

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Wednesday, May 31, 2022  
TOWN HALL ANNEX, 39 CENTRAL STREET  
**APPROVED: 6/21/2022****

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). The remote meeting was held pursuant to Governor Baker's March 12, 2020 Order, as Extended on June 15, 2021, with the Governor's signing of Senate Bill # 2475, suspending certain provisions of the Open Meeting Law. The public may not physically attend this meeting, but every effort will be made to allow the public to view the meeting in real time.

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

**Acceptance of Minutes:** After the Commission reviewed the minutes, Terrien moved to accept the Minutes of May 11, 2022. 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 April 18, 2006. Haag seconded and the motion passed unanimously by roll call vote.

**Administrative Discussion(s):**

**Consideration of Appointment to Community Preservation Committee to Represent the Conservation Commission** – Commissioner Sam Streiff advised that he is willing to continue as the Commission's representative with the Community Preservation Committee.

Shinnick moved that Commissioner Sam Streiff be appointed to the Community Preservation Committee for the next three year term of service beginning in July 2022. Vogel seconded and the motion passed unanimously by roll call vote.

**Consideration of appointment to Open Space Committee to represent the Conservation Commission** – Commissioner Howard Vogel advised that he was willing to continue as the Commission's representative with the Open Space Committee for the one year term beginning in July 2022.

Shinnick moved to appoint Commissioner Howard Vogel to the Open Space Committee for the one year term beginning in July 2022. Terrien seconded and the motion passed unanimously by roll call vote.

**Review of DEP Comments on Notice of Intent DEP #63-0734 at 40 Independent St. & 47 Summer St. (Map 15, Parcel/Lots 3 & 16)** – Agent Baeslack advised the Commission of comments received from the Department Environmental Protection regarding the Stormwater Facilities Project #63-0734. He advised the Order of Conditions had not been issued and recommended that the hearing be reopened at the meeting of June 21, 2022.

Shinnick moved to reopen the public hearing on DEP #63-0734 at 40 Independent St. & 47 Summer St. (Map 15, Parcel/Lots 3 & 16). Streiff seconded and the motion passed unanimously by roll call vote.

**Request to Amend Stormwater Management Permit #42-2021 at 2 Mill Road (Map 5, Parcel 105, Lot 1) filed by Susan Stone:** Proposed construction of a 50' x 80' accessory building and pervious connector drive. Total site disturbance 35,000 +/- sq. ft. (0.80 acres) increased from 33,486 sq. ft. Mr. Bill Manuell of Wetlands & Land Management was in attendance on behalf of the Applicant and presented the revisions to the plans. The Commission reviewed Agent Baeslack's memo dated May 31, 2022 which included a request for a revised stormwater facilities inspection matrix sheet.

Haag moved to issue an Amended Stormwater Management Permit #42-2021 contingent upon receipt and approval of the revised inspection sheet. Witzig seconded and the motion passed unanimously by roll call vote.

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

**Request to Amend Order of Conditions DEP #63-0725 at land off Daniels Road (Map 9, Parcel/Lot 23) filed by James Decoulos of Danielsville LLC:** Proposed amendment to issued Order of Conditions for protection of proposed Open Space in an OSRD project. Mr. James Decoulos of Danielsville LLC was in attendance with Attorney Jill Mann of Mann & Mann on behalf of the Applicant to request that the Order of Conditions for DEP #63-0725 be struck or modified regarding condition #33 addressing the Open Space. The Commission reviewed Agent Baeslack's memo dated May 31, 2022, discussed the options for amending the Order, and requested that Mr. Decoulos and Ms. Mann submit proposed language to address the condition to protect the land as Open Space. Mr. Decoulos requested that the hearing be continued to the meeting of June 21, 2022.

Vogel moved to continue the public hearing as requested by the Applicant to the meeting of June 21, 2022. Streiff seconded and the motion passed by a roll call vote of five (5) yeas.

**Continued Request to Amend Order of Conditions DEP #63-0625 at land off Daniels Road (Map 9, Parcel/Lot 23) filed by James Decoulos of Danielsville LLC:** Proposed project change for new construction of an OSRD with nine (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. Mr. James Decoulos of Danielsville LLC, representing the Applicant, was in attendance and updated the Commission on the current status of the revised plans and Stormwater Management Report. Agent Baeslack addressed several questions relating to the most recent plan(s) and the Stormwater Management Report. Specifically, Agent Baeslack discussed the relocation of the public access parking spaces if the easement for the public right-of-way roadway was utilized in the future. Mr. James Decoulos made a request to continue the hearing to the meeting of June 21, 2022.

Shinnick moved to continue the public hearing as requested by the Applicant to the meeting of June 21, 2022. Haag seconded and the motion passed by a roll call vote of four (4) yeas.

Terrien **returned** to the meeting.

**Extension Request(s):**

**Extension Request for DEP #63-0683 at 41 and 49 Emily Lane (Map 9, Parcel 23, Lots 24 & 25) owned by Tompkins-Desjardins Trust** – Proposed two (2) year Extension. Mr. James Decoulos of Decoulos & Company was in attendance on behalf of the Applicant and presented the request to the Commission. The Commission reviewed Agent Baeslack's memo dated May 31, 2022 which noted that the OC conditioning was appropriate and still compliant with current regulations.

Vogel moved to issue a two (2) year Extension for DEP #63-0683. Streiff seconded and the motion passed unanimously by roll call vote.

**Adjournment:**

Accomplished 8:57 PM by a motion made by Streiff. Haag seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent