

CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, December 5, 2023
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 1/9/2024

Present: Chair Daniel Shinnick, Vice Chair Howard Vogel (7:35 PM), Nancy Miller, Sam Streiff, Howard Terrien and Ann Witzig
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 at 7:30 PM (all legal ads were read to open new agenda items). This remote meeting was held pursuant to Chapter 2 of the Acts of 2023 which extends the expiration of the provisions pertaining to the Open Meeting Law to March 31, 2025. The public could not physically attend this meeting, but every effort was made to allow the public to view the meeting in real time.

Administrative: Commissioners reviewed and authorized the payroll and reimbursement of various vendor bill requests.

Acceptance of Minutes: After the Commission reviewed the minutes of November 14, 2023, Witzig moved to accept the minutes. Terrien seconded and the motion passed unanimously by roll call vote.

Acceptance of Minutes: After the Commission reviewed the minutes of July 26, 2005, Streiff moved to accept the minutes. Terrien seconded and the motion passed unanimously by roll call vote.

The following two agenda items were discussed simultaneously:

The Commission reviewed Agent Baeslack's email memos dated December 5, 2023. The memos had requested a revised professional letter reviewing the project changes and deviations compared to the issued permits and a plan revision that highlighted the restricted No Cut Zone areas by use of diagonal or a shaded fill. Mr. Matthew Connors of Hancock Associates was in attendance on behalf of the Applicant. Mr. Connors had submitted materials to the office prior to tonight's meeting to address those matters. During the meetings discussion Mr. Connors noted a stormwater management change involving the garage building now directing runoff to the roadway basin instead of a subsurface infiltrator.

Request for Certificate of Compliance for DEP #63-0691 at 491 Main Street now Bella Way (Map 31, Parcels 26 and 27A) Paul Vorrias: Proposed construction of a common driveway, a single family dwelling 28 x 64, and a garage 28 x 36, stormwater facilities, grading and utilities possibly within 100' Buffer Zones, Bordering Vegetated Wetlands, Salt Marsh, Land Subject to Coastal Storm Flowage, and the Great Marsh ACEC.

Vogel moved to issue a Complete Certificate of Compliance for DEP #63-0691 with ongoing conditions pending submittal of revised plan. Witzig seconded and the motion passed unanimously.

Request for Certificate of Completion for SMP 35-2019 at 491 Main Street now Bella Way (Map 31, Parcels 26 and 27A) Paul Vorrias: Proposed construction of a common driveway, a single family dwelling 28 x 64, a barn 30 x 60 and two garages 24 x 24 and 28 x 36, stormwater facilities, grading and utilities with total site disturbance of approximately 34,000 square feet.

Vogel moved to issue a Complete Certificate of Completion for SMP #35-2019 with ongoing conditions pending submittal of revised plan. Witzig seconded and the motion passed unanimously.

Request for Certificate of Compliance for DEP #63-0716 at 929 Haverhill Street (Map 4, Parcel 32) Nathaniel White: Invasive plant species control and suppression with restoration within 100' Buffer Zone of Bordering Vegetated Wetlands and 100' Riparian Zone of Muddy Brook. The Commission reviewed Agent Baeslack email memo dated December 5, 2023.

Streiff moved to issue a Complete Certificate of Compliance for DEP #63-0716 with ongoing conditions. Terrien seconded and the motion passed unanimously by roll call vote.

Status Reports: Permits & Enforcement

Enforcement Order for 506 Newburyport Turnpike (Map 19, Parcel 8, Lot 2-1) Vernon J. Bell III: Altering the 100' Buffer Zone to Isolated Vegetated Wetlands by clearing and cutting of vegetation and possible soil disturbance. Mr. Vernon J. Bell III was in attendance. The Commission reviewed Mr. Bell's email submitted December 4, 2023 acknowledging receipt of the Enforcement Order and his intention to comply. The Commission briefly discussed the completed work and confirmed that a Notice of Intent Application would need to be submitted that included "after-the-fact" permitting for work already completed. Mr. Bell stated that he had engaged Norse Environmental Services and the NOI was in process. The Commission discussed the issuance of fines but determined the doubling of the Bylaw Filing Fees accompanying the NOI application would be sufficient.

Witzig moved to confirm and ratify the Enforcement Order with addition of meeting and submittal dates for the second meeting in January and first meeting of February. Terrien seconded and the motion passed unanimously by roll call vote.

Adjournment:

Accomplished 8:18 PM by a motion made by Streiff. Vogel seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent