



Office of the

## CONSERVATION COMMISSION

Town of Townsend,  
272 Main Street  
Townsend, Massachusetts 01469

Michael Turgeon, Chairman

Christine Vitale, Clerk

James Le Cuyer

John Hussey, Vice-Chairman

Anne Le Cuyer

James Deroian

Karen Hill

### Minutes

#### Memorial Hall-Selectman's Chambers

*Wednesday, May 8, 2019 at 730PM*

#### 1.0 Preliminaries

**1.1. Open Meeting-** MT opened the meeting at 7:30pm

**1.2. Roll Call-** Chairman, Michael Turgeon (MT), Vice-Chairman, John Hussey (JH), James Le Cuyer (JL), Karen Hill (KH) and Anne Le Cuyer (AL). Clerk, Christine Vitale (CV) and James Deroian (JD) were absent.

**1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting –**

*Correspondence that will be addressed with 3.1.2*

**1.4 Chair's Report-** Items will be addressed throughout the agenda.

**1.5 Agent's Report -** Items will be addressed throughout the agenda.

**1.6 Review of Minutes –** KH moves to approve and release the 4/24/19 minutes. AL seconded. KH abstain, AL-Yes, JH-Yes, MT- Yes and JL-Yes.

#### 2.0 Hearings and Appointments

**2.1 7:45pm Notice of Intent DEP#308-**

**Applicant:** David E. Ross Associates for R & S Realty, LLC

**Location:** Highland Street

**Project:** The proposed project is for the construction of a single-family dwelling, well and sewage disposal system with portions of work within the 100' buffer zone of a bordering vegetated wetlands.

MT opened the hearing, legal notice was read. KH has filed a disclosure as she has recently done business with Ross Associates. Neil Gorman was present for the applicant. This is a three acre lot in which the proposed construction is for a single family dwelling, well and septic, located within the buffer of a vegetated wetland. 1,500 sq. ft. of the project is located within the buffer, proposal of a 14x19 deck is approximately 51' from the wetland and 3,600 sq. ft. of new plantings will be installed. All disturbed areas will be loamed and seeded. Overall disturbance area is less than 40,000 sq. ft. The driveway is located outside of the buffer. A 10 x 5 slurry basin surrounded by hay bales will be installed. There is no alternative to this project. DH has visited the site and had some concerns in regard to the slurry basin, which has been addressed. DEP has not yet issued a #.

KH moves to continue to 5/22/19. Al seconded. All in favor.

**2.2 8:00pm**

**Notice of Intent TWB#2019-156**

Wednesday, May 8, 2019

**Applicant:** Ducharme & Dillis for WK Realty Trust

**Location:** 27 Scales Lane

**Project:** The proposed project is for the installation of a driveway and grading located within the buffer of a wetland.

MT opened the hearing, legal notice was read. Stan Dillis was present for the applicant. Applicant previously filed an ANRAD with the commission. DH visited the site. The project is for the installation of a driveway and grading. The project requires a Stormwater permit. MT had some questions and concerns in regards to the resource area being utilized as a detention basin. Site walk will be scheduled.

KH moves to continue to 5/22/19. JL seconded. All in favor.

**2.3 8:15pm Continuation of Notice of Intent DEP#308-666**

**Applicant:** Whitman & Bingham Associates for Matthew & Kellie Fournier

**Location:** Lot 3 Pierce Road

**Project:** The proposed project is for the construction of single family home located within in the buffer zone to the bordering vegetated wetlands.

MT opened the meeting. KH recused herself. Jamie Renhault was present for the applicant. All previous concerns were addressed. The grade of the slope was changed to reflect a 3:1 ratio. Applicant has added the installation of a pool. A site visit was conducted. DH was satisfied with the changes that were made.

JH moves to issue a Standard Order of Conditions. JL seconded. JH moves to amend with a special condition that erosion controls are inspected prior to the start of work. AL seconded. All in favor.

AL moves to close the hearing. JL seconded. All in favor.

**2.4 8:30pm Continuation of Notice of Intent DEP#308-665**

**Applicant:** Ducharme & Dillis for Diane Silva

**Location:** 59 West Meadow Road

**Project:** The proposed project is to restore historic wetlands and grades within the buffer zone to a 3/1 slope. Project is located within the ACEC and Estimated Habitat of Rare Wildlife

Applicant has requested a continuance. KH moves to continue to 5-22-19. JH seconded. All in favor.

Break for a 5 minute recess

Return to meeting

**3.0 Work Session:**

**3.1 Compliance Issues**

**3.1.2 28 Adams Road – Jennifer Pettit (JP)** wrote a letter to the commission with concerns of 28 Adams. MT read letter into the record. JP was concerned that the water on the property is contaminating the towns well as she believed that it was located within zone 1. MT- Trenches have been in place for excess of 100 years. Water from the road is pointed towards the property. MT believes that the ditches are at the outer limits of zone 2 and that the water coming off of the property does not extend to the Cross Street Well, impacting the water quality. KH- Cross Street Well has been discontinued. Kevin Smith was present and stated that he has been cleaning out the culverts on the property for many years. The lot has been used for agricultural purposes and as such, carries certain exemptions. Richard Hanks, Building Commissioner was present and wanted to add on their behalf that the Gallants have always filed a permit for whatever project they were doing and seek approval. The have been farming on the property for years and he believes that there is no malice. MT- We are going to take the time to review all aspects.

**3.2 Discussion of hearing procedures – move to 5.0**

**3.3 Sign Standard Order of Conditions for DEP#308-664, Main Street- signed**

**3.4** Approve payment to MACC in the amount of \$110.00 from the Wetland Protection account for Jim and Anne Le Cuyer's participation in Unit 103- JH moves to approve payment. KH seconded. All in favor.

**4.0 Correspondence:**

**4.1** Referral Notice from Planning Board in regards to 27 Scales Lane – Applicant has filed concurrently with Conservation.

**4.2** Notice of First Right of Refusal for "PARCEL-A", 142 North End Road – Commission not interested in the parcel.

**5.0 Items for discussion at the next meeting – 3.2**

**6.0 Advertisements and Conferences**

**7.0 Next meeting: May 22, 2019 at 7:30pm**

**8.0 Adjournment** – JL moves to adjourn at 9:25. KH seconded. All in favor.

