

TOWN OF LUNENBURG

Lunenburg Conservation Commission

Jennifer Pewtherer *Chair*
Richard Bursch *Vice Chair*
Michael Larouche *Clerk*
Mary Wilson *Member*
Chris St Germain *Member*
Teddy Doucette *Member*
Andrea Burnap *Member*



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960 Massachusetts Ave
Lunenburg, MA 01462

Herlin Jamie – Interim Consv. Admin
Michael Gale – Admin Assistant

MINUTES

Wednesday, September 3 – 7:00 PM | Zoom (Remote)

1. **CALL TO ORDER**

Roll Call: R. Bursch, M. Larouche, M. Wilson, A. Burnap, J. Pewtherer.

Absent: C. St. Germain, T. Doucette

Call to Order at 7:03pm by J. Pewtherer

2. **APPOINTMENTS**

3. **ANNOUNCEMENTS**

a. Public Comment. None

b. Pollinator Habitat check in

Beginning to wind down the season. There is a lot of gasoline remaining, and they want to use it as much as possible.

c. Minutes Approval: 04-02-25, 04-16-25, 05-07-25, 07-16-25, 08-06-25, 08-20-25

Discussion regarding several typos and questions about voting. None approved.

4. **NEW PUBLIC HEARINGS**

a. 560 Mulpus Rd- RDA-25-9 [Video link](#)

A Request for Determination of Applicability for 8.920 KW, Ground Mounted, Solar PV System (44 panels) with no battery in between the 100ft and 200ft Riverfront Area buffer zone.

Benjamin Carroll (Team Sunshine) represented. This is a 5-acre lot not visible from the street. J. Pewtherer noted there was no erosion control on the plan and that the Administrator has asked for double erosion control. She would like a straw waddle with a silt fence. B. Carroll indicated that no tree work is necessary. A site walk was conducted. R. Bursch wondered if the wetland ended at the bank of the brook. Reviewed the power infrastructure.

A previous submission was made under RDA-24-2 with the same plan. Plans seem to be inappropriately uploaded. M. Wilson wondered if a previously approved RDA defines the wetlands for 3 years, as does an NOI. It was decided to check with Herlin Jaime.

Motion:	R. Bursch, to continue to September 17
	Items to be addressed:

	1. Double erosion control measures to include silt fencing and straw wattles 2. No stockpiling or storage of materials within 100 ft of resource areas 3. Disturbed soils to be stabilized immediately upon completion of work with native seed mix 4. No tree removal 5. Add power infrastructure details to the plan			
Second	M. Wilson			
Vote:	M. Wilson – AYE	M. Larouche – AYE	R. Bursch - AYE	A. Burnap – AYE
	J. Pewtherer – AYE			

b. 809 Chase Rd- NOI-25-18 [Video link](#)

A Notice of Intent by Ernco Development Corporation for the Construction of a driveway to serve a single-family home and the installation of a water line from the existing well between the 50ft and 100ft buffer zone.

Dan Wolf (David Roth & Associates) represented the applicant. There is no DEP number available, so we cannot vote on the item, just review it. The property is known as Lot C on Chase Road. A previous NOI has expired with only part of the work completed. D. Wolf reviewed the remaining planned work. It was confirmed that the base for the septic had already been graded under the old Order of Conditions. If the fill mound is in the 100-foot buffer, it will need erosion control. Erosion control lines could be clearer in the plan. D. Wolf agreed to extend erosion control to the limit of work as displayed by R. Bursch.

Motion:	R. Bursch, to continue to September 17 Items to be addressed: 1. Add additional erosion controls to the plan			
Second	M. Wilson			
Vote:	R. Bursch – AYE	M. Wilson – AYE	A. Burnap - AYE	M. Larouche – AYE
	J. Pewtherer – AYE			

5. **CONTINUED PUBLIC HEARINGS**

a. 1083 Northfield Rd – NOI-25-10 (Cont. From 08-20) [Video link](#)

A NOTICE OF INTENT by TANNER COLE for construction of a common driveway to service four (4) single-family dwellings to be served by private wells and on-site sewage disposal systems, involving the crossing of a bordering vegetated wetland in two locations, with all proposed dwellings and private driveways outside the 100 ft buffer zone.

Motion:	M. Larouche, to continue to September 17 to allow for peer review			
Second	M. Wilson			
Vote:	R. Bursch – AYE	M. Wilson – AYE	A. Burnap - AYE	M. Larouche – AYE
	J. Pewtherer – AYE			

b. 68A Laurel Ln- NOI-25-5 [Video link](#)

A Notice of Intent by Ashley Owens for the demolition of an existing home and construction of a two unit dwelling in the 100 ft buffer zone.

DEP number has been issued. Responses have been submitted to DEP. The proposal is to demolish the existing house and rebuild further away from the lake. M. Wilson was unsure about the decision about straw waddles and was told they had been added to the plan. M. Wilson wanted to ensure the note stating it would not have straw waddles had been removed. The applicant demonstrated the updated plan.

M. Larouche and R. Bursch were not at the previous meeting and had not filed Mullin Rule documentation, meaning there was not a quorum for this item. This required the applicant to re-present all the information from the last meeting. This review identified the elimination of the stockpile closest to the lake.

