

TOWN OF LUNENBURG

Lunenburg Conservation Commission

Mary Wilson *Chair*
Jennifer Pewtherer *Vice Chair*
Richard Bursch *Member*
Jeffrey Viviano *Member*
Michael Larouche *Member*
Chris St. Germain *Member*
Vacancy *Member*



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960 Massachusetts Ave
Lunenburg, MA 01462

Sophia Dorow – Consv. Administrator
Maddison Berthet – Admin Assistant

MINUTES

Wednesday, February 5 – 7:00 PM | Zoom (Remote)

1. **CALL TO ORDER**

Roll Call: R. Bursch, J. Viviano, M. Larouche, C. St Germain, J. Pewtherer

Absent: C. St. Germain, M. Wilson.

Call to Order at 7pm by J. Pewtherer

2. **ANNOUNCEMENTS:**

J. Pewtherer noted that Peter Stella was confirmed as a new Commissioner at last night's Select Board meeting.

3. **PUBLIC COMMENT:**

It was noted that the applicant for 67 Island Road was present, but the item was not on the agenda, so the Open Meeting Law precludes the Commission from discussion. Apologies were made to the applicant.

4. **MINUTES OF PREVIOUS MEETINGS:** None

5. Appointments/Hearings – Begin at 7:00pm

6. **APPOINTMENTS**

7. **NEW PUBLIC HEARINGS**

- a. A **Notice of Intent** by Daniel Sheehan of Red Bird Construction for removal of an existing deck within the 50-foot no-build zone and 30-foot no-touch zone of a bordering vegetated wetland as well as construction of a two-family dwelling within the 100-foot buffer zone of a bordering vegetated wetland located at 213 Electric Avenue, (OpenGov.com Record ID# NOI-24-10) (DEP # 208-1339).

Daniel Sheehan (Haley Ward) represented the applicant and shared the plans. This has also been submitted to the Planning Board. J. Viviano asked about erosion control and D. Sheehan shared the plans. R. Bursch asked about the deck. He requested a revegetation plan. DS. Sheehan agreed to provide. He also requested temporary extra erosion control during staging.

S. Dorow wants to wait on the site walk until the ground is not frozen. She also wanted status on the DEP questions. D. Sheehan stated these answers are in the storm water report.

Motion:	R. Bursch, to continue to March 5. Need plans for temporary protection and a vegetation narrative and the DEP answers.
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Second	J. Viviano			
Vote:	J. Viviano – AYE	R. Bursch – AYE	M. Larouche - AYE	J. Pewtherer – AYE

- b. A **Request for Determination of Applicability** by Jeff Viviano for removal of 10 dead trees and 2 leaning trees within the resource area and within 30-foot no-disturb zone of Lake Shirley located at 338 Sunset Lane. (OpenGov.com Record ID# RDA-24-8).

The Applicant is a commissioner and must abstain. This drops the meeting out of a quorum so no vote can be taken. The Commission will hear the applicant's request to obtain feedback. After the missing Commissioner's watch the video, they will be able to vote at the next meeting.

J. Viviano shared several photos of leaning trees and some dead trees. All stumps will remain. R. Bursch asked if the two leaning trees would be replaced. J. Viviano showed he had already planted replacement expecting the trees to be replaced. R. Bursch stated they would need to review the bylaw to ensure the size is correct. S. Dorow asked if J. Viviano had seen her comment in OpenGov. J. Viviano stated it is mostly a safety concern for his grandchildren. S. Dorow read her comments for the entire Commission, suggesting the trees on the peninsula are good habitat and should remain. She also suggested moving only part of the dead tree as a balance between safety and habitat.

8. **CONTINUED PUBLIC HEARINGS**

- a. A **Notice of Intent** by Ryan Vickers for removal and replacement of a collapsed drainage pipe through the side yard of a single-family residential property within the 100- and 50-foot buffer zones and 30-foot no-touch zone of Hickory Hills Lake located at 32 Hemlock Drive, (OpenGov.com Record ID# NOI-24-8) (DEP # 208-1337). (Continued from January 22nd to February 5).
- S. Dorow noted that the applicant wanted to continue but the Notice to Abutters and the Legal Ad have not taken place so we cannot discuss.
- b. A **Notice of Intent** by Sally Tonole Luck and Richard Tonole represented by Matthew Marro for the replacement of one retaining wall, replacement of a section of walkway pavers, and removal of three trees with replacement vegetation on the shore of Lake Shirley located at 352 Sunset Lane, (OpenGov NOI-24-11) (DEP # 208-1341). (Continued from January 22nd to February 5th).
- J. Viviano noted he is a direct abutter and therefore recused himself, which means there is not a quorum. The applicant went on to demonstrate how he addressed former Commission requests.

9. **FILINGS PREVIOUSLY CONTINUED TO A LATER MEETING:**(for administrative tracking)

- a. 390 Howard Street (DEP # 208-1304). (Continued from December 4th to February 19th).
- b. Administrative Determinations: None
- c. Extension Request Permits: None
- d. Certificates of Compliance: None
- e. Notice of Project Change: None

10. **ENFORCEMENT:**

- a. Violations, Enforcement Actions, and Hearings:
 - i. 10 Mass Ave:
 - 1. Working on a filing schedule, as requested by the Commission
 - ii. 1168 Mass Ave Rear
 - iii. 40 Fire Road 12:
 - 1. Working with the Land Use Director. The stockpile of personal supplies is still there.
 - iv. 950 Chase Road
 - v. 390 Howard Street
 - vi. 48 Meadow Lane:
 - 1. S. Dorrow was not granted access to the property and will be sending a letter to both 48 Meadow Lane and 32 Meadow Lane as well as asking them to attend the next meeting.
- b. Emergency Certifications: None

11. NEW BUSINESS:

- a. Topics Unknown - 48 Hrs. Advance of Meeting
- b. DocuSign Timeframe:
 - i. The office staff needs Commissioners to sign all documents by Tuesday to keep in compliance. They will be sent out the Thursday before.
- c. 100 Townsend Harbor Chap 61 Removal:
 - i. S. Dorow spoke with M. Wilson and there appears no interest in exercising our First Right of Refusal.
- d. Wildlands Grants
- e. Farmland of Local Importance
- f. Conservation Budget report
- g. Senior Volunteer Program
- h. Tree Policy

12. OLD BUSINESS:

- a. Update on Title Searches
- b. April Earth Day Events
- c. Encroachment Issues: No updates
- d. 950 Chase Rd - Shed Removal
- e. 315 Lancaster Ave

13. OPEN SPACE AND LAND USE:

- a. Chapter 61 OpenGov Workflow
- b. Grants Update (LCC sponsored, award year 2023)
- c. Grants Update (LSR sponsored, award year 2022)
- d. Conservation Land Improvement
- e. Hollis Road Residence:
 - i. Still looking for replacement cabinets
- f. Lease Agreements & Tenant Responsibilities

14. COMMITTEE REPORTS – ANY UPDATE:

- a. Open Space
- b. Storm Water

c. Communications/Public Comment:

15. Adjourn:

Meeting schedule: Next meeting is February 19th, 2025, at 7:00 PM by Zoom

Motion:	M. Larouche, to adjourn.			
Second	J. Viviano			
Vote:	M. Larouche – AYE	J. Viviano – AYE	R. Bursch - AYE	J. Pewtherer – AYE

Respectfully submitted,
Michael Gale - Admin Asst.