks for a straw poll for if the commission is ready to vote on these 2 NOI's or would like to continue to next meeting with better diagrams?

RB would like to continue with better diagrams, the patio structure to be pervious with no favor in the 30 foot no touch, and better diagrams of the construction of the 49-foot wall.

JV states he is fine with the diagrams, though he would like the conditions of the wall to be no more than a foot tall.

CC would like more detailed diagrams, a pervious patio outside the 30 foot no touch, and 1 foot max for the wall.

ML agrees with the new proposed diagrams and pervious patio outside the 30 foot no touch. ML asks if the new shoreline wall was proposed to the DEP as a wall and whether 1 foot wall will be enough to break the wake?

MW agrees to have the plans updated, including corrections along with patio with pervious material outside the 30 foot no touch.

RT agrees with all proposed requests.

MM states that all the proposed requests focus on the 647 house, and not the 649 cottage. MM asks if the commission would approve of 649 Reservoir (cottage) and continue 647 Reservoir (house) with updated plans?

JV asks where the erosion control would be if work started?

MM shows placement of erosion on the plans in regard to the cottage.

RB/CC M/S to approve with standard conditions at 649 Reservoir Road. Roll Call vote, unanimous to approve.

RB/MW M/S to continue NOI for 647 Reservoir Road to May 17th meeting. Roll Call vote, unanimous 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 Christopher and Andrea Oldham for the proposed construction of a deck and various site improvements including a stone walkway, permeable stone patios, and significant landscaping at 32 Pine Grove Road (DEP #208-1292).

Ryan Proctor to represent.

BP asks if DEP had any comments?

RP states there was a comment regarding the proposed garage outside the buffer zone, in which the erosion control to be extended up the that point. RP explains that this property had come before the commission previous years for tree removal and proposed deck. Since then, the applicants have proposed new landscaping and walkways on the property.

BP asks if the concrete patio is going to be removed and replaced with a pervious patio both near the house and down by the waterfront?

RP confirms. BP suggests adding calculations of removed impervious area to future submissions.

MW asks for clarification of location of patios and tree status. MW also asks if the dock is staying in the same place?

RP says the seasonal dock on the plans is slightly different from the current location.

MW asks where the drainage water will be discharged.

RP states that there will be discharge into the swale along with the pipe being perforated.

ML/RT M/S to approve with standard conditions for 32 Pine Grove Road. Roll Call vote, unanimous 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 Determination of Applicability by Lisa and Jeffrey Richard for the proposed installation of a deck at 52 Spring Street Extension.

The applicants are not present.

ML/RT M/S to continue RDA to May 17th meeting. Roll Call vote, unanimous to approve.

CONTINUED PUBLIC HEARINGS

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 Lunenburg Skate Park, Inc. for the proposed construction of a skate park and drainage basin at 100 Chestnut Street (DEP #208-1290).

Greg Roy asks for continuance.

MW/ML M/S to continue NOI to May 17th meeting. Roll Call vote, unanimous 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 Robert Shapiro for the proposed construction of a parking lot and relocation of an existing playground at 39 Main Street (DEP #208-1291).

Greg Roy to represent.

BP asks if DEP had any comments.

GR states that DEP suggests soil testing in the detention basin, which they have conducted. GR presents updated plans with a tree schedule for removal along the parking lot and detention basin area, along with details of the retaining walls.

ML/RT M/S to approve with standard conditions at 39 Main Street. Roll Call vote, unanimous to approve.

NEW BUSINESS:

Topics not known 48 hours in advance of meeting

Update on Timber Rights Fund

Earth Day 2023

Earth Day Wrap-Up Presentation

MW gave a presentation to the select board on the 2nd. MW presents PowerPoint with activities done at different conservation and town properties. MW also proposes possible changes for next year's plans.

Master Plan Committee

No response from the commissioners.

OLD BUSINESS:

Update on encroachment issues at:

950 Chase Road – BP met with town attorney in regard to the shed. Town attorney states that on the original house listings that the shed was listed as not being on the same property. A letter is to be drafted and sent to the property owners in regard to these findings.

315 Lancaster Ave
26 Mulpus Road

Grant Updates:

No Updates.

Budget Update

No Updates.

Hollis Road Residence:

ML will be meeting with Chris Ruth to view the property.

BP states that he talked with the town attorney in regard to the tenant's contract for maintenance and will draft a letter to send to the tenant.

Administrative Determination:

Extension Request Permits:

N/A

Certificates of Compliance:

12 Alder Way

BP states there needs to be more clarification and plans before approving.

Notice of Project Change:

N/A

ENFORCEMENT:

Violations (Enforcement Actions and Hearings)

EO 23 Cove Road: Will remain open until greenhouse is removed.

NON 205 Sunset, Beers lot

Open Space and Land Use

Howard Street Driveway

N/A

Timber Sales

CC/MW M/S to adjourn meeting. Roll call vote, unanimous to adjourn.

N/A

Conservation land improvements

BP met with an abutting volunteer at Table Rock who is in the process of cutting connecting trails.

BP states that he, MW and George French met with the Beaver Association and made recommendation for beaver dams.

BP shows proposed property boundary markers.

Committee Reports – Any Update

RT updates from the Stormwater meetings and that the town has hired a contractor for mapping out existing stormwater lines drains and to wrap up by Fall.

Communications /Public comment

None.

Adjourn 9:42 pm

Meeting schedule: Next meeting is May 17rd , 2023 at 7:00 PM by Zoom platform