Motion:	R. Bursch, to approve.			
Second	M. Wilson			
Vote:	M. Larouche – AYE	M. Wilson – AYE	R. Bursch - AYE	A. Burnap – AYE
	J. Pewtherer – AYE			

6. **ADMINISTRATIVE DETERMINATIONS**

44 Hemlock Tr- CAD-25-13 [Video link](#)

Carol Thorburn was present as the applicant. A tree fell on the house and the tree service said several additional trees needed to be removed. Herlin reviewed the property and wants 16 trees removed. The applicant wants to remove 20 trees. Herlin stated this is a safety concern and needs to be corrected immediately. M. Wilson wondered what will remain once all these trees are removed. M. Larouche wanted to know if the stumps would remain in the ground and the applicant indicated they would be cut as low as possible but no grinding. M. Wilson used Mass Mapper to demonstrate tree coverage and wondered about replacement requirements. R. Bursch wanted to know when they would come down. the applicant said immediately. He also requested a diagram indicating which trees on the property are involved in the project. M. Wilson suggested we let the applicant proceed due to safety concerns but then plan for a 2:1 replacement with full documentation. R. Bursch agreed but with a stipulation that if the removal is not completed by the next meeting that the applicant returns with a full plan.

The applicant asked what a diagram would need to look like and wanted details. R. Bursch shared a handwritten diagram from another applicant.

Motion:	R. Bursch, to continue to September 17 with the following stipulations: 1. Return after tree removal (of up to 20 trees identified by the Administrator) with a 2:1 replacement plan for review showing which trees were removed and what is remaining.
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	2. If trees cannot be removed before the next meeting of the Commission, return at that time with a diagram and documentation showing which trees are included.			
Second	M. Wilson			
Vote:	M. Wilson – AYE	M. Larouche – AYE	R. Bursch - AYE	A. Burnap – AYE
	J. Pewtherer – AYE			

a. **Extension Request Permits:** None

b. **Certificates of Compliance:**

i. 40 Fire Rd 12: still waiting on the Town

ii. 6 Peninsula Dr [Video link](#)

Herlin's notes indicate the project is complete and in compliance and recommends approval.

Motion:	M. Wilson, to approve.			
Second	R. Bursch			
Vote:	R. Bursch – AYE	M. Wilson – AYE	M. Larouche - Aye	A. Burnap – AYE
	J. Pewtherer – AYE			

iii. 828 Lancaster Ave [Video link](#)

Herlin's notes indicate the project is complete and in compliance. The site is stabilized.

Motion:	R. Bursch, to approve.			
Second	M. Larouche			
Vote:	R. Bursch – AYE	M. Wilson – AYE	A. Burnap - Aye	M. Larouche – AYE
	J. Pewtherer – AYE			

iv. 701 Reservoir Road [Video link](#)

Christopher Coffin was present. J. Pewtherer read Herlin's notes.

Motion:	R. Bursch, to approve.			
Second	M. Wilson			
Vote:	R. Bursch – AYE	M. Wilson – AYE	A. Burnap - Aye	M. Larouche – AYE
	J. Pewtherer – AYE			

c. **Notice of Project Change:** None

7. **ENFORCEMENT**

a. **Violations, Enforcement Actions, and Hearings:**

i. 199 Mass Ave is meeting with Herlin today.

ii. Additional meetings are scheduled.

iii. Others are hitting the 30-day mark and may come back to the Commission to authorize issuing violation fees.

b. **Emergency Certifications:** None

8. **NEW BUSINESS**

- a. Conservation Updates
 - i. MACC training spreadsheet will be going out soon.

9. **OLD BUSINESS**

- a. Conservation Budget: now tied to Land Use budget
- b. **Encroachment Issues:** None
- c. **Open Space & Land Use:**
 - i. Grants Update
 - Copies of invoices got detached and will be resent.
 - ii. Conservation Land Improvement
 - We are registered for the United Way Day of Caring.
- d. **Hollis Rd Residence:** No updates
 - i. Lease Agreements & Tenant Responsibilities
- e. **Committee Reports – Any Update:**
 - i. Master Plan Steering Committee: Information spreadsheet was sent out; M. Wilson is working on it.
 - ii. Open Space
 - iii. Storm Water
 - Signed on with a different consultant to prepare us for the Town Meeting.

10. **COMMUNICATIONS / PUBLIC COMMENT**

- a. Concern expressed about the small font on the agenda with no room for taking notes.
- b. We talked about the need for deadlines for submission of items to allow time for review. J. Pewtherer will discuss with Herlin. R. Bursch read the following (from version 4.2): *All changes made to Notice of Intent, RDA, Abbreviated Notice of Intent, whether initiated by applicant or requested by Conservation Commission, shall be submitted to the Commission no later than seven calendar days prior to the next scheduled hearing.*

11. **UPCOMING MEETING SCHEDULE:**

- a. September 17 is the next meeting, via Zoom. An Executive Session will be held at 6:30

Motion:	M. Wilson, to adjourn at 9:33.			
Second	R. Bursch			
Vote:	R. Bursch – AYE	M. Wilson – AYE	A. Burnap - Aye	M. Larouche – AYE
	J. Pewtherer – AYE			

Respectfully submitted,

Michael Gale - Admin Asst.