

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Tuesday, March 27, 2018  
TOWN HALL ANNEX, 39 CENTRAL STREET  
**APPROVED: 4/17/2018****

Present: Chair Arthur Page, Vice Chair Curt Turner, Robert Garner, Judy Kehs,  
Daniel Shinnick, Sam Streiff and Howard Vogel  
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 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.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Turner moved to accept the Minutes of February 13, 2018 with discussed edits. Shinnick seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Vogel moved to accept the Minutes of March 6, 2018. Garner seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Turner moved to accept the Minutes of October 1, 2013 with discussed edits. Shinnick seconded the motion and the motion passed unanimously.

**Discussion:**

**Conservation Restriction at Mehaffey Farm, 179 Newbury Road (Map 1, Parcel/Lot 35) Essex County Greenbelt Association** – No one was in attendance to address the Commission. Agent Baeslack advised that the revised plan had been approved by the Board of Selectmen, and at a site visit it had been determined there is room for four parking spaces to allow for public access. Turner advised that the matter to approve the new plan would be on the warrant for the Town Meeting in April 2018. Agent Baeslack recommended the matter be continued to the April 17, 2018 meeting.

Garner moved to continue this agenda item to the meeting of April 17, 2018. Kehs seconded the motion and the motion passed unanimously.

**Informal Discussion Concept Project at 420 Newburyport Turnpike (Map 18, Parcel/Lot 3) Sandy Patrican of Four Twenty Newburyport Turnpike LLC:** Mr. Michael DeRosa from DeRosa Environmental, Mr. Charles Wear of Meridian Associates and Mr. Sandy Patrican were in attendance to discuss potential changes to a wetland area by filling at 420 Newburyport Turnpike and restoration plans involving previously filled

Bordering Vegetated Wetland located on the conservation area at 340 and 344 Wethersfield Street. The discussions included concerns about additional flooding to abutting properties, the process for obtaining permission from the Town, and the benefits of the restoration project.

**New Request for Determination of Applicability at 121 Warehouse Lane (Map 26, Parcel/Lot 7) Rowley Municipal Lighting Plant owned by Perley Marina Realty Trust:**

Proposed replacement of four utility poles carrying power lines possibly within Salt Marsh, Land Subject to Coastal Storm Flowage, ACEC, and 200' Riverfront Area of the Rowley River. Mr. Mark Bixby of the Rowley Municipal Lighting Department was in attendance to address the Commission and answer questions. The Commission reviewed Agent Baeslack's memo dated March 27, 2018.

Vogel moved to close the public hearing and issue a Negative Determination Option #2 and Option #6. Kehs seconded the motion and the motion passed unanimously.

The Commission reviewed a request to cross both Bradstreet Farm and Town Landing conservation areas to access utility poles for the 121 Warehouse Lane project.

Vogel moved to grant permission to cross Bradstreet Farm and Town Landing conservation areas to access utility poles. Shinnick seconded the motion and the motion passed unanimously.

**New Abbreviated Notice of Resource Area Delineation at 699 Haverhill Street (Map 8, Parcel/Lot 27) William Herrick of Lucia-Herrick Realty Trust:**

Proposed identification of regulated wetland resource areas. Mrs. Susan Herrick was in attendance. Agent Baeslack advised that a written request for a continuance had been received from the applicant's representative, Mr. Bill Manuell of Wetlands and Land Management.

Turner moved to continue the public hearing as requested by the applicant to April 17, 2018. Garner seconded the motion and the motion passed unanimously.

**New Abbreviated Notice of Resource Area Delineation at 548 Wethersfield Street (Map 11, Parcel/Lot 4) William Herrick of Lucia-Herrick Realty Trust:**

Proposed identification of regulated wetland resource areas. Mrs. Susan Herrick was in attendance. Agent Baeslack advised that the applicant's wetlands scientist, Mr. Bill Manual of Wetlands and Land Management, was not available to attend the meeting. The wetland delineation had been reviewed on site with Mr. Manual and confirmed in the field. There were minor revisions needed to the plan and the issuance of a DEP number. He recommended the hearing be closed.

Turner moved to close the public hearing and issue an ORAD contingent upon plan revisions and issuance of a DEP number. Shinnick seconded the motion and the motion passed unanimously.

Streiff **recused** himself from the next agenda item.

**New Stormwater Management Permit application at 180 Central Street (Map 24, Parcel 39, Lots 1-6) TST Realty LLC, owed by Eric Streiff (c/o Sam Streiff):** Proposed construction of six residential house lots, driveways, clearing, stormwater facilities, utilities, and associated grading. Mr. Tony Franciosa of TST Realty LLC and Mr. Phil Christianson of The Morin-Cameron Group were in attendance to address the Commission and answer questions. Also in attendance were abutters Mr. Chris Hilbert, Ms. Barbara Pierce, Ms. Mary and Mr. Art Barringer and Mr. Jeff Head. Agent Baeslack advised that the Conservation Commission would be the only Town Board reviewing the project and recommended they require a stormwater management peer review. Agent Baeslack also asked about the lack of soil testing data relating to infiltration basins. Mr. Christianson advised that testing had not been done but would be scheduled. The Commission agreed with the recommendation for a peer review and requested permission to continue the hearing. The Commission opened the meeting to public comments or questions. Mr. Christianson answered questions from the public relating to the stormwater runoff.

Turner moved to continue the agenda item to the meeting of April 17, 2018. Garner seconded the motion and the motion passed by a vote of six (6) yeas.

Streiff returned to the meeting.

**New Request for Determination of Applicability at 50 Newbury Road (Map 5, Parcel/Lot 41) Tom Tremblay of O. N. G. Design and Development, LLC owned by Michael J. Hart:** Proposed soil evaluations for septic system location possibly within the DEP Approved Groundwater Protection Area Zone II and Natural Heritage Priority Habitat. Mr. Ben Osgood of Ranger Engineering and Mr. Tom Tremblay of O.N.G. Design and Development were in attendance to address the Commission and answer questions. The Commission reviewed Agent Baeslack's memo dated March 27, 2018.

Vogel moved to close the public hearing and issue a Positive Determination Option #5 and Negative Determination Option #4 incorporating the conditions discussed. Streiff seconded the motion and the motion passed unanimously.

**Continued Notice of Intent application DEP #63-0669 at land off Wethersfield Street (Map 11, Parcels 54, 54-1, and 58), 599, 607, 615 and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 58-1, 58-2 and 58-2A) and land off of Pineneedle Lane, Georgetown, MA (Map 11, Parcel/Lot 56) Rowley Solar, LLC, owner Maven Revocable Trust:** Proposed construction of a 11.25 acre solar photovoltaic system, gravel access drive, stormwater facilities, utilities, and associated grading within the 100' Buffer Zone to a Bordering Vegetated Wetlands and Isolated Vegetated Wetlands. No one was in attendance to address the Commission. Agent Baeslack presented an email from Mr. Robert Blanchette of W.C. Cammett Engineering requesting that the hearing be continued.

Turner moved to continue the public hearing with the applicant's permission to the meeting of April 17, 2018. Garner seconded the motion and the motion passed unanimously.

**Continued Stormwater Permit Application SMP #30-2017 at land off Wethersfield Street (Map 11, Parcels 54, 54-1, and 58), 599, 607, 615 and 623 Wethersfield Street (Map 11, Parcel/Lots 53, 58-1, 58-2 and 58-2A) and land off of Pineneedle Lane, Georgetown, MA (Map 11, Parcel/Lot 56) Rowley Solar, LLC, owner Maven Revocable Trust:** Proposed construction of a 11.25 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 491,000 square feet and a slope disturbance of 60,000 square feet at greater than 15%. No one was in attendance to address the Commission. Agent Baeslack presented an email from Mr. Robert Blanchette of W.C. Cammett Engineering requesting that the hearing be continued to the meeting of April 17, 2018.

Turner moved to continue the matter as requested by the applicant to April 17, 2018. Garner seconded the motion and the motion passed unanimously.

**Status Reports: Permits & Enforcement**

**Enforcement Order 430 Wethersfield St. (Map 12, Parcel/Lot 3) Hopkington Forestry & Land Clearing Property Owned by Cheryl J. Moran and Patricia A. Simon** – Agent Baeslack advised that Mr. David Herrick of Hopkington Forestry & Land Clearing had advised him that due to travel time he would not be at the meeting. Agent Baeslack updated the Commission on his discussion with Mr. Herrick and stated that Mr. Herrick had been very cooperative in stabilizing the area. He also apprised the Commission of the current site conditions. Agent Baeslack requested the Commission confirm and ratify the Enforcement Order.

Shinnick moved to confirm and ratify the issuance of the Enforcement Order. Turner seconded the motion and the motion passed unanimously.

**Project Comment Request:**

**Open Space Residential Development (OSRD) Special Permit/Site Plan Review submitted by Michael Hart for 50 Newbury Road (Map 5, Lot 4):** Mr. Ben Osgood of Ranger Engineering and Mr. Tom Tremblay of O.N.G. Design and Development were in attendance to address the Commission and answer questions. Mr. Osgood described the proposed development which included ten (10) condo homes including, the current residence and the open space that would be gifted to the Town. This project is currently before the Planning Board as an OSRD which involves site plan review and a special permit application.

**Adjournment:**

Accomplished at 9:50 PM by a motion made by Vogel. Kehs seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent