

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Tuesday, November 13, 2018  
TOWN HALL ANNEX, 39 CENTRAL STREET  
APPROVED: 12/4/2018**

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Judy Kehs,  
Daniel Shinnick, Sam Streiff (arrived 7:42 pm) 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, Vogel moved to accept the Minutes of October 23, 2018. Kehs seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Garner moved to accept the Minutes of November 13, 2012. Shinnick seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of December 4, 2012. Vogel seconded the motion and the motion passed unanimously.

**50 Newbury Road (Map 5, Parcel/Lot 41) ONG Design & Development Land Grant:** Agent Baeslack advised the Commission that due to the changes to the lot line and location of the parking space in the open space, Ranger Engineering had submitted a request to Natural Heritage and Endangered Species to extend the period to transfer the land being deeded to the Town by one month. He stated that Natural Heritage and Endangered Species had approved the extension and read into the record an email dated November 6, 2018 with that approval.

Turner moved to approve the one month extension to deed the Open Space land. Shinnick seconded the motion and the motion passed unanimously.

**Emergency Certifications for Beaver-related Activity at 532 Wethersfield Street (Map 11, Parcel 3, Lot 3) and Dodge Road Lower Mill Pond Dam (Map 10, Parcel 5, Lot A-8):** Agent Baeslack advised the Commission of Emergency Certifications which had been issued due to beaver-related activity.

A dam had been built under the bridge at 532 Wethersfield Street which was causing problems further upriver. The Emergency Certification was issued for temporary breaching of the dam.

Turner moved to ratify and confirm the Emergency Certification for 532 Wethersfield Street. Garner seconded the motion and the motion passed unanimously.

Agent Baeslack advised that a beaver dam was causing flooding and damage to Dodge Road and the bridge near the Lower Mill Pond Dam. The request for the Emergency Certification had been requested by the Rowley Highway Department. Permission to enter the property had been received from the heirs of the property owner, Marion Tompkins, because the estate has not been probated. Since the dam was causing issues with the roadway and bridge, the work would be done by the Town. The Emergency Certification was issued for temporary dam breaching.

Vogel moved to ratify and confirm the Emergency Certification for Lower Mill Pond Dam. Streiff seconded the motion and the motion passed unanimously.

### **Discussion**

**Wetlands Protection Bylaw for Town Meeting:** The Commission discussed possible Amendment change addressing the Bylaw Fee structure process. The proposed change would remove the fees from the Bylaw and designate them as regulations allowing for changes to be made without the need for a Town Meeting.

### **New Notice of Intent application at 221R Main Street (Map 25, Parcel 35, Lot 1) and at 215 Rear Main Street (Map 25, Parcel 37, Lot 1) Town of Rowley, Board of Selectmen:**

Proposed construction of playing fields, expansion of gravel area and installation of water quality swales possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. Ms. April Ferraro of Meridian Associates, representing the Town of Rowley, and Town Administrator Deborah Eagan were present to answer questions from the Commission. Agent Baeslack reported finding a patch of Japanese knotweed and recommended that it be dug out and disposed of by burning or burial. He verbally recommended additional special conditions for the project.

Turner moved to issue the Order of Conditions with special conditions as discussed. Shinnick seconded the motion and the motion passed unanimously with Streiff abstaining.

The Commission discussed authorizing use of the woods road on the Bradstreet Farm Conservation Area for access by large machinery.

Turner moved to issue a letter of approval to the Board of Selectmen to allow construction vehicle access from the Bradstreet Farm Conservation Area from the farm access roadway. Vogel seconded the motion and the motion passed unanimously with Streiff abstaining.

### **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:**

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. Page read an email dated November 13, 2018, from the applicant's representative, Mr. John Decoulos, requesting that the hearing be continued to the meeting of December 4, 2018.

**Informal Discussion of Concept Plan for land off Kathleen Circle (Map 7, Lot 17) John Coughlin, Trustee of Gateway II Trust of 1997:** Ms. Nancy McCann, representing Gateway II Trust of 1997, was in attendance to discuss the proposed donation of open space land to the Town as part of a concept plan for land off of Kathleen Circle. Also in attendance was Mr. John Coughlin, Trustee of Gateway II Trust of 1997. Ms. McCann requested a vote of support for the acquisition of the open space land.

Vogel moved to support the donation of open space land as part of the concept plan for land off Kathleen Circle (Map 7, Lot 17). Shinnick seconded the motion and the motion passed unanimously.

**Status Reports: Permits & Enforcement**

**Enforcement Order for 413 Wethersfield Street (Map 19, Parcel 8, Lot 1)**

**Amanda Veilleux:** Agent Baeslack advised there had been no further communication with the property owner after his attendance at the previous meeting. If there is no contact with the office, the Commission authorized requesting the property owner attend a meeting.

**Project Comment Requests**

**Planning Board Public Hearing on Zoning District Map Amendments and Bylaw Amendment** – Agent Baeslack provided the Commission with information regarding the proposed amendments to the Zoning District Map and Bylaw. He advised that they would be discussed at the Planning Board meeting on November 14, 2018.

**Planning Board OSRD Application for Fox Hollow 430 Wethersfield Street et al., Taylor Lane LLC** – Agent Baeslack updated the Commission on the most recent Application to the Planning Board for the 430 Wethersfield Street project. He explained that the designation of Taylor Brook as perennial by the Department Environmental Protection had required some changes to the plan. In addition, a waiver was being sought from the Planning Board on the 50% Open Space requirement since more of the area was now designated as “wetlands”.

**Adjournment:**

Accomplished at 9:39 PM by a motion made by Vogel. Shinnick seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent