

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, March 31, 2020
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: April 21, 2020**

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

Consistent with the Governor's orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people due to the CORVID19 pandemic, this meeting was conducted by remote participation to the greatest extent possible. The Commission and the public did not physically attend this meeting, but every effort was made to allow the public to view the meeting in real time. Persons who wished to do so were invited to watch the meeting on Rowley Community Media TV or to join the meeting from a computer, tablet or smartphone by using a link for GoToMeeting or dialing in by phone.

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 10, 2020 with edits. Streiff seconded and the motion passed unanimously by roll call vote.

Mr. Timothy Toomey requested that the Commission comment on the issuance of a Determination for the filling of wetlands at 366 Central Street. Mr. Toomey was advised that the acceptance of the Minutes was an administrative action and that comments on other matters were out of order.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of June 23, 2009 with edits. Vogel seconded and the motion passed with six (6) yeas and one (1) abstention by roll call vote.

Discussion(s):

Wetlands Protection Bylaw (Amended) – adoption of Regulations – The Commission reviewed changes made by Town Counsel to the Wetlands Protection Bylaw (Amended) Regulations.

Streiff moved to accept the changes made by Town Counsel and adopt the Regulations. Haag seconded the motion and the motion passed unanimously by a roll call vote.

Signage for Rules regarding dogs and public health requirements for social distancing on Town Owned properties – Agent Baeslack presented signage to be posted at Hunsley Hills, Dodge Reservation and Pingree Farm conservation areas and Harts Way Open Space regarding dogs stating the requirements that dogs must be leashed at all times. This was in response to a complaint about dogs being unleashed on conservation areas.

Garner moved to authorize the production and placement of the signs. Haag seconded and the motion passed unanimously by roll call vote.

New Request for Determination of Applicability for 185 Leslie Road (Map 6, Parcel/Lot 3) Estate of John R. Connolly – proposed construction of a driveway access to a new single family dwelling with associated grading and utilities possibly within the 100' Buffer Zone of Bordering Vegetated Wetlands. Agent Baeslack presented a request from Mr. Thomas Mannetta of Thomas Mannetta, Inc. representing the applicant to continue the hearing to the next meeting due to illness.

Garner moved to continue the public hearing to the meeting of April 21, 2020. Streiff seconded the motion and the motion passed unanimously by a roll call vote.

New Stormwater Management Permit application for 185 Leslie Road (Map 6, Parcel/Lot 3) Estate of John R. Connolly – proposed construction of a single family house and driveway, stormwater facilities, utilities and associated grading with a total site disturbance of approximately 50,145 square feet (1.15 acres). Agent Baeslack presented a request from Mr. Thomas Mannetta of Thomas Mannetta, Inc. representing the applicant to continue the hearing to the next meeting due to illness.

Terrien moved to continue the public hearing to the meeting of April 21, 2020. Vogel seconded the motion and the motion passed unanimously by a roll call vote.

Certificate of Compliance Request(s):

Continued Request for a Certificate of Compliance 305 Newburyport Turnpike (Map 17, Parcel 20, Lot 47) Ed Surette, Trustee of Prime Realty Trust – Agent Baeslack advised that the applicant and his representative were waiting for feedback from the Conservation Office on items needed to bring the site into full compliance and the matter should be continued.

Shinnick moved to continue the matter to the meeting of April 21, 2020. Garner seconded and the motion passed unanimously by roll call vote.

Status Reports: Permits & Enforcement

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. Agent Baeslack advised that the engineering representative had been on site to complete field work needed to finalize the as built plan to be submitted with the Request for Certificate of Compliance. No further action is needed at this time.

54 Haverhill Street (Map 15, Parcel/Lot 88) Trevor D. LaLiberte Notice of Violation Letter - Altering by clearing, grading, and construction of concrete slab and gravel pad within the 100' Buffer Zone to Bordering Vegetated Wetlands without a wetlands permit. Tree cutting within the No Cut/No Disturbance Zone and possibly in Bordering Vegetated Wetlands. Agent Baeslack advised that Mr. LaLiberte had been in communication with the Conservation Office and was constructively engaged in resolving the issues outlined in the Notice of Violation. He would be filing a Request for Determination of Applicability to cover the work already completed. No further action is needed at this time.

Adjournment:

Accomplished at 8:48 PM by a motion made by Streiff. Haag seconded and the motion passed unanimously by roll call vote.

Submitted by Brent Baeslack, Conservation Agent