

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*



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

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

MINUTES

Wednesday, November 19 – 7:00 PM | Zoom (Remote)

1. CALL TO ORDER

Roll Call: C. St Germain, A. Burnap, M. Wilson, T. Doucette, R. Bursch, J. Pewtherer.

Absent: M. Larouche.

Call to Order at 7:04pm by J. Pewtherer

2. APPOINTMENTS: None

3. ANNOUNCEMENTS

a. Public Comment None

b. Minutes of Previous Meetings:

9/3, 3/19, 3/5, 2/19, 2/5, 1/29, 12/18

Motion:	M. Wilson, to approve the minutes of the 9/3 meeting.			
Second	C. St Germain			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

Motion:	M. Wilson, to approve the minutes of the 3/19 meeting.			
Second	C. St Germain			
Vote:	C. St Germain – AYE	A. Burnap – Abstain	M. Wilson - AYE	T. Doucette – Abstain
	R. Bursch – AYE	J. Pewtherer – AYE		

Motion:	M. Wilson, to approve the minutes of the following meetings: 3/5, 2/19, 2/5, 1/29, 12/18.			
Second	C. St Germain			
Vote:	C. St Germain – AYE	A. Burnap – Abstain	M. Wilson - AYE	T. Doucette – Abstain
	R. Bursch – AYE	J. Pewtherer – AYE		

Note: Not all members were at all the meetings, so each meeting had to be approved separately.

4. NEW PUBLIC HEARINGS

a. 30 Summer St- NOI-25-22

A public hearing on a Notice of Intent by SafStor Real Estate Co., LLC for a project that involves floodplain fill and associated compensatory floodplain compensation.

Greg Roy (Dillis & Roy) represented the applicant and presented the project. Site historically used as an auto dealership. Paved acreage is .995 acres (of 1.15 acres). The only concern is bordering land subject to flooding (as defined by the Wetlands Protection Act) based on the newly published 2025 FEMA flood maps.

The proposal is to convert the existing use to a proposed 4-story climate-controlled self-storage facility. All units will be accessed internally. The remaining property will be green space and flood compensation storage, reducing impervious area by about 14%. Special Planning Board permits will be required, and it is expected the stormwater calculations will be peer-reviewed by the Planning Board. This review may be of interest to the Conservation Commission.

G. Roy reviewed the responses they will file to DEP questions received. Since the impervious area is being reduced, it was requested that the Commission find it not necessary to conduct a Wildlife Habitat evaluation.

T. Doucette wanted to know if the trees behind the property are coming down. G. Roy indicated some will come down, and he will identify which in further meetings. R. Bursch wanted to know how far it was from the edge of work to the 100 ft boundary. G. Roy will return with that information. M. Wilson did a satellite image check and calculated 500 feet. R. Bursch also asked for the 100-foot flood plain elevation. G. Roy responded “366”. C. St Germain wondered why G. Roy suggested the flood plain calculations went too far. G. Roy explained it was based on the FEMA numbers versus the converted numbers to 1988 values. J. Pewtherer wondered if this area was affected by the flooding in July and September of 2023. G. Roy did not know.

Motion:	R. Bursch, to continue to the December 3 meeting.			
Second	M. Wilson			
Vote:	R. Bursch – AYE	M. Wilson – AYE	C. St Germain - AYE	T. Doucette – AYE
	A. Burnap – AYE	J. Pewtherer – AYE		

b. 247 Fire Rd 16 - RDA-25-16

A public hearing on a Request for Determination of Applicability by Robert Hart (Trustee) for a project that involves drilling a water well 56 feet 6 inches away from the edge of Lake Shirley. Digging necessary water and retention pits. Installing necessary silt fence and hay bales.

Robert Hart presented the project. The existing dwelling uses pond water for domestic water. Proposing a well for reliable source of water. H. Jaime conducted a site visit. A permit was obtained from the Board of Health. Need Conservation permission because it is within the buffer zone. J. Pewtherer shared uploaded documentation. H. Jaime recommendations:

1. Install sediment controls
2. Silt fence, hay bales prior to construction and maintained until full stabilization.
3. Retention pits must be contained within upland areas
4. No slurry or drilling water can be discharged toward Lake Shirley.
5. Stockpiles must be covered and located outside of the 50-foot buffer.
6. Disturbed areas shall be loamed, seeded, or loamed seeded and stabilized immediately following completion.
7. Pre-construction erosion control inspection is required.
8. Any modification to the location of the well must be approved prior to work.
9. All equipment, fueling, and maintenance must occur outside of the 100-foot buffer.

R. Bursch wanted to know if any excavating other than the slurry pits would be required and was told “no.”
M. Wilson wanted to know if there would be any tree work and was told “no.”

Motion:	R. Bursch, for a NEGATIVE DETERMINATION with the following conditions. 1. Install sediment controls 2. Silk fence, hay bales prior to construction and maintained until full stabilization. 3. Retention pits must be contained within upland areas 4. No slurry or drilling water can be discharged toward Lake Shirley. 5. Stockpiles must be covered and located outside of the 50-foot buffer. 6. Disturbed areas shall be loomed, seeded, or loomed seeded and stabilized immediately following completion. 7. Pre-construction erosion control inspection is required. 8. Any modification to the location of the well must be approved prior to work. 9. All equipment, fueling, and maintenance must occur outside of the 100-foot buffer.			
Second	M. Wilson			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

c. 480 Mulpus Rd – RDA-25-15

A public hearing on a Request for Determination of Applicability by Kenneth McNamara for a project that involves construction of a shed (16'-0" x 14'-0") approximately 75 to 100 feet from the edge of the stream. The shed will be set on concrete blocks that are 8 x 8 x 4.

Ken McNamara (480 Mulpus Road) presented the project. J. Pewtherer shared available documentation. M. Wilson confirmed that no trees will be affected. H. Jaime notes did not raise any concerns. R. Bursch noted the perennial stream on the GIS map and recommended the shed be outside the 100—foot riparian zone. K. McNamara stated that the slope of the land is too steep to move closer. R. Bursch suggested continuing the hearing until H. Jaime can visit the site and verify the location of the 100-foot line with the applicant.

Motion:	R. Bursch, to continue to the December 3 meeting with the following understanding: 1. H. Jaime to visit the site and verify the location of the 100-foot line with the applicant			
Second	M. Wilson			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

d. 40 Hemlock Dr – RDA-25-14

A public hearing on a Request for Determination of Applicability by Malcom Parker for a project to install a 5' chain link fence between adjoining properties which includes disturbance of the buffer zone.

Malcolm Parker (40 Hemlock Dr) presented the project. Wants to replace an existing chicken wire fence with a chain link fence to secure the new pet. H. Jaime notes include:

1. Any soil generated during post setting shall be removed from the buffer zone the same day.

2. No stockpiling, mixing, or washout shall occur closer than 50 feet to the resource area.
3. If machinery is used, no refueling.
4. Storage must occur outside of the buffer zone.
5. No clearing or expansion of disturbance area beyond the fencing alignment
6. Any change in fence alignment required approval.
7. If groundwater is encountered, post shall be hand set and not concrete washout may occur on site

R. Bursch recommended that the applicant check with the Building Department and the fence regulations to determine if the fence location needs to be moved.

Motion:	C. St Germain, for a NEGATIVE DETERMINATION with the following conditions. 1. Return if the Building Department requires a change in location. 2. Any soil generated during post setting shall be removed from the buffer zone the same day. 3. No stockpiling, mixing, or washout shall occur closer than 50 feet to the resource area. 4. If machinery is used, no refueling. 5. Storage must occur outside of the buffer zone. 6. No clearing or expansion of disturbance area beyond the fencing alignment 7. Any change in fence alignment required approval. 8. If groundwater is encountered, post shall be hand set and not concrete washout may occur on site			
Second	T. Doucette			
Vote:	M. Wilson – AYE	C. St Germain – AYE	T. Doucette - AYE	A. Burnap – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

5. CONTINUED PUBLIC HEARINGS

- a. 763 Northfield Rd- NOI-25-19 (Continued from October 15 and November 5)

A public hearing on a Notice of Intent by the Town of Lunenburg-DPW for the replacement of the deteriorated culvert at the Northfield Road crossing over Mulpus Brook in order to mitigate further deterioration, prevent potential flooding caused by the existing undersized culvert, and meet the Massachusetts River and Stream Crossing Standards to the maximum extent practicable. The proposed culvert replacement is a 38-foot, 4-foot diameter precast reinforced concrete piped culvert with precast headwalls at both pipe ends. The proposed culvert will match the existing culvert's alignment. (asked to continue to 12/3/2025)

Motion:	M. Wilson, continue to the December 3 meeting.			
Second	C. St Germain			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

6. ADMINISTRATIVE DETERMINATIONS

- a. **Extension Request Permits:** None
b. **Certificates of Compliance:**

- i. 55 Reservoir Rd- COC-25-19

H. Jaime notes indicate as-builts are filed; the project was completed in substantial compliance with the Order of Conditions; and no outstanding resource area concerns were observed.

Motion:	M. Wilson, to approve.
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Second	T. Doucette			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE
	R. Bursch – AYE	J. Pewtherer – AYE		

c. Notice of Project Change: None

7. ENFORCEMENT

a. Violations, Enforcement Actions, and Hearings:

- i. 10 Mass Ave
- ii. 1168 Mass Ave Rear: Violation fine to be mailed
- iii. 48 Meadow Ln: In contact with property owner
- iv. 1147 Mass Ave: Still investigating returned US certified mail as not deliverable
- v. 314 Highland St
- vi. 715 Reservoir Rd: H. Jaime processing.

b. Emergency Certifications:

8. NEW BUSINESS

- a. Topics Unknown – 48 Hrs. Advance of Meeting: None
- b. By-Law Discussion: No update
- c. MACC Training Takeaways: No update
- d. Notification of Well Abandonment- 451 Mass Ave

Reviewed the notice that was received. The Commission has no previous experience with this type of notification. M. Wilson suggested Herlin check with the notifier to understand the original intent of the well and our responsibilities with this process. R. Burch noted that the exemption they claim is not allowed in our by-laws. An RDA would be required.

9. OLD BUSINESS

- a. Conservation budget:** Still looking for the Sean Kelly fund.
- b. Encroachment Issues:** None
- c. Hollis Rd Residence:** Mostly moved out. J. Pewtherer is getting quotes for cleanup.
- d. Committee Reports – Any Update:**
 - i. Master Plan Steering Committee: T. Doucett reviewed the building tour notes. Town Hall has ‘good bones’ and should be maintained and preserved. The elevator needs to be made ADA compliant. The Ritter elevator needs to be compliant with ADA. Meeting rooms lack technology for efficient meetings. Turkey Hill seems to be a high priority project needing several updates and corrections. Concern was raised over buildings and other items such as flooding at Marshall Park
 - ii. Open Space: meeting at same time as this meeting
 - iii. Storm Water: Shifting to another consultant

10. COMMUNICATIONS / PUBLIC COMMENT: None

11. UPCOMING MEETING SCHEDULE:

- a. December 3 at 7:00PM by Zoom

12. ADJOURN

Motion:	R. Bursch, adjourn at 8:46PM.			
Second	T. Doucette			
Vote:	C. St Germain – AYE	A. Burnap – AYE	M. Wilson - AYE	T. Doucette – AYE

	R. Bursch – AYE	J. Pewtherer – AYE		
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Sample Motion and Roll Call vote:

Motion:	M. Wilson, to approve both projects as proposed.			
Second	M. Larouche			
Vote:	M. Wilson – AYE	M. Larouche – AYE	A. Burnap - AYE	R. Bursch – AYE
	T. Doucette – AYE	C. St Germain – AYE	J. Pewtherer – AYE	

ADJOURNMENT

Meeting adjourned ADJOURN_TIME pm.

Respectfully submitted,

Michael Gale - Admin Asst.