

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, January 22, 2019
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 2/19/2019**

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Judy Kehs,
Daniel Shinnick and Sam Streiff
Absent: Howard Vogel
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).

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 January 2, 2019 with edits as discussed. Streiff seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of June 21, 2011. Kehs seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of July 12, 2011 with edits as discussed. Streiff seconded the motion and the motion passed unanimously.

FY 2018 Annual Report: The Commission reviewed the draft of the 2018 Annual Report for submittal to the Office of the Board of Selectmen for inclusion in the Town's Annual Report.

Turner moved to accept the 2018 Annual Report as submitted. Garner seconded the motion and the motion passed unanimously.

Conservation Restriction at Dodge Reservation 390 Wethersfield St. (Map 18, Parcel/Lot 7) Essex County Greenbelt Association and Town of Rowley: Agent Baeslack presented the final version of the Dodge Reservation Conservation Restriction which had been signed by Essex County Greenbelt Association. He asked that the Commission consider signing and authorizing presentation to the Board of Selectmen for acceptance and signatures.

Turner moved that the Commission sign the Dodge Reservation Conservation Restriction and forward the Restriction to the Board of Selectmen. Streiff seconded the motion and the motion passed unanimously.

New Request for Determination of Applicability for 29 Glen Street (Map 21, Parcel/Lot 19) John P. and Dawn M. McCarthy: Proposed installation of a subsurface sewage disposal system possibly within 200' Riverfront Area of the Mill River. Mr. Thomas Mannelta of Thomas Mannelta, Inc. was in attendance to address the Commission and answer any questions. The Commission reviewed Agent Baeslack's memo dated January 22, 2019 with recommendations for special conditions.

Turner moved to issue a negative Determination Option #3 incorporating discussed special conditions. Garner seconded the motion and the motion passed unanimously.

New Notice of Intent application for 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, and Land under Waterway. Mr. James Decoulos of Decoulos & Company was in attendance with Mr. Greg Bernard to address the Commission and answer any questions. Agent Baeslack gave a verbal report of his site inspection and review of the submitted Application. A discussion was held on the proposed restoration after the removal of the current stream crossing. The Commission asked that a wetlands professional be engaged to advise on the restoration work and timing. Agent Baeslack recommended that the hearing be continued so the restoration plan can be finalized after input from the wetlands professional.

Streiff moved to continue the public hearing to February 12, 2019 with the applicant's permission. Shinnick seconded the motion and the motion passed unanimously.

Continued Request to Amend Order of Conditions DEP #63-0625 at land off Daniels Road (Map 9, Parcel/ Lot 23) The Tompkins-Desjardins Trust, Bruce Tompkins, Trustee: A request to amend proposed construction of duplex buildings with associated roadway, driveways, utilities, stormwater facilities, and grading possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. John Decoulos of Decoulos Engineering and Mr. Greg Bernard were in attendance to answer questions from the Commission. Agent Baeslack advised that the final Peer Review Report from Horsley Witten had been received with recommended revision of the Operation & Maintenance Plan. He recommended the Commission close the hearing contingent upon receipt of a revised Operations & Maintenance Plan and review of plan sheets submitted.

Streiff moved to close the public hearing contingent upon receipt and approval of an updated Operation & Maintenance Plan as discussed. Turner seconded the motion and the motion passed unanimously.

Certificate of Compliance Request(s):

Commissioner Streiff **recused** himself from the next agenda item.

New request for a partial Certificate of Completion for SMP#31-2018 for Lot 6, 176 Central Street (Map 24, Parcel 39, Lot 6) Rowley Central Realty, LLC – No one was in attendance to answer questions from the Commission. After reviewing Agent Baeslack's memo dated January 22, 2019, the Commission expressed concerns about issuing a Partial Certificate of Compliance until the items outlined in Agent Baeslack's memo were addressed which included survey with spot elevations of basin berm, right of way catch basin clogged and maintenance of erosion controls on perimeter.

Turner moved to continue the matter to the meeting of February 12, 2019. Shinnick seconded the motion and the motion passed unanimously.

New request for a Certificate of Compliance for DEP #63-0656 for 40 Oyster Point Road (Map 27, Parcel/Lot 87) Michael Glynn – The Commission reviewed Agent Baeslack's memo dated January 22, 2019 with a recommendation to issue a Complete Certificate of Compliance including ongoing conditions and waiving conditions #64 and #65.

Garner moved to issue a complete Certificate of Compliance with ongoing conditions and waiving conditions #64 and #65. Kehs seconded the motion and the motion passed unanimously.

New request for a Certificate of Compliance for DEP #63-0492 for land off Emily Lane (Map 9, Parcel/Lot 23) The Tompkins-Desjardins Trust, Bruce Tompkins, Trustee – Mr. John Decoulos of Decoulos Engineering and Mr. Greg Bernard were in attendance to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo dated January 22, 2019 which recommended the issuance of a Complete Certificate of Compliance.

Turner moved to issue a complete Certificate of Compliance. Shinnick seconded the motion and the motion passed unanimously.

Status Reports: Permits & Enforcement

New Notice of Violation for 5 Farnham Road (Map 11, Parcel/Lot 50) Fannie Mae – Improper disposal of solid waste, man-made debris causing a condition of potential pollution and filling of forested Buffer Zone to Bordering Vegetated Wetlands. Agent Baeslack gave a verbal report on the site inspection and subsequent cleanup of the property that he verified.

Turner moved to consider the matter closed. Shinnick seconded the motion and the motion passed unanimously.

New Notice of Violation for 152 Glen Street (Map 20, Parcel/Lot 10) Gary Machiros – Tree cutting and removal resulting in earth disturbance at driveway crossing area along roadway frontage. Agent Baeslack gave a verbal report of the site inspection and advised that the owner was working with a professional to prepare a Notice of Intent Application which would include the replacement of the septic system and restoration of impacted resources.

Shinnick moved to allow the property owner to file a Notice of Intent. Kehs seconded the motion and the motion passed unanimously.

Adjournment:

Accomplished at 9:50 PM by a motion made by Turner. Kehs seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent