

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Tuesday, April 17, 2018  
TOWN HALL ANNEX, 39 CENTRAL STREET  
**APPROVED: 5/9/2018****

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.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Vogel moved to accept the Minutes of March 27, 2018 with discussed edits. Garner seconded the motion and the motion passed unanimously.

**Acceptance of Minutes:** After the Commission reviewed the minutes, Streiff moved to accept the Minutes of November 12, 2013. Shinnick seconded the motion and the motion passed unanimously.

**Discussions:**

**Conservation Restriction at Mehaffey Farm, 179 Newbury Road (Map1, Parcel/Lot 35) - Essex County Greenbelt Association:** The Commission reviewed Agent Baeslack's memo dated April 17, 2018. Ms. Vanessa Johnson-Hall from Essex County Greenbelt was in attendance to answer any questions from the Commission. The final draft of the Conservation Restriction (CR) was presented. Ms. Johnson-Hall asked the Commission to agree that the CR could be sent to the Division of Conservation Services at Energy and Environmental Affairs (EEA) for review.

Vogel moved to accept the draft as presented and recommendation it be forwarded to the Board of Selectmen for approval and submittal to the State Division of Conservation Services at EEA for review. Garner seconded the motion and the motion passed unanimously.

**Conservation Restriction, 42 Newbury Road (Map 5, Parcel/Lot 40) – John E. Sullivan, Jr.:** Owner John Sullivan was in attendance to answer any questions from the Commission. The Commission reviewed Agent Baeslack's memo dated April 17, 2018. Baeslack asked for authorization allowing the current resident to work on the garage and move forward concurrently with the review of the Conservation Restriction and the Baseline Report. The Commission agreed.

Turner moved to continue the agenda item to the May 9, 2018, meeting allowing further review of documents. Shinnick seconded the motion and the motion passed unanimously.

**New Request for Determination of Applicability (after the fact) at 58 Glen Street (Map 21, Parcel 5, Lot 5) David Mariani:** Proposed expansion by depositing fill in backyard within 100' Buffer Zone to Bordering Vegetated Wetlands. Owner David Mariani was in attendance to answer any questions from the Commission. The Commission reviewed Agent Baeslack's email of April 17, 2018 to the Commission with recommended conditions.

Streiff moved to close the public hearing and issue a Negative Determination Option #3 with conditions as discussed. Shinnick seconded the motion and the motion passed unanimously.

**New Request for Determination of Applicability at 77 Railroad Avenue (Map 27, Parcel/Lot 103) David F. Jaquith:** Proposed demolition of wood structure possibly within 100' Buffer Zone to Salt Marsh and 200' Riverfront Area of Rowley River. Owner David Jaquith and Ms. Sara Bourque were in attendance to answer questions from the Commission. Agent Baeslack verbally made recommendations for conditions. His review determined that activities were outside the 200' Riverfront Area.

Vogel moved to close the public hearing and issue a Negative Determination Option #3 with conditions as discussed. Streiff seconded the motion and the motion passed unanimously.

**Continued 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 to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo dated April 17, 2018 with recommendations for revisions to the plan and confirmation that the depicted BVW delineation was accurate as shown.

Vogel moved to close the public hearing and issue an ORAD incorporating the recommended revisions to the plans as accurate depiction of the identified wetland resource areas. Streiff seconded the motion and the motion passed unanimously.

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

**Continued 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 was in attendance to answer questions from the Commission. Also in attendance were Mr. Jeffrey Head, Ms. Maura Mastrogiovanni, Ms. Chris Malynn, and Mr. Chris Hilbert. The preliminary Stormwater Peer Review report dated April 16, 2018 prepared by Horsley Witten Group was presented. Agent Baeslack recommended continuance of the hearing to the next meeting to allow for applicant's review of the Peer Reviewer Report and preparation of a response.

Vogel moved to continue the public hearing with the applicant's permission to the meeting of May 9, 2018. Garner seconded the motion and the motion passed unanimously.

Streiff returned to the meeting.

**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 the applicant's representative Robert Blanchette of W.C. Cammett Engineering requesting a hearing continuance.

Shinnick moved to continue the public hearing with the applicant's permission to the meeting of May 9, 2018. Streiff 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 there is 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 the applicant's representative Robert Blanchette of W.C. Cammett Engineering requesting a continuance of the hearing.

Shinnick moved to continue the public hearing with the applicant's permission to the meeting of May 9, 2018. Streiff seconded the motion and the motion passed unanimously.

**Certificate of Compliance Request(s):**

**New Certificate of Compliance Request for DEP #63-0580 at 81 Railroad Avenue (Map 27, Parcel 100) David Jaquith:** Owner David Jaquith and Ms. Sara Bourque were in attendance to answer any questions from the Commission. Agent Baeslack reported on the site inspection and recommended issuing the Certificate of Compliance for DEP #63-0580 now that an as built plan and letter from the engineer verified compliance with the issued Order.

**Return to Compliance Letter for Enforcement Order on DEP#63-0415 at 81 Railroad Avenue (Map 27, Parcel 100):** Owner David Jaquith and Ms. Sara Bourque were in attendance to answer any questions from the Commission. Agent Baeslack explained that the Return to Compliance Letter would close the Enforcement Order on DEP#63-0415 and

recommended issuance since the property had been returned to compliance with the Wetlands Protection Act and Wetlands Bylaw.

Garner moved to issue a Certificate of Compliance for DEP #63-0580 incorporating the listed on-going conditions and to direct the Agent to send a Return to Compliance letter for the Enforcement Order DEP #630415. Turner seconded the motion and the motion passed unanimously.

**Discussion:**

**Town Meeting RCC Warrant Articles** – The Commission discussed the May Town Meeting Warrant Articles to transfer open space parcels to the care and custody of the Conservation Commission, use of CPC funds to install a boardwalk on the Pingree Farm Conservation Land, and to revise the Mahaffey Conservation Restriction plan. Agent Baeslack asked for help presenting and seconding the Articles. Page, Streiff and Turner agreed to present the Articles.

**Adjournment:**

Accomplished at 8:45 PM by a motion made by Garner. Shinnick seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent