

**CONSERVATION COMMISSION  
MINUTES of MEETING  
Tuesday, September 10, 2019  
TOWN HALL ANNEX, 39 CENTRAL STREET  
APPROVED: 11/12/2019**

Present: Chair Daniel Shinnick, Robert Garner, and Judy Kehs  
Absent: Vice Chair Sam Streiff and Howard Vogel  
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.

**Proposed donation of Open Space at Rear 600 Wethersfield St. (Map 11, Parcel 6, Lot ?) owned by Bruce Tompkins et al.** - Agent Baeslack read for the record a letter from Mr. Bruce Tompkins regarding a possible land donation. The Commission discussed the conservation values of the parcel. Agent Baeslack advised that the Open Space Committee had not been able to provide comments because the letter had just been received. The Commission agreed that the donation should be accepted pending favorable review from the Open Space Committee.

Garner moved to accept the donation pending favorable review by the Open Space Committee. Kehs seconded and the motion passed unanimously.

**Emergency Certification for 91-95 Railroad Ave. aka Batchelder's Landing (Map 27, Parcel 99, Lot 1) for the installation of a 1,000 gal. concrete 1-piece pump chamber to replace a failed 2-piece pump chamber** - Agent Baeslack gave the Commission a verbal report on the project and the necessity for an Emergency Certification. Agent Baeslack reviewed the work description and the conditions. He requested permission to revise the conditions based on his having a discussion with the installer if needed. The Commission agreed changes could be made if necessary.

Kehs moved to issue the Emergency Certification and allow for revision of the conditions if necessary. Garner seconded and the motion passed unanimously.

**New Request for Determination of Applicability 0 Hog Island (Map 38, Parcel/Lot 7) Hog Island Oyster, Brenden Doyle:** Proposed renovation of existing structure for conversion to a shellfish hatchery and nursery possibly within Land Under the Ocean, Land Subject to Coastal Storm Flowage, Land Containing Shellfish, Atlantic Ocean, 200' Riverfront Area of Rowley River, Bank and Area of Critical Environmental Concern. Due to a publication error, the legal ad was not posted and the hearing could not be opened. The legal ad will be published for the October 1, 2019 hearing. Mr. Brenden Doyle of Hog Island Oyster was in attendance. Agent

Baeslack advised that although Mr. Doyle would be giving an informal presentation, no questions, comments, or determinations could be made by the Commission until the hearing was formally opened. Because Mr. Doyle would not be able to attend the next meeting, he discussed possible ways he might be available for questions through electronic means and advised that his business partner would be in attendance. An informal project presentation was given by Mr. Doyle. Ms. Libby Tucker of the Agricultural Commission was in attendance and provided a letter of support for the project to the Commission.

**New Notice of Intent application Wethersfield Street (Map 11, Parcel 3, Lot 1) Nancy R.**

**Miller:** Proposed construction of a single family dwelling with driveway, grading and all associated utilities possibly within 100' Buffer Zone of Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, Mill River, Bank, and 200' Riverfront Area of Mill River. Mr. Thomas Mannelta of Thomas Mannelta, Inc., representing the applicant, and the applicant, Ms. Nancy Miller, were in attendance. Mr. Mannelta presented the project to the Commission. The Commission reviewed Agent Baeslack's memo dated September 10, 2019 with recommendations for plan revisions and special conditions. Agent Baeslack read for the record the Alternatives Analysis received from Thomas Mannelta, Inc. that had been requested by the DEP by posted website comment from their technical file review.

Garner moved to close the public hearing and issue an Order of Conditions with special conditions as discussed contingent upon receipt of revised plans within fourteen (14) days. Kehs seconded and the motion passed unanimously.

**New Request for a Bylaw Certificate of Compliance 618 Haverhill Street (Map 8, Parcel/ Lot 12) Michael Merrill** – No one was in attendance for this agenda item. Agent Baeslack gave a verbal report on the application history and advised the work had never commenced. Although no evidence had been found that the Order of Conditions had been filed, he recommended that a Certificate of Compliance stating the Order was invalid be issued in order to close the file.

Kehs moved to issue a Bylaw Certificate of Compliance for an invalid Order of Conditions. Garner seconded and the motion passed unanimously.

**Enforcement Order 34 Dodge Road (Map 5, Parcel 104, Lot 3) Guiseppe Guigliano, owner** - Depositing fill containing construction and demolition debris in violation of issued permit SMP #24-2017. No one was in attendance for this matter. Agent Baeslack advised there had been no action to remove the debris and that the Post Office had not been able to deliver the notice nor had the mailing been returned to the Conservation Office. Agent Baeslack will follow up with the Post Office.

**Enforcement Order 53 Emily Lane (Map 9, Parcel 23, Lot 23) Pavel N. Bukhovko** – Failure to resolve compliance matters and obtain a Certificate of Compliance for DEP #63-0434 and #63-0564. Agent Baeslack updated the Commission on a property site inspection. He will do a file review and advise the owner of any compliance issues that need to be addressed.

**Enforcement Order 20 Cindy Lane (Map 6, Parcel 10, Lot 9-1) Paul Imbriano** – Failure to resolve violations with issued Order and obtain Certificate of Compliance for DEP #63-553 since November 19, 2018. Agent Baeslack advised that a site inspection had been conducted and the property owners were addressing the compliance issues. The work should be completed within three to four weeks.

**Discussion:**

**430 Wethersfield St. plus Falcon Ridge OSRD proposed Open Space Enhancement to Dodge Reservation** – The Commission reviewed the proposal for enhancement of the open space at the Dodge Reservation in connection with the OSRD for Falcon Ridge at 430 Wethersfield Street. The Commission agreed to forward the plan to the Open Space Committee for comments. If the Open Space Committee voted favorably in support of the plan, the Commission authorized Agent Baeslack to advise the Planning Board of their support of the plan.

Garner moved to forward the plan to the Open Space Committee for comments and authorize Agent Baeslack to communicate with the Planning Board. Kehs seconded and the motion passed unanimously.

**Adjournment:**

Accomplished at 9:30 PM by a motion made by Kehs. Garner seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent