

Mn January 2, 2018

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, January 2, 2018
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 1/23/2018**

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Daniel Shinnick,
Sam Streiff and Howard Vogel
Absent: Judy Kehs
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 7:30 PM (all Legal ads were read to open new agenda items at time noticed).

Administrative: Commissioners reviewed and authorized the payroll and reimbursement of various Vendor Bill requests.

Introduction of Open Space Committee Candidate: Ms. Alyssa King was introduced to the Commission as a candidate for the Open Space Committee. The Commission discussed the work of the Open Space Committee and Ms. King's interests and qualifications.

Vogel moved to send a letter to the Board of Selectmen to recommend Ms. King's appointment to the Open Space Committee. Turner seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Streiff moved to accept the Minutes of December 5, 2017. Shinnick seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of November 12, 2014. Streiff seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Turner moved to accept the Minutes of December 2, 2014 with the edits discussed. Garner seconded the motion and the motion passed unanimously.

New Request for Determination of Applicability at 202 Main Street, Lot B (Map 24, Parcel/Lot 138) Bitterroot LLC: Proposed construction of a replacement subsurface sewage disposal system possibly within the 100' Buffer Zone of Bordering Vegetated Wetlands. Ms. Maureen Herald of Norse Environmental Services and Mr. Rob Nixon, the applicant, were present to answer any questions from the Commission. The Commission reviewed Agent Baeslack's memo dated January 2, 2018 including current site conditions and recommendations for project conditions. Baeslack discussed establishing a 25' No Cut/No Disturb area to match the abutting parcel (Lot C) with the Commissioner's support.

Turner moved to close the public hearing and issue a Negative Determination Option #3 with conditions and establishing a 25' No Cut/No Disturbance Zone as discussed. Garner seconded the motion and the motion passed unanimously.

New Notice of Intent Application at 202 Main Street, Lot C (Map 24, Parcel/Lot 138)

Bitterroot LLC: Proposed construction of a 30' x 60' single family dwelling, with deck, removal of paved drive, associated grading and utilities possibly within the 100' Buffer Zone of Bordering Vegetated Wetlands. Ms. Maureen Herald of Norse Environmental Services and Mr. Rob Nixon, the applicant, were present to answer any questions from the Commission. Prior to opening the hearing, the Chairman read for the record a letter from Norse Environmental Services requesting a waiver of the disturbance portion of the Bylaw Fee because the property was previously developed and a maintained lawn was all that was proposed to be disturbed.

Vogel moved to waive a portion (\$1,631.25) of the Wetlands Protection Bylaw Fee. Streiff seconded the motion and the motion passed with four yeas and two nays.

The Chairman opened the hearing and the Commission reviewed Agent Baeslack's memo of January 2, 2018 with recommendations for project conditions and discussed establishing a 25' No Cut/No Disturb area to match the abutting parcel (Lot B).

Turner moved to close the public hearing and issue an Order of Conditions specifying typical conditions governing single family home construction and those creating a 25' No Cut/No Disturbance Zone after receipt of revised plans within 14 days. Streiff seconded the motion and the motion passed unanimously.

New Request for Determination of Applicability at 866 Haverhill Street (Map 4, Parcel/

Lot 2) Karl Boesen: Proposed soil evaluations possibly within the 100' Buffer Zone of Bordering Vegetated Wetlands and DEP Approved Groundwater Protection Area Zone II. Ms. Kyle Lally of Hancock Associates was present to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo of January 2, 2018 with recommendations for project conditions.

Garner moved to close the hearing and issue a Positive Determination Option #5 and Negative Determination Option #3 incorporating the special conditions discussed. Vogel seconded the motion and the motion passed unanimously.

New Notice of Intent Application at land off and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 54, 54-1, 56, 58) Rowley Solar, LLC, owner Maven Revocable Trust:

Proposed construction of a 7 acre solar photovoltaic system, gravel access drive, stormwater facilities, utilities, and associated grading possibly within the 100' Buffer Zone of Bordering Vegetated Wetlands. Mr. Robert Blanchette of W.C. Cammett Engineering was in attendance to answer questions from the Commission. Ms. Bonni Berkowitz and Ms. Barbara Berkowitz of Rowley Solar LLC were also in attendance. Prior to opening the hearing, Mr. Blanchette asked that the waiver of the Bylaw Fee be addressed. He advised that the plan had been revised to change the location and size of the proposed solar facility which lowered the by law fee and distributed to each Commissioner the new calculation sheet. The Commission

agreed to accept the revised fee payment accompanied by the Bylaw Fee Worksheet. The Chairman opened the hearing by reading the legal notice.

Mr. Blanchette gave a detailed presentation of the revised plans. The Commission reviewed Agent Baeslack's memo of January 1, 2018 with recommendations for plan revisions and project conditions. He advised that these recommendations were based on the previously submitted plan and recommended continuing the hearing to allow for review of the newly revised plans.

Turner moved to continue the public hearing with the applicant's permission to the meeting of January 23, 2018. Streiff seconded the motion and the motion passed unanimously.

Continued Stormwater Permit Application SMP #30-2017 at land off and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 54, 54-1, 56, 58) Rowley Solar, LLC, owner Maven Revocable Trust: Proposed construction of a 7 acre solar photovoltaic system, gravel access drive, stormwater facilities, utilities, and associated grading possibly within the 100' Buffer Zone to a Bordering Vegetated Wetland. Total site disturbance is approximately 450,000 square feet. Mr. Robert Blanchette of W.C. Cammett Engineering was in attendance to answer questions from the Commission. Ms. Bonni Berkowitz and Ms. Barbara Berkowitz of Rowley Solar LLC were also in attendance. The revised plans are to be submitted to H.L. Graham Associates for the peer review.

Vogel moved to continue the public hearing with the applicant's permission to the meeting of January 23, 2018. Garner seconded the motion and the motion passed unanimously.

Certificate of Compliance/Completion Request(s):

New Request for Certificate of Compliance for DEP #63-0144 at 11-15 Church Street (Map 24, Parcel/Lot 136) Susan and William Herrick III – No one was in attendance to address the Commission or respond to questions. The Commission reviewed Agent Baeslack's memo of December 29, 2017 outlining the history of the property and advising there were no ongoing conditions noting the work had been completed in 1993. He recommended issuance of a Complete Certificate of Compliance.

Streiff moved to issue a Complete Certificate of Compliance for DEP #63-0144. Turner seconded the motion and the motion passed unanimously.

Continued Certificate of Compliance Request for DEP #63-0650 at 414 Haverhill Street (Map 14, Parcel 34, Lot 1) Gateway Trust II of 1997 - No one was in attendance to address the Commission or respond to questions. Agent Baeslack read for the record an email received from the applicant's representative, Ms. April Ferraro of Meridian Associates, requesting that the matter be continued to the next meeting.

Vogel moved to continue the matter with the applicant's permission to the meeting of January 23, 2018. Shinnick seconded the motion and the motion passed unanimously.

Continued Certificate of Completion Request for SMP #18-2016 at 414 Haverhill Street (Map 14, Parcel 34, Lot 1) Gateway Trust II of 1997 - No one was in attendance to address the Commission or respond to questions. Agent Baeslack read for the record an email received from the applicant's representative, Ms. April Ferraro of Meridian Associates, requesting that the matter be continued to the next meeting.

Vogel moved to continue the matter with the applicant's permission to the meeting of January 23, 2018. Shinnick seconded the motion and the motion passed unanimously.

Continued Certificate of Compliance Request for DEP #63-0654 at 689 Haverhill Street (Map 8, Parcel 28, Lot 1) Robert Corcoran of Boberin LLC – No one was in attendance to address the Commission or respond to questions. The Commission reviewed Agent Baeslack's memo of January 1, 2018 outlining current site conditions and listing the ongoing conditions. Baeslack recommended the issuance of a Complete Certificate of Compliance if the Commissioners were comfortable with the two minor remaining site cleanup tasks being completed once the ground thaws out.

Garner moved to issue a Complete Certificate of Compliance for DEP #63-0654 with stated ongoing conditions. Shinnick seconded the motion and the motion passed unanimously.

Adjournment:

Accomplished at 9:20 PM by a motion made by Vogel. Streiff seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent