

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, March 30, 2021
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 4/20/2021**

Present: Chair Daniel Shinnick, Vice Chair Sam Streiff, Robert Garner, Jena Haag,
Howard Terrien, and Howard Vogel
Absent: Ann Witzig
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 at 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 by dialing in by phone.

Administrative: The Commission approved the vendor bills which had been distributed electronically for review prior to the meeting.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of March 9, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of December 9, 2008. Streiff seconded and the motion passed unanimously by roll call vote.

Discussion:

Town Landing 81&89 Warehouse Lane Conservation Area Parking (Map 26, Parcels 11&10) – Agent Baeslack gave a brief overview of Town Counsel's guidance regarding parking at the Town Landing Conservation Area. It was recommended signage be installed notifying that the parking area was for those utilizing the Conservation Area and Town Landing. Town Counsel also recommended that the Rowley Police be approached about enforcing this restriction. Agent Baeslack suggested that a conversation with the State Division of Conservation Services might assist with the planning to implement the parking restriction. There was a discussion about approaching Perley's Marina to restrict business customers from parking in this area, but it was decided that presently there is not enough information to approach the marina owners. The Commission agreed that Agent Baeslack should continue to gather information needed to implement any restrictions.

Notice of Intent application at 929 Haverhill Street (Map 4, Parcel/Lot 32) filed by William Mandell of Granitz Family Trust LLC: Proposed invasive plant species control and suppression with restoration possibly within Bordering Vegetated Wetlands and 100' Riparian Zone of Muddy Brook. Mr. Jim Cook for Granitz Family Trust and Ms. Elizabeth Wallis of Hayes Engineering were in attendance representing the Applicant. Ms. Wallis gave a brief overview of the proposed work. Agent Baeslack gave a verbal report on his discussion with Mr. Michael DeRosa of DeRosa Environmental on their recommended suppression method of excavating the Japanese Knotweed. Agent Baeslack advised the removal of the knotweed by the roots would take less time and would allow for native species planting in a timelier manner. Thus, this project could be completed this fall instead of in two growing seasons. Mr. Cook and Ms. Wallis agreed with this plan modification. The Commission discussed the possible post installation with signage delineating the 25' No Cut/No Disturbance Zone. It was determined that might be confusing since future invasive species control may be needed in the area. Agent Baeslack recommended that the Certificate of Compliance would have ongoing conditions for the area requiring Conservation office consultation. He would prefer to deal with the new owners on a case-by-case basis. The Commission and the Applicant agreed with this recommendation.

Streiff moved to issue an Order of Conditions for DEP #63-0716 with conditions as discussed. Vogel seconded and the motion passed unanimously by roll call vote.

Stormwater Management Permit application at 12 Main St. (Map 15, Parcel/Lots 68, 68-1, & 69-1) filed by Edward Sutherby of HTA Realty Inc.: Proposed construction of two residential buildings and an addition to an existing historic dwelling, access roadway, stormwater facilities, subsurface sewage disposal system, utilities, and associated grading. Total site disturbance is 26,252 sq. ft. (0.60 acres). Mr. Edward Sutherby and Mr. George Zambouras of Atlantic Engineering were in attendance for the Applicant. Also in attendance were Mr. and Mrs. Paglia and Mr. Richard Curren. Mr. Zambouras gave a brief project overview. The Commission reviewed Agent Baeslack's memo dated March 30, 2021 which included recommendations for plan revisions.

Garner moved to issue a Stormwater Management Permit #47-2021 with standard conditions contingent upon receipt and approval of revised plans. Haag seconded and the motion passed unanimously by roll call vote.

Certificate of Compliance Request(s):

The Commission opened a discussion on the following Requests for Certificate of Compliance. Agent Baeslack reviewed his recommendation and reasons to continue the Requests to the April 20th meeting. He advised that the Applicants were in agreement with the continuance. Site visits will not be scheduled until the noncompliance issues and omissions are addressed.

Request for Certificate of Compliance for DEP #63-0689 at 590 Wethersfield St. (Map 11, Parcel 6, Lot 11) Bitterroot LLC filed by North Coast Contracting - Construction of a single-family dwelling (50' x 60'), including garage, porch, & deck, with driveway, subsurface sewage disposal system, infiltrators, retaining wall, associated grading and utilities.

Request for Certificate of Compliance for DEP #63-0688 at 600 Wethersfield St. (Map 11, Parcel 6, Lot 10) Bitterroot LLC filed by North Coast Contracting – Proposed construction of a single-family dwelling (50' x 60'), including garage, porch, & deck, with driveway, subsurface sewage disposal system, infiltrators, retaining wall, associated grading and utilities.

Request for Certificate of Compliance for DEP #63-0677 at 610 Wethersfield St. (Map 11, Parcel 6, Lot 9) Bruce Tompkins, Sarah Tompkins and Stephanie Desjardins filed by North Coast Contracting – Proposed construction of a single-family dwelling (56' x 28' envelope), deck, driveway, utilities, and associated grading.

Haag moved to continue all three Requests for Certificate of Compliance to the meeting of April 20, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Status Reports: Permits & Enforcement

The following noncompliance issues were reviewed as part of the Requests for Certificate of Compliance. No further action is needed at this time.

Notice of Noncompliance for DEP #63-0688 at 600 Wethersfield St. (Map 11, Parcel 6, Lot 10) Grant and Sharon Baxter – Lack of recording of Issued Amended Order of Conditions and omission of letter from qualified wetland scientist regarding restoration of impacted BVW.

Notice of Noncompliance for SMP #34-2019 at 590 Wethersfield St. (Map 11, Parcel 6, Lot 11) Cameron and Taylor Dawson – Lack of Certificate of Completion for construction of a single-family dwelling (50' x 60'), including garage, porch, & deck, with driveway, subsurface sewage disposal system, infiltrators, retaining wall, associated grading and utilities.

Notice of Noncompliance for SMP #33-2019 at 600 Wethersfield St. (Map 11, Parcel 6, Lot 10) Grant and Sharon Baxter – Lack of Certificate of Completion for construction of a single-family dwelling (50' x 60'), including garage, porch, & deck, with driveway, subsurface sewage disposal system, infiltrators, retaining wall, associated grading and utilities.

Notice of Noncompliance for DEP #63-0688 at 610 Wethersfield St. (Map 11, Parcel 6, Lot 9) David and Christina Kennedy – Construction of swale disturbed and altered 120 sq. ft. of 25' No Cut/No Disturbance Zone which has not been restored and replanted.

Adjournment:

Accomplished at 8:55 PM by a motion made by Streiff. Haag seconded and the motion passed unanimously by roll call vote.

Submitted by Brent Baeslack, Conservation Agent