

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Tuesday, June 19, 2018  
TOWN HALL ANNEX, 39 CENTRAL STREET  
**APPROVED: 7/10/18****

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Judy Kehs (arrived 7:40 pm), 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, Shinnick moved to accept the Minutes of January 3, 2012. Streiff seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Garner moved to accept the Minutes of January 24, 2012. Shinnick seconded the motion and the motion passed unanimously.

**Discussion(s):**

**Conservation Restriction, 42 Newbury Road (Map 5, Parcel/Lot 40) – John E. Sullivan, Jr.:** Attorney Brad Latham, representing the owner, and Mr. John Sullivan, owner, were in attendance to address the Commission and answer any questions. Mr. Latham advised that the Baseline Report was being worked on and asked if the Conservation Restriction draft could be forwarded to the State to begin the review process. The Commission agreed to move forward with the State review while the Baseline Report was being prepared.

Turner moved for an open continuance of the matter, with the applicant's permission. Streiff seconded the motion and the motion passed unanimously.

**Reorganization of Conservation Commission:** The Commission discussed the possible reorganization of the Conservation Commission officers.

Streiff moved that the present Conservation Commission Officers continue in the same positions for the term July 1, 2018 to June 30, 2019. Shinnick seconded the motion and the motion passed unanimously.

**New Request for Determination of Applicability at 563 Wethersfield Street (Map 11, Parcel/Lot 59) Martha Chase-Geary:** Proposed soil evaluations for subsurface sewage disposal system design possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Robert Blanchette of W.C. Cammett Engineering, representing the owner, was in attendance to answer any questions from the Commission. The Commission reviewed Agent Baeslack's memo dated June 19, 2018 with recommended project conditions. In response to a question from Turner, the applicant's representative agreed to consider an alternative second possible test-pit site in lieu of the one presented in the event that the primary site-choice is infeasible. Revised plans were submitted in response to concerns identified at the site visit.

Turner moved to close the public hearing and issue a negative Determination Option #3 with conditions as discussed. Shinnick seconded the motion and the motion passed unanimously.

**New Request for Determination of Applicability at 140 Wethersfield Street (Map 17, Parcel/Lot 16) John and Marie Grover:** Proposed installation of a premanufactured 12' x 16' wooden shed in the backyard lawn area possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. John and Mrs. Marie Grover were in attendance to address the Commission and answer any questions. The Commission reviewed Agent Baeslack's memo dated June 19, 2018 with recommended project conditions.

Streiff moved to close the public hearing and issue a negative Determination Option #3 with conditions as discussed. Garner seconded the motion and the motion passed unanimously.

**New Abbreviated Notice of Resource Area Delineation at 395 Main Street (Map 27, Parcel 52, Lot 2B) owned by Didax Corp, 425 Main St. (Map 27, Parcel/Lot 48), Witcombs Spring (Map 27, Parcel/Lot 79), Riley's Bridge (Map 27, Parcel/Lot 80, and Witcombs Creek (Map 27, Parcel/Lot 81) owned by J&R Realty Trust filed by Brian Scarlett of Didax Corporation:** Proposed identification of wetland resource areas. Mr. Adam Marchionda of Marchionda & Associates, representing the applicant, was in attendance to address the Commission and answer questions. The Commission reviewed Agent Baeslack's memo dated June 19, 2018 with recommendations for revisions to the plan.

Turner moved to issue an Order of Resource Area Delineation contingent upon receipt of plan revisions as discussed within 14 days. Garner seconded the motion and the motion passed unanimously.

**New Notice of Intent at 430 Wethersfield Street (Map 12, Parcel/Lot 3 and 4), owned by Cheryl J. Moran and Patricia A. Simon, at land off Wethersfield Street and Taylor Lane (Map 12, Parcel/Lot 2), owned by Redstone Realty LLC and at Daniels Road (Map 9, Parcel Lot 23), owned by Tompkins Desjardins Trust filed by Robert Nixon, Taylor Lane LLC:** Proposed Open Space Residential subdivision roadway crossing Taylor Brook with limited wetlands filling and accompanying wetlands replication, stormwater facilities, utilities, and associated grading possibility within 200' Riverfront Area of Taylor Brook & Mill River, Bordering Vegetated Wetlands, 100' Buffer Zone to Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, Isolated Vegetated Wetlands, 100' Buffer Zone to Isolated Vegetated Wetlands, Bank, perennial streams Taylor Brook & Mill

River, Vernal Pool, and 100' Vernal Pool Habitat. No one was in attendance to discuss this matter. Agent Baeslack explained that due to circumstances beyond control the applicant was not prepared to open the hearing. A new legal notice and notification to abutters will be prepared when a new meeting date is determined.

**New Stormwater Management Permit application at 430 Wethersfield Street (Map 12, Parcel/Lot 3 and 4), owned by Cheryl J. Moran and Patricia A. Simon, at land off Wethersfield Street and Taylor Lane (Map 12, Parcel/Lot 2), owned by Redstone Realty LLC and at Daniels Road (Map 9, Parcel Lot 23), owned by Tompkins Desjardins Trust filed by Robert Nixon, Taylor Lane LLC:**

Proposed construction of subdivision roadway with stream crossing, stormwater facilities, utilities and associated grading. Total site disturbance is approximately 136,320 square feet. No one was in attendance to discuss this matter. Agent Baeslack explained that due to circumstances beyond control the applicant was not prepared to open the hearing. A new legal notice and notification to abutters will be prepared when a new meeting date is determined.

**Continued Notice of Intent at 50 Newbury Road (Map 5, Parcel/Lot 41) Robert Bouley, O.N.G. Design & Development, LLC owned by Michael Hart:**

Proposed construction of a roadway, nine (9) single family residences, driveways, stormwater facilities, utilities and associated grading possibly within DEP Approved Groundwater Protection Area Zone II, Bordering Vegetated Wetlands, 100' Buffer Zone of Bordering Vegetated Wetlands, Vernal Pool, 100' Vernal Pool Habitat and Priority Habitat for Endangered Species. Mr. Ben Osgood of Ranger Engineering, representing the applicant, was in attendance to answer questions from the Commission. Mr. Rob Bouley of O.N.G. Design & Development, LLC was also in attendance. Agent Baeslack noted that H. L. Graham Associates was conducting their final review and awaiting the final plan revisions and revised calculations.

Turner moved to close the public hearing and issue a Bylaw Only Order of Conditions and Stormwater Management Permit subject to receipt of an approval letter from H.L. Graham Associates and plans with requested revisions. Shinnick seconded the motion and the motion passed unanimously.

**Continued Stormwater Management Permit application at 50 Newbury Road (Map 5, Parcel/Lot 41) Robert Bouley, O.N.G. Design & Development, LLC owned by Michael Hart:**

Proposed construction of roadway, 9 single family residences, driveways, stormwater facilities, utilities and associated grading. Total site disturbance is approximately 246,302 square feet with 10,000 square feet at a slope greater than 15%. Mr. Ben Osgood of Ranger Engineering, representing the applicant, was in attendance to answer questions from the Commission. Mr. Rob Bouley of O.N.G. Design & Development, LLC was also in attendance. Agent Baeslack noted that H. L. Graham Associates was conducting their final review and awaiting the final plan revisions and revised calculations.

Turner moved to close the public hearing and issue a Bylaw only Order of Conditions and Stormwater Management Permit subject to receipt of a letter of approval from H.L. Graham Associates and plans with requested revisions. Shinnick seconded the motion and the motion passed unanimously.

**Continued Notice of Intent application DEP #63-0669 at land off Wethersfield Street (Map 11, Parcel 58) and 599, 607, 615 and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 58-1, 58-2 and 58-2A) Rowley Solar, LLC, owner Maven Revocable Trust:** Proposed construction of a 4.18 acre solar photovoltaic system, gravel access drive, stormwater facilities, utilities, and associated grading within the 100' Buffer Zone to a Bordering Vegetated Wetlands and Isolated Vegetated Wetlands. Mr. Robert Blanchette of W.C. Cammett Engineering, representing the applicant, was in attendance to present a revised plan and answer questions from the Commission. The Commission requested a continuance to July 31, 2018 to allow for finalization of the Peer Review Report by H.L. Graham Associates and Planning Board action. The applicant agreed to the continuance.

Turner moved to continue the hearing, with the applicant's permission, to the meeting of July 31, 2018. Streiff seconded the motion and the motion passed unanimously.

**Continued Stormwater Permit Application SMP #30-2017 at land off Wethersfield Street (Map 11, Parcel 58) and 599, 607, 615 and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 58-1, 58-2 and 58-2A) Rowley Solar, LLC, owner Maven Revocable Trust:** Proposed construction of a 4.18 acre solar photovoltaic system, gravel access drive, stormwater facilities, utilities, and associated grading. Total site disturbance is approximately 522,720 square feet and a slope disturbance of 60,000 square feet at greater than 15%. Mr. Robert Blanchette of W.C. Cammett Engineering, representing the applicant, was in attendance to present a revised plan and answer questions from the Commission. The Commission requested a continuance to July 31, 2018 to allow for finalization of the Peer Review Report by H.L. Graham Associates and Planning Board action. The applicant agreed to the continuance.

Turner moved to continue the hearing, with the applicant's permission, to the meeting of July 31, 2018. Streiff seconded the motion and the motion passed unanimously.

#### **Certificate of Compliance Request(s):**

**New Certificate of Compliance Request DEP #63-0031 at 395 Main Street (Map 27, Parcel 53, Lots 2A and 2B) Brian Scarlett of Didax Corporation:** Mr. Adam Marchionda of Marchionda & Associates, representing the applicant, was present to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo dated June 19, 2018. Agent Baeslack reported on the field visit review of the drainage infrastructure's conditions.

Turner moved to issue a complete Certificate of Compliance for DEP #63-0031. Kehs seconded the motion and the motion passed unanimously.

**New Certificate of Compliance Request DEP #63-0094 Amended November, 1993 at 27 Wilson Pond Lane (Map 6, Parcel 41, Lot 27) Antonio and Sharon Pacitti:** No one was in attendance to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo dated June 19, 2018. Agent Baeslack related initial research on history of open Orders of Conditions (63-0094 and 63-0095) for Wilson Pond subdivision.

Garner moved to issue a partial Certificate of Compliance for DEP #63-0094. Streiff seconded the motion and the motion passed unanimously.

**New Certificate of Compliance Request DEP #63-0337 at 25 School Street (Map 24, Parcel/Lot 123) Kent Irrevocable Trust:** No one was in attendance to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo dated June 19, 2018. The Commission accepted documentation from the Health Department that attested to completion of the septic installation and maintenance.

Garner moved to issue a complete Certificate of Compliance for DEP #63-0337. Turner seconded the motion and the motion passed unanimously.

**Adjournment:**

Accomplished at 9:30 PM by a motion made by Garner. Streiff seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent