

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, October 5, 2021
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 10/26/2021**

Present: Chair Daniel Shinnick, Vice Chair Sam Streiff, Jena Haag, Howard Terrien,
Howard Vogel, and Ann Witzig
Absent: NA
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).

Administrative: The Commission approved the payroll and vendor bills which had been reviewed and signed prior to the meeting.

Acceptance of Minutes: After the Commission reviewed the minutes, Haag moved to accept the Minutes of September 14, 2021. Witzig seconded and the motion passed unanimously by roll call vote.

Acceptance of Minutes: After the Commission reviewed the minutes, Streiff moved to accept the Minutes of July 17, 2007. Vogel seconded and the motion passed unanimously by roll call vote.

Open Space Deed for Falcon Ridge OSRD – Agent Baeslack updated the Conservation Commission on the status of the compliance review with conservation office and Town Counsel.

2022 Conservation Commission Meeting Schedule – The Commission reviewed the proposed 2022 Meeting Schedule with submittal dates.

Vogel moved to accept the 2022 Meeting Schedule with submittal dates as presented. Haag seconded and the motion passed unanimously by roll call vote.

Hunsley Hills Conservation Area Sign Replacement – Agent Baeslack presented an estimate for the replacement of the Hunsley Hills Conservation Area sign which had been damaged and requested authorization to place an order.

Vogel moved to authorize ordering the replacement sign. Witzig seconded and the motion passed unanimously by roll call vote.

Howard Terrien **recused** himself from the next agenda item.

Abbreviated Notice of Resource Area Delineation at land off Daniels Road (Map 9, Parcel/Lot 23) owned by Tompkins Desjardins Trust, filed by Robert Nixon of Taylor Lane LLC: Proposed delineation of regulated wetland resource areas. Agent Baeslack presented a request from the Applicant's representative, Ms. Maureen Herald, that the hearing be continued to the meeting of October 26, 2021. The request was made to allow the field verification of the delineation to continue.

Haag moved to continue the public hearing with the applicant's consent to the meeting of October 26, 2021. Streiff seconded and the motion passed by a roll call vote of (5) yeas.

Commissioner Terrien **returned** to the meeting.

The Chairman opened the following four (4) hearings to be discussed concurrently. The discussions continued past the posted time for the last hearing.

Notice of Intent at 35 Prospect St. Lot #1 (Map 15, Parcel 77, Lot 1) owned by Pine Tree Realty Trust filed by Michael McNiff of MPM Companies, LLC: Proposed construction of a single family dwelling with associated driveway, utilities and grading within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Michael McNiff of MPM Companies, LLC, was in attendance. Mr. Bob Griffin of Griffin Engineering was in attendance on behalf of the Applicant and gave an overview of the project(s). He explained that the Stormwater Management Plan was still being developed and the SMP Permit Application would be filed at a later date. In addition, the septic system applications had not been filed with the Board of Health, but no issues were anticipated in getting the plans approved by BOH. Mr. Griffin described the rain gardens that would be used on the sites and covered each lot individually. The Commission reviewed the single plan incorporating all four proposed dwellings that used a plan scale of 1"=40'. Agent Baeslack suggested that consideration to a single dwelling on each of four plans at a larger scale (such as 1" = 20') could be done in conjunction with the Stormwater Management Plans. He recommended that the hearings be continued with the Applicant's agreement, to allow for the submission of the Stormwater Management Application and issuance of street numbers for each lot. Mr. Griffin and Mr. McNiff were in agreement.

Vogel moved to continue the public hearing with the Applicant's consent to the meeting of October 26, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Notice of Intent at 35 Prospect St. Lot #2 (Map 15, Parcel 77, Lot 2) owned by Pine Tree Realty Trust filed by Michael McNiff of MPM Companies, LLC: Proposed construction of a single family dwelling with associated driveway, utilities and grading within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Bob Griffin of Griffin Engineering was in attendance on behalf of the Applicant. Mr. Michael McNiff of MPM Companies, LLC was also in attendance.

Vogel moved to continue the public hearing with the Applicant's consent to the meeting of October 26, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Notice of Intent at 35 Prospect St. Lot #3 (Map 15, Parcel 77, Lot 3) owned by Pine Tree Realty Trust filed by Michael McNiff of MPM Companies, LLC: Proposed construction of a single family dwelling with associated driveway, utilities and grading within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Bob Griffin of Griffin Engineering was in attendance on behalf of the Applicant. Mr. Michael McNiff of MPM Companies, LLC was also in attendance. Streiff asked for clarification on the back of the house runoff that was not shown as going into the rain garden. Mr. Griffin advised that the topography allowed for the runoff to be filtered prior to reaching any wetland areas. Streiff expressed concerns about the front runoff crossing the driveway. Mr. Griffin stated that this had been done before on other projects and the driveway would be graded to accommodate the runoff.

Vogel moved to continue the public hearing with the Applicant's consent to the meeting of October 26, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Notice of Intent at 35 Prospect St. Lot #4 (Map 15, Parcel 77, Lot 4) owned by Pine Tree Realty Trust filed by Michael McNiff of MPM Companies, LLC: Proposed construction of a single family dwelling with associated driveway, utilities and grading within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Bob Griffin of Griffin Engineering was in attendance on behalf of the applicant. Mr. Michael McNiff of MPM Companies, LLC was also in attendance.

Vogel moved to continue the public hearing with the applicant's consent to the meeting of October 26, 2021. Terrien seconded and the motion passed unanimously by roll call vote.

Howard Terrien **recused** himself from the next two agenda items.

Continued Request to Amend Order of Conditions DEP #63-0625 at land off Daniels Road (Map 9, Parcel/Lot: Proposed project change for new construction of an OSRD with 9 residential dwellings, shared sewage disposal system, roadway, stormwater facilities, grading and utilities along with 14 acres of protected Open Space within the 100' Buffer Zone of Bordering Vegetated Wetlands. Agent Baeslack presented a request from the Applicant's representative, Mr. James Decoulos, that the hearing be continued to the October 26, 2021 meeting.

Haag moved to continue the public hearing as requested by the Applicant to the meeting of October 26, 2021. Streiff seconded and the motion passed by a roll call vote of (5) yeas.

Continued Notice of Intent at land off Daniels Road (Map 9, Parcel/Lot 23) filed by James Decoulos of Danielsville LLC, owned by the Tompkins-Desjardins Trust: Proposed construction of a 4' x 148' modular aluminum boardwalk with supporting trails to access protected open space crossing an intermittent stream and emergent freshwater marsh possibly within Bordering Land Subject to Flooding, Stream, Bordering Vegetated Wetlands, and the 100' Buffer Zone to Bordering Vegetated Wetlands. Agent Baeslack presented a request from the Applicant's representative, Mr. James Decoulos, that the hearing be continued to the meeting of October 26, 2021.

Haag moved to continue the public hearing as requested by the Applicant to the meeting of October 26, 2021. Streiff seconded and the motion passed by a roll call vote of (5) yeas.

Commissioner Terrien **returned** to the meeting.

Administrative – Conservation Agent Personnel Evaluation: The Commission reviewed and the Chairman completed the Evaluation Report for Conservation Agent Brent Baeslack.

Adjournment:

Accomplished at 9:20 PM by a motion made by Vogel. Haag seconded and the motion passed unanimously by roll call vote.

Submitted by Brent Baeslack, Conservation Agent