

CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, September 12, 2023
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 10/3/23

Present: Chair Daniel Shinnick, Vice Chair Howard Vogel, Nancy Miller, Sam Streiff, Howard Terrien, and Ann Witzig
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 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 August 22, 2023, Witzig 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 May 17, 2005, Streiff moved to accept the minutes. Vogel seconded and the motion passed 5-0 by roll call vote. Miller did not vote due to technical issues.

Request for Certificate of Compliance for DEP #63-0691 at 491 Main Street now Bella Way (Map 31, Parcels 26 and 27A) Paul Vorrias: Proposed construction of a common driveway, a single family dwelling 28 x 64, and a garage 28 x 36, stormwater facilities, grading and utilities possibly within 100' Buffer Zones, Bordering Vegetated Wetlands, Salt Marsh, Land Subject to Coastal Storm Flowage, and the Great Marsh ACEC. Agent Baeslack presented a request from the applicant's representative to continue this agenda item to the meeting of October 3, 2023 to allow for finalization of as-built plans.

Terrien moved to continue to the meeting of October 3, 2023 as requested by the applicant. Witzig seconded and the motion passed unanimously.

Request for Certificate of Completion for SMP 35-2019 at 491 Main Street (now Bella Way (Map 31, Parcels 26 and 27A) Paul Vorrias: Proposed construction of a common driveway, a single family dwelling 28 x 64, a barn 30 x 60 and two garages 24 x 24 and 28 x 36, stormwater facilities, grading and utilities with total site disturbance of approximately 34,000 square feet. Agent Baeslack presented a request from the applicant's representative to

continue this agenda item to the meeting of October 3, 2023 to allow for finalization of as-built plans.

Terrien moved to continue to the meeting of October 3, 2023 as requested by the applicant. Witzig seconded and the motion passed unanimously.

Request for Determination of Applicability for 87 Haverhill Street (Map 15, Parcel 35) BNR Rowley, LLC: After the fact construction of pavers and fencing for outdoor dining area to an existing restaurant within 100' Buffer Zone to an intermittent stream. Mr. Bradley Atkinson of BNR Rowley, LLC was in attendance. The Commission reviewed Agent Baeslack's email memo dated September 11, 2023 with recommendations for special conditions.

Vogel moved to issue a Negative Determination option #3 with conditions. Streiff seconded and the motion passed unanimously by roll call vote.

Request for Determination of Applicability for 401 Central Street (Map 21, Parcel 33, Lot 2) Rowley Water Department: Proposed installation of 8' x 10' concrete slab for generator with additional pad for 500# propane tank within 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Bernard Cullen, as Chairman of the Board of Water Commissioners was in attendance. Agent Baeslack advised that the generator and pad had already been installed. Mr. Cullen advised that the contractor had delivered the generator and the installer had arrived without prior notice to the Water Department. He stated that erosions controls would be installed immediately. The Commission reviewed Agent Baeslack's email memo dated September 12, 2023, and the Notice of Violation sent on September 11, 2023. Agent Baeslack asked that the Notice of Violation be ratified.

Witzig moved to ratify the Notice of Violation dated September 11, 2023 and issue a Negative Determination option #3 with special conditions. Terrien seconded and the motion passed unanimously by roll call vote.

The following two hearings were opened simultaneously:

Continued Notice of Intent DEP #63-0750 at 185 Leslie Road (Map 6, Parcel 3) Peter Georgoulakos: Proposed construction of a single-family home with all associated grading and utilities possibly within the 100' Buffer Zone to Bordering Vegetated Wetlands. Mr. Patrick Seekamp of Seekamp Environmental Consulting was in attendance on behalf of the applicant. He reviewed the revised plans with the Commission. The Commission reviewed Agent Baeslack's email memo dated September 12, 2023 with recommendations for conditions.

Streiff moved to issue an Order of Conditions for DEP #63-0750 with conditions. Witzig seconded and the motion passed 5-0 by roll call vote. Miller did not vote due to technical connection issues.

Continued Stormwater Management Permit Application SMP #60-2023 at 185 Leslie Road (Map 6, Parcel 3) Peter Georgoulakos: Proposed construction of a single-family dwelling 3,456 sq. ft., detached barn 2,400 sq. ft., pool, driveway access, associated grading, drainage facilities, and utilities, with total site disturbance of approximately 169,741 sq. ft. Mr. Patrick Seekamp of Seekamp Environmental Consulting was in attendance on behalf of the applicant. He reviewed the revised plans with the Commission. The Commission reviewed Agent Baeslack's email memo dated September 12, 2023 with recommendations for conditions.

Vogel moved to issue Stormwater Permit for SMP #60-2023 with conditions. Streiff seconded and the motion passed unanimously by roll call vote.

The following two hearings were opened simultaneously:

Continued Notice of Intent DEP #63-0748 at land off Forest Ridge Drive (Map 7, Parcel 17) Gateway II Realty Trust of 1997: Proposed construction of portions of a parking area, grading, and stormwater facilities associated with two new commercial buildings possibly within 100' Buffer Zone to Bordering Vegetated Wetlands. Agent Baeslack submitted a request for a continuance to the October 3, 2023 meeting to allow for time for review of the plans and final signoff from HL Graham Associates.

Witzig moved to continue the public hearing as requested to the meeting of October 3, 2023. Streiff seconded and the motion passed unanimously by roll call vote.

Continued Stormwater Management Permit Application SMP #59-2023 at land off Forest Ridge Drive (Map 7, Parcel 17) Gateway II Realty Trust of 1997: Proposed construction of two new commercial buildings, paved parking area, stormwater drainage facilities, associated grading, and utilities with total site disturbance of approximately 280,000 sq. ft. Agent Baeslack requested a continuance to the October 3, 2023 meeting to allow for time for review of the plans and final signoff from HL Graham Associates.

Witzig moved to continue the public hearing as requested to the meeting of October 3, 2023. Streiff seconded and the motion passed unanimously by roll call vote.

Adjournment:

Accomplished 8:39 PM by a motion made by Vogel. Terrien seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent