

Mn January 28, 2020

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, January 28, 2020
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 2/18/2020**

Present: Chair Daniel Shinnick, Vice Chair Sam Streiff, Robert Garner, Jena Haag,
Judy Kehs, Howard Terrien 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, Terrien moved to accept the Minutes of January 7, 2020. Garner seconded and the motion passed with six (6) yeas with one (1) abstaining.

Acceptance of Minutes: After the Commission reviewed the minutes, Streiff moved to accept the Minutes of April 21, 2009 with discussed edits. Kehs seconded the motion and the motion passed with six (6) yeas with one (1) abstaining.

2019 Annual Town Report – The Commission reviewed the draft of the Conservation Commission Annual Report for inclusion in the 2019 Town Report. One spelling error was pointed out.

Vogel moved to approve the draft 2019 Conservation Annual Report with edit and authorize submittal for the Annual Town Report. Terrien seconded and the motion passed unanimously.

Proposed WPA Regulation Changes – Agent Baeslack gave an overview of the proposed regulation changes related to submitting documents to DEP under the WPA. He explained that the changes would require the use of eDEP or certified mail/return receipt for submittal of documents to DEP. The use of eDEP would necessitate duplicate work to enter permits into the Commission's database and eDEP. Use of certified mail/return receipt would increase the cost of issuing permits. Agent Baeslack provided the Commission with a draft comment letter from Massachusetts Society of Municipal Conservation Professionals (MSMCP) and a draft letter to be submitted on behalf of the Town of Rowley Conservation Commission. He asked for Commission authorization to finalize the draft comment letter.

Streiff moved to authorize the Agent to draft a letter regarding proposed WPA Regulation Changes for submittal to DEP. Garner seconded and the motion passed unanimously.

Status Reports: Permits & Enforcement

623 Wethersfield St. et al (Map 11, Parcel/Lots 58, 53, 58-1, 58-2, & 58-2A) Rowley Solar LLC/Maven Revocable Trust: Site compliance. Agent Baeslack updated the Commission on the project status and explained that the company who had purchased the solar facilities had submitted an activation request. Ms. Bonni Berkowitz and Mrs. Barbara Berkowitz were in attendance. Agent Baeslack submitted the letter from Mr. Robert Blanchette of GM2/Cammet on behalf of Powerfund1 LLC that outlined the current site conditions. This letter was in response to the Commission's request for a Compliance Report. Agent Baeslack advised that, as previously reported, the area has been stabilized and the work to finalize the project needed to be completed in warmer weather. Ms. Bonni Berkowitz addressed the Commission briefly regarding the outstanding issues. At this time no further action is required.

107 Newburyport Turnpike (Map 14, Parcel 22, Lot 3) Universal Stone: Subsurface and surface investigations solid waste and debris. Mr. Greg Cole was in attendance as a potential buyer for the property. Agent Baeslack gave a verbal report on the property history. The site inspection and test pits had indicated there was surface debris in the form of tree trunks, granite, and iron pieces as well as some subsurface debris. The property owner/seller had agreed to remove the surface debris. Agent Baeslack had authorized investigation and assessment work since there would be minimal disturbance and it would be in previously disturbed areas. The buyer would be responsible for the subsurface debris clean-up after the purchase. This work would require a filing with the Commission. Agent Baeslack advised Mr. Cole of the standard conditions of spill containment kits and a gravel entrance pad. The Commission concurred with the site assessment. No further action was needed at this time.

53 Emily Lane (Map 9, Parcel 23, Lot 23) Pavel N. Bukhovko: Failure to resolve compliance matters and obtain a Certificate of Compliance DEP #63-0434 and #63-0564. Mr. Pavel Bukhovko was in attendance. Agent Baeslack advised the requested site plans had been received. The Commission reviewed Agent Baeslack's memo dated January 28, 2020 with comments on plan changes. Mr. Bukhovko stated that the completion date of May 30, 2020 should be possible. No further action needs to be taken at this time.

20 Cindy Lane (Map 6, Parcel 10, Lot 9-1) Paul Imbriano: Failure to resolve violations with issued Order and obtain Certificate of Compliance DEP #63-553 since Nov. 19, 2018. The office was advised that the As-built Plan was not completed. This item will be tabled until the meeting of February 18, 2020.

34 Dodge Road (Map 5, Parcel 104, Lot 3) Guiseppe Guigliano: Abutters ponding complaint. Agent Baeslack made a verbal report with photographs of the site. He recommended amending the previously issued Enforcement Order to include the new filling issues relating which were potentially causing the ponding on the abutting property.

Streiff moved to amend the Enforcement Order as discussed. Vogel seconded and the motion passed unanimously.

Adjournment:

Accomplished at 9:05 PM by a motion made by Terrien. Kehs seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent