



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, June 12, 2019 at 7:00PM

1.0 Preliminaries

1.1. **Open Meeting-** MT opened the meeting at 7:00 pm

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) . James Deroian (JD) and Clerk, Christine Vitale (CV) were absent.

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

3.6 *Sign Emergency Certificate for beaver dam removal at 520 Main Street*

AL moves to add item 3.6 to the agenda. KH seconded. All in favor.

1.4 **Chair's Report-** MT- Will address items throughout the agenda.

1.5 **Agent's Report --** DH- Will address items throughout the agenda

1.6 **Review of Minutes –** KH moves to approve and release the 5-8-19 minutes. JH seconded. All in favor.

KH moves to approve and release the 5-22-19 minutes. JH seconded. All in favor.

2.0 Hearings and Appointments

2.1 7:05pm

Continuation of Notice of Intent DEP#308-

Applicant: Squannacook Greenways, Inc.

Location: MBTA parcels located south of Route 119, starting at Depot Street and ending at the Townsend-Groton town line

Project: The proposed project is for the construction of a public access trail. Project is located within the riverfront area, ACEC and NHESP.

MT opened the hearing. Stan Dillis (SD) was present representing Squannacook Greenways, Inc. A Site walk had been conducted on June 8, 2019. SD discussed the staging area behind Hannaford and on Old Meetinghouse Road. Trucks will be able to access staging areas without having to remove many trees. Rock will be placed down to prevent erosion. Drainage swales in one area have been neglected and has possibly created a wetland. The area does not rise to the level of the Wetland Protection Act but would be covered under the bylaw. SD- the area is not connected to any wetlands. MT- had observed that the area was wet and displayed vegetation and some hydraulic soils. KH- suggested installing a boardwalk to avoid removal of ties in this area. SD believes it would be more beneficial to remove the rails and ties. JL believes that ongoing maintenance of a boardwalk would be a financial burden to the non-profit organization and volunteers. MT would like to see a 1:1 mitigation and an alternatives analysis.

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KH moves to continue to 6-26 at 7:05 pm. JH seconded. All in favor.

2.2 7:20pm **Abbreviated Notice of Resource Area Delineation TWB#2019-159**
Applicant: **Daniel Gardner**
Location: **0 Seaver Road**
Project: The proposed project is to review wetlands onsite.

MT opened the hearing. Paul Grazuewitz from GRAZ Engineering was present representing applicant Daniel Gardner. The area has been flagged. DH has visited the site on more than one occasion and was pleased with the location of the flags.

JH moves to issue an Order of Resource Area Delineation. KH seconded. All in favor.

2.3 7:45pm **Request for Determination of Applicability TWB2019-158**
Applicant: **Joseph and Rhonda Gallant**
Location: **28 Adams Road**
Project: The proposed project is for the continued maintenance of trenches located within the ACEC.

MT opened the meeting. Joseph and Rhonda Gallant were present. The commission received an email from Joan Savoy and William Cadogan regarding a recoding that was requested. The recorder failed while recoding and the meeting was not captured in its entirety. The email was accusatory in nature and had implied that the recoding was tampered with. DH noted that an RDA had been filed for this property by Cadogan Savoy and was withdrawn on 5-2-19. DH requested to look at the hydrological connection on Cadogan/ Savoy property on 5-2-19 and the homeowner declined.

Ditches on the property have been maintained in excess of 100 years. Ditches were recently cleaned out, being maintained for agricultural purposes. An Order of Condition issued under the bylaw allows maintenance of the ditches in perpetuity. A Superseding Order of Conditions was issued allowing the maintenance of the culvert under the driveway. The Gallants provided various tax documentation for the agricultural purposes. DH spoke with DEP to verify the exemption. The ditches have been maintained but were dug a little too deep. Aerial photos have shown that the ditches have always been maintained. A plan dated 1906 distinctly shows the ditches and minutes from 2009 noted that the ditches are a function of the drainage. MT- The Gallants have been complying, the land is not within zone 1 and are at the very outer limits of zone 2. DH recommends a Negative Determination under the exemption of Agricultural use. JH- Does not recommend any conditions as it would constrain the use and they should be exempt. JL agrees as this is a Right to Farm Community. MT would like a finding that the activities meet the agricultural exemption. If agricultural work ceases, then they may only maintain the ditch under the driveway. JL moves to issue a finding that the activities are exempt under the Wetland Protection Act and Townsend Wetland Bylaw for agricultural purposes as the Gallants have provided sufficient information supporting agricultural use. JH seconded. All in favor.

KH moves to issue a finding that the lot does not lie within the Cross Street Well. JH seconded. All in favor.

JH moves to issue a Negative 3 Determination with the condition that the applicants file in accordance with the WPA and TWB if the land is out of agricultural purposes. JL seconded. All in favor.

KH moves to close the meeting. JL seconded. All in favor.

2.4 8:00pm **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.
NHESP has issued a second letter to landowner.

KH moves to continue to 6-26-19. JH seconded. All in favor.

3.0 Work Session:

3.1 Compliance Issues- None

3.2 Sign Emergency Certificate for beaver dam removal at 9 Todd Drive -signed

3.3 Discuss Emerald Ash Borer Outreach and Management- Information has been added to the website. LB spoke with the Tree Warden. He was aware and made comment that Townsend does not have many Ash trees.

3.4 Sign Orders of Conditions for DEP#308-667, Highland Street- signed

3.5 Sign Orders of Conditions for TWB#2019-156, 27 Scales Lane – signed

3.6 Sign Emergency Certificate for beaver dam removal at 520 Main Street -signed

4.0 Correspondence:

4.1 Approval not required from Planning Board regarding West Meadow Road- signed

4.2 Resignation of Christine Vitale submitted to Town Clerk 5-24-19- Vacancy has been posted

4.3 Letter from MACC recognizing John Hussey's completion of MACC Fundamentals

4.4 Letter from MACC recognizing James Le Cuyer's completion of MACC Fundamentals

4.5 Letter from Fish & Wildlife regarding habitat management on town property- Commission would like to do a site visit of the area. We will contact F&W.

4.6 Referral Notice from Planning Board regarding Lot 3 Pierce Road- no comment

5.0 Items for discussion at the next meeting - EAB outreach

6.0 Advertisements and Conferences

7.0 Next meeting: June 26, 2019 at 7:00pm

8.0 Adjournment – JL moves to adjourn at 8:45 pm. JH seconded. All in favor.