

CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, June 20, 2023
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 7/11/2023

Present: Vice Chair Sam Streiff, Jena Haag, Howard Terrien, and Howard Vogel
Absent: Chair Daniel Shinnick and 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). This remote meeting was held pursuant to Chapter 2 of the Acts of 2023 which extends the expiration of the provisions pertaining to the Open Meeting Law to March 31, 2025. The public could not physically attend this meeting, but every effort was made to allow the public to view the meeting in real time.

Administrative: Commissioners reviewed and authorized the payroll and reimbursement of various vendor bill requests.

Acceptance of Minutes: After the Commission reviewed the minutes of May 30, 2023, Haag moved to accept the minutes. Terrien seconded and the motion passed unanimously by roll call vote.

Acceptance of Minutes: After the Commission reviewed the minutes of March 22, 2005, Streiff moved to accept the minutes. Vogel seconded and the motion passed unanimously by roll call vote.

Discussion(s):

Pingree Farm Conservation Area (east and west) License for Agricultural Use - Agent Baeslack reviewed the proposed license and legal notice for the agricultural use of land at the Pingree Farm Conservation Area. He explained that this area is larger, would require a licensing fee of \$1,800.00, and requested that the Commission allow for in-kind services on other conservation areas to be credited toward the licensing fees. The Commission agreed that in-kind services on other properties would be acceptable. Agent Baeslack indicated that he was reviewing the draft of the Use License and would redistribute it for the Commission's evaluation. Once the legal notice is published and a proposal received, the matter will be submitted to the Commission for approval.

Emergency Certificate for Dam Breaching at Georgetown-Rowley State Forest, 327 Boxford Road (Map 2, Parcel 17) – Agent Baeslack reviewed the Emergency Certificate issued to allow for breaching of the beaver dam to lower the water level and re-install the inlet cage of the installed beaver deceiver. This work was allowed under a previous Order of

Conditions as an ongoing condition for maintenance and continued functioning of the deceiver.

Vogel moved to ratify the Emergency Certificate as presented. Haag seconded and the motion passed unanimously by roll call vote.

Request for Determination of Applicability for Well No. 3 at 129 Boxford Road (Map 5, Parcel 76) and Wellfield No. 5 at 64 Pingree Farm Road (Map 4, Parcel 12, Lot 1) Town of Rowley Water Department: Proposed testing, cleaning, and redevelopment of existing Well No. 3 and Wellfield No.5 within 100' Buffer Zone to Bordering Vegetated Wetlands, DEP Approved Groundwater Protection Area Zone I, and 100' Vernal Pool Habitat. Ms. Kathryn Carreira of Tata and Howard was in attendance on behalf of the Water Department and presented the proposed project to the Commission. She advised that the same work had been presented and approved in 2018. The Commission reviewed Agent Baeslack's email memo dated June 20, 2023.

Terrien moved to issue a Negative Determination Option #3 with conditions and Option #5, citing exemption as discussed. Haag seconded and the motion passed unanimously by roll call vote.

Notice of Intent at 58-66 Forest Ridge Drive (Map 7, Parcel 10, Lot 5-8) Gateway II Realty Trust of 1997: Proposed construction of 36,000 square foot two-story commercial building with parking area, associated utilities, grading, and ROW change, possibly within 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Charles Wear and Ms. Devon Morse of Hancock Associates were in attendance on behalf of the Applicant. Agent Baeslack advised that Ms. Morse had confirmed/received proof of abutter notification that would be delivered to the Conservation Office on June 21st. Mr. Wear reviewed the proposed project with the Commission, advised that the project was currently before the Planning Board, and would be reviewed by their Peer Reviewer. Agent Baeslack noted he had some issues with the locations of some wetlands flagging and wished to revisit the wetlands line with the delineator. The Commission discussed continuing the hearing until July 11, 2023 and the scheduling of a site visit. The office would coordinate the site visit.

Haag moved to continue the public hearing to the meeting of July 11, 2023. Terrien seconded and the motion passed unanimously by roll call vote.

The follow four items were addressed concurrently. Agent Baeslack requested that all be continued to the meeting of July 11, 2023 due to various outstanding information needs.

Terrien moved that the following Requests for Certificates of Compliance/Completion be continued to the meeting of July 11, 2023. Vogel seconded and the motion passed unanimously by roll call vote.

- Continued Request for Certificate of Compliance DEP #63-0663 at 42 Newbury Road (Map 5, Parcel 40) John P. Sullivan, Jr. (from April 18, 2023)

- Continued Request for Certificate of Completion SMP #22-2017 at 42 Newbury Road (Map 5, Parcel 40) John P. Sullivan, Jr. (from April 18, 2023)
- Continued Request for Certificate of Compliance DEP #63-0669 at 623 Wethersfield Street et al. (Map 11, Parcel/Lots 53, 58, 58-1, 58-2, 58-2A) Rowley Solar LLC (from January 24, 2023)
- Continued Request for Certificate of Completion SMP #30-2017 at 623 Wethersfield Street et al. (Map 11, Parcel/Lots 53, 58, 58-1, 58-2, 58-2A) Rowley Solar LLC (from January 24, 2023)

Adjournment:

Accomplished 8:36 PM by a motion made by Haag and duly seconded by Vogel which passed unanimously.

Submitted by Brent Baeslack, Conservation Agent