

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, April 16, 2019
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 5/7/2019**

Present: Vice Chair Curt Turner, Robert Garner, Daniel Shinnick, Sam Streiff and Howard Vogel
Absent: Chair Arthur Page and Judy Kehs
Attending: Brent Baeslack, Conservation Agent

Opening Statement: Authorized by Wetlands Protection Act, Town of Rowley Wetlands Protection Bylaw, and the Stormwater Management and Erosion Control Bylaw. Meeting convened 7:30 PM (all Legal ads were read to open new agenda items at time noticed).

In the absence of Chairman Page, Vice Chairman Turner assumed the duties of running the meeting.

Administrative: Commissioners reviewed and authorized the payroll and reimbursement of various Vendor Bill requests.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of October 10, 2010. Streiff seconded the motion and the motion passed unanimously.

New Notice of Intent application at 77 Railroad Avenue (Map 27, Parcel/Lot 103)

David F. Jaquith: Proposed installation and construction of a new single family dwelling and upgraded sewage disposal system possibly within the 100' Buffer Zone of Salt Marsh and ACEC, and in Land Subject to Coastal Storm Flowage. Mr. Charles Johnson of CG Johnson Engineering was in attendance representing the property owner and presented the project to the Commission. Also in attendance were the owners, Mr. David Jaquith and Ms. Sara Bourque. Agent Baeslack explained that due to time constraints he had been unable to conduct the pre-meeting site visit. The applicant agreed to a hearing continuance to allow for the site visit.

Shinnick moved to continue the hearing with the applicant's permission to the meeting of May 2, 2019. Streiff seconded the motion and the motion passed unanimously.

New Notice of Intent application at 600 Wethersfield Street aka 602 Wethersfield Street (Map 11, Parcel/Lot 6) Bitterroot LLC, Robert Nixon owned by Bruce Tompkins, Sarah Tompkins and Sara Desjardins:

Proposed construction of a single family dwelling, garage, porch, deck, driveway, subsurface sewage disposal system, retaining wall, associated grading and utilities possibly within the 100' Buffer Zone of a Bordering Vegetated Wetland and the 200' Riverfront Area of Mill River. Applicant representative, Ms. Maureen Herald of Norse Environmental Services, was in attendance to present the project, as were the

applicants, Mr. Robert Nixon of Bitterroot LLC and Ms. Amanda Boudreau of Bitterroot LLC. Agent Baeslack gave a verbal report to the Commission with recommendations for plan revisions and special conditions to protect the Buffer Zone to Bordering Vegetated Wetlands.

Vogel moved to issue an Order of Conditions with typical conditions for single family home construction and contingent upon receipt and approval of revised plans and documents. Garner seconded the motion and the motion passed unanimously.

New Stormwater Management Permit application at 600 Wethersfield Street aka 602 Wethersfield Street (Map 11, Parcel/Lot 6) Bitterroot LLC, Robert Nixon owned by Bruce Tompkins, Sarah Tompkins and Sara Desjardins: Proposed construction of a single family dwelling, garage, porch, deck, driveway, subsurface sewage disposal system, retaining wall, associated grading and utilities with a total site disturbance of approximately 24,646 square feet. Ms. Maureen Herald of Norse Environmental Services was in attendance to present the project and represent the applicant. The applicants, Mr. Robert Nixon of Bitterroot LLC and Ms. Amanda Boudreau of Bitterroot LLC were also in attendance. Agent Baeslack gave a verbal report to the Commission with recommendations for plan revisions and special conditions addressing stormwater management concerns.

Streiff moved to issue a Stormwater Management Permit contingent upon receipt and approval of revised plans and documents. Garner seconded the motion and the motion passed unanimously.

New Notice of Intent application at 600 Wethersfield Street aka 604 Wethersfield Street (Map 11, Parcel/Lot 6) Bitterroot LLC, Robert Nixon owned by Bruce Tompkins, Sarah Tompkins and Sara Desjardins: Proposed construction of a single family dwelling, garage, porch, deck, driveway, subsurface sewage disposal system, retaining walls, associated grading and utilities possibly within the 100' Buffer Zone of Bordering Vegetated Wetland and 200' Riverfront Area of Mill River. Ms. Maureen Herald of Norse Environmental Services was in attendance to present the project and represent the applicant. The applicants, Robert Nixon of Bitterroot LLC and Ms. Amanda Boudreau of Bitterroot LLC, were also in attendance. Agent Baeslack gave a verbal report to the Commission with recommendations for plan revisions and special conditions to protect the Buffer Zone to Bordering Vegetated Wetlands.

Shinnick moved to issue an Order of Conditions with typical conditions for single family home construction and contingent upon receipt and approval of revised plans and documents. Streiff seconded the motion and the motion passed unanimously.

New Stormwater Management Permit application at 600 Wethersfield Street aka 604 Wethersfield Street (Map 11, Parcel/Lot 6) Bitterroot LLC, Robert Nixon owned by Bruce Tompkins, Sarah Tompkins and Sara Desjardins: Proposed construction of a single family dwelling, garage, porch, deck, driveway, subsurface sewage disposal system, retaining walls, associated grading and utilities with a total site disturbance is approximately 20,220 square feet. Applicant representative, Ms. Maureen Herald of Norse Environmental

Services, was in attendance to present the project as were applicants, Mr. Robert Nixon of Bitterroot LLC and Ms. Amanda Boudreau of Bitterroot LLC. Agent Baeslack gave a verbal report to the Commission with recommendations for plan revisions and special conditions addressing stormwater concerns.

Garner moved to issue a Stormwater Management Permit with typical conditions for single family home construction and contingent upon receipt and approval of revised plans and documents. Vogel seconded the motion and the motion passed unanimously.

Continued Notice of Intent application DEP #63-683 at 41 and 49 Emily Lane and land off Emily Lane (Map 9, Parcel 23, Lots 24 and 25) The Tompkins-Desjardins Trust, Bruce Tompkins, Trustee: Proposed construction of a single family residence with relocation of woods road possibly within 100' Buffer Zone to Bordering Vegetated Wetlands, 100' Buffer Zone to Isolated Vegetated Wetland, Intermittent Stream, Bank, Bordering Land Subject to Flooding and Land under Waterway. Mr. James Decoulos of Decoulos and Associates, and Mr. Bill Manuell of Wetlands and Land Management, the property owner representatives, were in attendance to address the Commission. Mr. Decoulos answered comments received from Mr. Gary Bogue of the Department Environmental Protection regarding Bordering Land Subject to Flooding. The Commission reviewed the revised plans for the woods access road relocation and the invasive management plan. Agent Baeslack gave a verbal presentation with recommendations for plan revisions and special conditions.

Vogel moved to close the public hearing and issue an Order of Conditions contingent upon agreement between Agent Baeslack and the applicant's representatives to resolve submittal revisions. Shinnick seconded the motion and the motion passed unanimously.

Status Reports: Permits & Enforcement

Noncompliance OC #63-463 at 293 Wethersfield St. (Map 23, Parcel/Lot 47) Prime Realty Trust – Mr. Bill Manuell of Wetlands and Land Management was in attendance representing the property owner. Agent Baeslack advised the Commission that a public records request revealed an open but expired Order of Conditions on the property. A Letter of Noncompliance had been issued. The site had been inspected by Mr. Manuell, and the property owner is taking appropriate and adequate steps to resolve the outstanding issues. Agent Baeslack provided Mr. Manuell with an attested copy of the Order of Conditions for recording at the Registry of Deeds.

Shinnick moved to ratify the issuance of the Noncompliance Letter for OC #63-463. Garner seconded the motion and the motion passed unanimously.

Adjournment:

Accomplished at 9:58 PM by a motion made by Streiff. Shinnick seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent