

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, October 22, 2019
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 11/12/2019**

Present: Chair Daniel Shinnick, Vice Chair Sam Streiff, Robert Garner, Judy Kehs, 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).

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

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of July 30, 2019. Streiff seconded and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Vogel moved to accept the Minutes of August 20, 2019. Garner seconded and the motion passed unanimously.

Approval of FY2020 Meeting Schedule: Agent Baeslack presented a meeting schedule for 2020.

Kehs moved to accept the Conservation Commission Meeting Schedule for 2020. Streiff seconded and the motion passed unanimously.

Conservation Area Restricted Wetland Signs: The Commission discussed the purchase of signs to mark restricted wetland areas. Agent Baeslack presented price quotes from two companies and proofs for two sizes. The Commission approved purchase of 100 signs, 4"x4" in size from Adrian Name Plates and authorized use of the Notice of Intent Funds.

Request for Certificate of Compliance for DEP #063-0220 67 Hillside Street (Map 19, Parcel 1, Lot 1) John and Lisa Nestor: Mr. John and Mrs. Lisa Nestor were in attendance on this matter. Agent Baeslack gave the Commission an overview of the issues relating to an open Order of Conditions issued in 2002. He explained that part of the roadway drainage system had been included in the application for the single family home construction. Typically, the roadway drainage system would be permitted under a separate Order of Conditions. The Order also required that boulders be installed to mark the edge of an area which was allowed to be mowed bi-annually. The current owners had not wanted boulders and had made an undocumented agreement to install granite bounds instead. Two granite bounds were located during a field inspection. The Agent presented for the Commission's consideration a modification to the ongoing conditions which allowed for 4"x4" pressure

treated posts to be installed with signage indicating that it was a wetland resource area and that the Commission should be contacted. He advised there were ongoing conditions relating to the roadway drainage system which should be the responsibility of the Town. He recommended that the Certificate of Compliance be written to designate which ongoing conditions were the responsibility of the property owner and which were the Town's responsibility. The Commission was provided with a copy of Attachment "A" to the Certificate of Compliance with language to provide for the change in signage and maintenance.

Kehe moved to issue a Complete Certificate of Compliance with ongoing conditions as discussed and contingent upon field verification of the posts. Vogel seconded the motion and the motion passed unanimously.

Request for Certificate of Completion for SMP #29-2017 473 & 477 Haverhill Street (Map 13, Parcel/Lot 1) Town of Rowley: No one was in attendance for this matter. Agent Baeslack reviewed a site inspection as reported in his Site Visit Report dated and emailed October 22, 2019, with a recommendation to issue a Complete Certificate of Compliance upon field verification of erosion control removal.

Streiff moved to issue a Complete Certificate of Completion with ongoing conditions and contingent upon field verification. Garner seconded the motion and the motion passed unanimously.

Request for Certificate of Completion for SMP #24-2017 for 22 Dodge Road, Lot 2 (Map 5, Parcel 104, Lot 2) Lucia-Herrick Realty Trust: No one was in attendance for this matter. Agent Baeslack reviewed his site inspection as reported in his Site Visit Report dated and emailed October 22, 2019, with a recommendation to issue a Complete Certificate of Compliance with ongoing conditions and upon field verification of erosion control removal.

Vogel moved to issue a Complete Certificate of Completion with ongoing conditions and field verification. Garner seconded and the motion passed unanimously.

Request for Certificate of Completion for SMP #23-2017 for 26 Dodge Road, Lot 1 (Map 5, Parcel 104, Lot 1) Lucia-Herrick Realty Trust: No one was in attendance on this matter. Agent Baeslack reviewed a site inspection as reported in his Site Visit Report dated and emailed October 22, 2019, with a recommendation to issue a Complete Certificate of Compliance upon field verification of post installation and erosion control removal.

Garner moved to issue a Complete Certificate of Completion with ongoing conditions and field verification. Streiff seconded and the motion passed unanimously.

Status Reports: Permits & Enforcement

Enforcement Directive 43 Daniels Road (Map 8, Parcel/Lot 51) rear northeast section Harold Ricker Realty Trust, Debra A. Ricker, Trustee: Cutting of vegetation (altering),

grading and dumping of fill and earth disturbance within the 100' Buffer Zone of Bordering Vegetated Wetlands and failure to obtain proper permit(s) and failure to utilize erosion controls as required. Ms. Debra Ricker, Trustee of Harold Ricker Realty Trust, and her representative, Mr. Michael DeRosa of DeRosa Environmental were in attendance to discuss current conditions and possible restoration solutions with the Commission. Mr. DeRosa gave a site condition presentation and recommendations for stabilization. Agent Baeslack gave a verbal report on the property site inspection which was conducted with Mr. DeRosa. He explained that the stabilization is a temporary measure due to potential future development of the property. Work could be authorized under an Enforcement Directive.

Streiff moved to issue an Enforcement Directive for stabilization of the site. Kehs seconded and the motion passed unanimously.

Failure to Obtain a Certificate of Compliance DEP #63-0434 and #63-0564, 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 that after conducting a site visit he needed to review the files to determine the next steps to bring the site into compliance. He provided an update on the status of the compliance matters. No further action is needed from the Commission at this time.

Failure to Obtain a Certificate of Compliance DEP #63-0553, 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 November 19, 2018. No one was in attendance for this matter. Agent Baeslack advised that work is ongoing to bring the site into compliance. He provided an update on the status of the compliance matters after conducting an interim site visit to verify post with signage locations by Isolated Vegetated Wetlands. No further action is needed from the Commission at this time.

Enforcement Order 95 Cross Street (Map 27, Parcel/Lot 13) Kristine Smiley and James McKechnie: Request for Return to Compliance Letter regarding Enforcement Order issued December 4, 2017. Agent Baeslack provided a verbal report with images on his site inspection and recommended the issuance of a Return to Compliance Letter.

Vogel moved to issue a Return to Compliance Letter. Kehs seconded and the motion passed unanimously.

Adjournment:

Accomplished at 9:10 PM by a motion made by Streiff. Garner seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent