

**CONSERVATION COMMISSION**  
**MINUTES of MEETING**  
**Tuesday, August 4, 2020**  
**TOWN HALL ANNEX, 39 CENTRAL STREET**  
**APPROVED: 8/25/2020**

Present: Chair Daniel Shinnick, Vice Chair Sam Streiff, Robert Garner, Jena Haag,  
Howard Terrien 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).

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people due to the COVID-19 pandemic, this meeting was conducted by remote participation to the greatest extent possible. The Commission and the public did not physically attend this meeting, but every effort was made to allow the public to view the meeting in real time. Persons who wished to do so were invited to watch the meeting on Rowley Community Media TV or to join the meeting from a computer, tablet or smartphone by using a link for GoToMeeting or dialing in by phone.

**Administrative:** Commissioners authorized the payroll and Vendor Bill requests which had been presented prior to the meeting for review.

**Acceptance of Minutes:**

After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of July 14, 2020. Streiff seconded and the motion passed unanimously by roll call vote.

After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of October 6, 2009. Terrien seconded and the motion passed unanimously by roll call vote.

**Discussion:**

The Commission reviewed a letter to the Board of Selectmen regarding recognition of Judith Kehs for her long standing years of service on the Conservation Commission.

Shinnick moved to forward the letter to the Board of Selectmen requesting recognition of Judith Kehs service. Haag seconded and the motion passed unanimously by roll call vote.

**Request for Determination of Applicability for Farmhouse Lane (Map 6, Parcel 41, Lots 29A to 44A) land off Tenney Rd. & Coopers Pond Rd., Farmhouse Lane Realty Trust, John Darling et al, Trustees** - proposed soil evaluation for the design of a subsurface sewage disposal system possibly within 100' Buffer Zone to a Bordering Vegetated Wetlands and Priority Habitat. Mr. Charles Wear of Meridian Associates was in attendance on behalf of the applicant and gave a brief overview of the project. The application had been filed for

soil testing because the site fell within the jurisdiction of National Heritage which put it within the jurisdiction of the Conservation Commission under the Wetlands Bylaw. Agent Baeslack issued a memo with recommendations for conditions. There was a brief discussion of the previously approved subdivision. Mr. Wear advised that the subdivision would not be developed. The owners are now considering a much more limited development. Shinnick asked if the conditions recommended by the Agent were specific to the area being within a Natural Heritage area. Agent Baeslack advised that due to the limited and short term nature of the work, the conditions did not require any site specific conditioning.

Vogel moved to issue a negative Determination option #3 with conditions as discussed. Terrien seconded and the motion passed unanimously by roll call vote.

**Request for Determination of Applicability for MBTA's Right of Way filed by Fair Dermody Consulting Engineers, on behalf of Keolis Commuter Services** - application of herbicides as per the Vegetation Management Plan with exclusion from confirmed delineation of wetland resource areas. Mr. Matthew Donovan of Fair Dermody Consulting was in attendance to present the application to the Commission. Mr. Donovan advised that no changes had been made to the plan since it was submitted in 2016. The current application was to "renew" the Determination to allow the work to proceed for the next three years. Agent Baeslack reviewed his memo and the conditions recommended which included updating the imagery photos. Agent Baeslack confirmed that the delineations of resource areas was accurate as presented on the submitted plan.

Haag moved to issue a negative Determination option #5 with exemptions and contingent upon receipt of updated imagery as recommended. Garner seconded and the motion passed unanimously by roll call vote.

#### **Status Reports: Permits & Enforcement**

**29 Wilkes Road (Map 6, Parcel 14, Lot 3) Filho Osvaldo Luiz & Ana Paula Tameirao – Notice of Violation** for cutting and disturbance (altering) the restricted No Cut/ No Disturbance Zone within the 100' Buffer Zone to Bordering Vegetated Wetlands. Ms. Ana Paula Tameirao was in attendance to answer questions from the Commission. Agent Baeslack reviewed the disturbance which caused the issuance of the Enforcement Order and the requirements under the Enforcement Order. Ms. Tameirao advised that the work had been performed before the purchase of the home. She requested a meeting with the Agent to get specific directions on how to proceed. Shinnick advised that a letter stating the owners' intention to comply with the Enforcement Order and that a wetland professional had been retained would be needed. Agent Baeslack agreed to discuss a site visit if Ms. Tameirao called him later in the week.

**Enforcement Order 11 Rivers Edge Drive (Map 10, Parcel 3, Lot 5-3) John & Lauryn Deluise** – Agent Baeslack updated the Commission on the current status of the work being done to bring the site into compliance. Ms. Mary Rimmer of Rimmer Environmental was in attendance to answer questions. A preliminary plan for restoration was presented and Agent Baeslack advised that a more comprehensive, surveyor's plan was being prepared. Ms.

Rimmer gave a brief overview of the planned restoration. The Commission discussed the use of signage to mark the Riverfront Area. Ms. Rimmer advised that signage could be added to the final surveyed plan and presented at the next meeting.

**Enforcement Order 325 Wethersfield Street (Map 19, Parcel 8, Lot 17) Dominic & Jennifer Baraiolo** – Agent Baeslack advised that Tyler Ferrick of DeRosa Environmental Consulting was working on a restoration plan to be submitted to address the violation issues. No further action needs to be taken at this time.

**Adjournment:**

Accomplished at 8:49 PM by a motion made by Haag. Terrien seconded and the motion passed unanimously by roll call vote.

Submitted by Brent Baeslack, Conservation Agent