

**CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, September 12, 2017
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 10/3/2017**

Present: Vice Chair Curt Turner, Robert Garner, Judy Kehs (arrived 7:33 pm),
Daniel Shinnick, Sam Streiff (arrived 7:32 pm) and Howard Vogel
Absent: Chair Arthur Page,
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, Vogel moved to accept the Minutes of August 22, 2017. Streiff seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Garner moved to accept the Minutes of April 15, 2014 with the edit discussed. Shinnick seconded the motion and the motion passed unanimously.

Acceptance of Minutes: After the Commission reviewed the minutes, Shinnick moved to accept the Minutes of May 6, 2014 with the edit discussed. Vogel seconded the motion and the motion passed unanimously.

New Request to Determine Applicability at 888 Haverhill Street (Map 4, Parcel/Lot 4) Douglas Stickney: Proposed installation of an in ground pool with patio possibly within the DEP Approved Groundwater Protection Area Zone II. Mr. Douglas Stickney, owner with Mr. David Stickney and Mr. Mike Wilson of Wilson Pools were present to answer questions from the Commission. The Commission reviewed Agent Baeslack's memo of September 12, 2017.

Streiff moved to close the public hearing and issue a Positive Determination Option #5 with special conditions as discussed and a Negative Determination Option #1. The motion was seconded by Kehs and the motion passed unanimously.

New Notice of Intent at 29 Boxford Rd. (Map 5, Parcel/Lot 84) and 60 Pingree Farm Rd. (Map 4, Parcel/Lot 12) Rowley Conservation Commission: Proposed installation of a 300' boardwalk possibly within Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, Mill River, Bank, 200' Riverfront Area, DEP Approved Groundwater Protection Area Zone II, and Land Under Waterways. Ms. Sonja Vincola of the Open Space Committee was in attendance to present the project and answer questions from the Commission. Agent Baeslack advised that due to a delay in mail delivery of the application to DEP a file number

had not been issued. The applicant's wetlands representative had a previous commitment and could not attend the meeting but would be available on October 3, 2017. After a brief review of the project, he recommended that the hearing be continued.

Vogel moved to continue the public hearing with the applicant's permission to the meeting of October 3, 2017. The motion was seconded by Garner and the motion passed unanimously.

Continued Notice of Intent application DEP file #63-663 at 42 Newbury Road (Map 5, Parcel 40) John Sullivan, Jr. and Sara J. Sullivan: Proposed demolition of an existing building, demolition of portions of an existing building, construction of a portion of subdivision roadway and a new duplex building, and installation of an infiltration basin possibly with the 100' Buffer Zone of Bordering Vegetated Wetlands and the DEP Approved Groundwater Protection Area Zone II. Agent Baeslack read for the record an email from the applicant's representative, Mr. Gregory Hochmuth of Williams and Sparages, requesting that the hearing be continued until the next meeting.

Streiff moved to continue the public hearing with the applicant's permission to the meeting of October 3, 2017. The motion was seconded by Garner and the motion passed unanimously.

Continued Stormwater Management Permit application SMP #22-2017 at 42 Newbury Road (Map 5, Parcel 40) John Sullivan, Jr. and Sara J. Sullivan: Proposed demolition of an existing barn and portions of another building, removal of existing driveway, construction of a subdivision roadway, a new duplex dwelling, detached garage, maintenance building, and stormwater facilities. Agent Baeslack read for the record an email from the applicant's representative, Mr. Gregory Hochmuth of Williams and Sparages, requesting that the hearing be continued until the next meeting.

Kehs moved to continue the public hearing with the applicant's permission to the meeting of October 3, 2017. The motion was seconded by Shinnick and the motion passed unanimously.

Extension Request

New Request for Extension SMP #12-2014 12-40 Forest Ridge Drive (Map 7, Parcel 9) Gateway Trust of 1997. Agent Baeslack presented the letter from Mr. Charles Wear of Meridian Associates advising that no work has been started and requesting a three (3) year extension of the current permit.

Streiff moved to issue the Extension for SMP #12-2014 for three (3) additional years. Garner seconded the motion and the motion passed unanimously.

Status Reports: Permits & Enforcement

Violation of Stormwater Management & Erosion Control Bylaw at Land off Dodge Rd. and Mill Rd. (Map 5, Parcel 104, Lots 1,2,3,4, & 5) Lucia Herrick Realty Trust, William Herrick, Jr., Trustee - Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger

common plan of development that all together disturbs 20,000 square feet or more of land; clearing 14,000 sq. ft. common driveway Lot #2 and 10,000 sq. ft. on Lot #3 without filing and obtaining a Stormwater Mgt. Permit from the Rowley Conservation Commission. Mr. Thad Berry of ASB Design Group and Mr. Bill Manuell of Wetlands and Land Management were in attendance representing the property owner and to discuss the Enforcement Order with the Commission. The Commission reviewed the Enforcement Order issued by Agent Baeslack. Agent Baeslack presented a memo from Town Counsel, Judith Pickett regarding the authority to issue the Enforcement Order. Mr. Berry advised that his client was seeking counsel from their attorney and would proceed as considered appropriate after an opinion was received. The Commission agreed to ratify and confirm the Enforcement Order at this time.

Vogel moved to confirm and ratify the issued Enforcement Order. Streiff seconded the motion and the motion passed unanimously.

Adjournment:

Accomplished at 9:15 PM by a motion made by Vogel. Kehs seconded the motion and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent