

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, December 4, 2018
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 1/2/2019**

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Judy Kehs,
Daniel Shinnick, Sam Streiff and Howard Vogel
Absent: N/A
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 October 30, 2018. Streiff seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Turner moved to accept the Minutes of November 13, 2018. Shinnick seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Vogel moved to accept the Minutes of March 29, 2011. Garner seconded the motion and the motion passed unanimously.

Discussion(s):

Permission to Hunt: The Commission reviewed a request to the Board of Selectmen from Mr. Paul Lees to hunt on conservation lands off Ellsworth Road., off Ice Pond Drive., 13 Kathleen Circle and 467 Haverhill Street. Mr. Lees was in attendance to address the Commission and advised he would be modifying his request for permission to hunt by archery (bow and arrow only) and on the lands abutting his property. The Commission reviewed Agent Baeslack's memo dated November 28, 2018. The Commission reviewed the hunting prohibitions and the restrictions adopted in Conservation Restrictions issued for Dodge Reservation and Bradstreet Farm Conservation Areas. The Commission was advised by the Agent that for the last hunting request the office listed all private buildings that were located within 500 ft. of the lands in question. The Commission moved to vote on a recommendation to the Board of Selectmen.

Shinnick moved to recommend to the Board of Selectmen to approve the request for permission to hunt as modified by the applicant and stipulations required by the Commission. Vogel seconded the motion and the motion passed with four (4) yea and three (3) nay votes.

Conservation Restriction at Dodge Reservation 390 Wethersfield St. (Map 18, Parcel/Lot 7) Essex County Greenbelt Association and Town of Rowley: Agent Baeslack updated the Commission on the current Conservation Restriction approval process. He provided a memo from Town Counsel relating to the Conservation Restriction assignability. The Commission agreed that assignability should include language to allow the Town to approve any transfer of the Conservation Restriction to another entity. Agent Baeslack was authorized to forward the memo to Vanessa Hall-Johnson and copy the Essex County Greenbelt Director and John Goia of the State Division of Conservation Services.

New Notice of Intent at 407 Wethersfield Street (Map 19, Parcel 8, Lot 2) Lawrence Hunter: Proposed construction of a 14' x 33' addition to an existing residence possibly within the 200' Riverfront Area of the Mill River and 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Lawrence Hunter, applicant and property owner, was in attendance to address the Commission. Also in attendance was Mr. Nathan Hunter. The Commission reviewed Agent Baeslack's memo dated December 4, 2018 with recommendations for special conditions to be included in permit issuance. Agent Baeslack recommended a revised plan be required.

Turner moved to close the hearing contingent upon receipt of a revised plan and to issue an Order of Conditions with special conditions as discussed. Garner 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 changed to single family homes with associated roadway, driveways, utilities, stormwater facilities, and grading possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. No one was in attendance to address the Commission. Agent Baeslack advised that additional information was still pending from the applicant's representative Mr. John Decoulos. He recommended continuing the hearing to the meeting of January 2, 2019.

Turner moved to continue the public hearing with the applicant's permission to January 2, 2019. Vogel seconded the motion and the motion passed unanimously.

Certificate of Compliance Request(s):

New Request for Certificate of Compliance for 414 Haverhill Street (Map 14, Parcel 34, Lot 1) Gateway II Trust of 1997 – Mr. Tyler Ferrick of DeRosa Environmental Consulting was in attendance to address the Commission. Agent Baeslack gave a verbal report of his site inspection and recommended the issuance of a complete Certificate of Compliance noting

successful invasive plant suppression and wetlands replication. Agent Baeslack recommended inclusion of ongoing conditions.

Streiff moved to issue a complete Certificate of Compliance with ongoing conditions. Kehs seconded the motion and the motion passed unanimously.

Status Reports: Permits & Enforcements

Enforcement Order for 413 Wethersfield Street (Map 19, Parcel 8, Lot 1) Amanda Veilleux – Mr. Kyle Van Amburg, property owner, was in attendance to address the Commission. Agent Baeslack gave a verbal report on the site inspection. The Commission discussed the next steps to resolve the water issues and reestablish the area which had been cut. Mr. Van Amburg advised that he was consulting a wetlands scientist to determine the wetland area boundaries. He would coordinate with Agent Baeslack once that information has been obtained.

Enforcement Order for 100 Haverhill Street (Map 15, Parcel/Lot 92) Bradley Jamieson – No one was in attendance to address the Commission. Agent Baeslack advised the final documentation required to bring the project into compliance had been received and recommended a Return to Compliance letter be issued.

Vogel moved to issue the Return to Compliance letter. Garner seconded the motion and the motion passed unanimously.

Adjournment:

Accomplished at 9:59 PM by a motion made by Vogel. Garner seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent