



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, March 27, 2019 at 730PM

#### 1.0 Preliminaries

**1.1. Open Meeting-** JH opened the meeting

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

**1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting –** None

**1.4 Chair's Report-** None

**1.5 Agent's Report-** DH- items will be addressed throughout agenda

**1.6 Review of Minutes –** KH moves to approve and release the 3-13-19 minutes. AL seconded. All in favor

#### 2.0 Hearings and Appointments

**2.1 7:45pm Notice of Intent DEP#308-663**

**Applicant:** Adam & Cheryl McFague

**Location:** 62 Pierce Road

**Project:** The proposed project is for the construction of a new dwelling and demolition of an existing dwelling. Project is located within the ACEC and Estimated Habitat of Rare Wildlife.

Karen Hill recused herself. JH opened the hearing, legal notice was read. Project is for the construction and demolition of a home located within the ACEC and NHESP. Neil Gorman was present for the applicant.

Existing structure is 4,400 square feet. New dwelling is 29% smaller and will be moved 120' from the wetland. The area will be restored. NHESP has deemed the project exempt. The septic will remain the same as it has passed Title V. A new sewer pipe will be installed but will be outside the 100' buffer. Silt fencing will run along the gravel driveway. JL visited the site with DH and recommends issuing a Standard Order of Conditions. DH- New structure is further from the resource areas and reduces impervious surface, recommends a Standard Order of Condition as well as there is no alternative option for placement of the structure. JH would like another site walk conducted. Site visit is scheduled for Saturday at 9am.

CV moves to continue to 4-10-19 at 8pm. AL seconded. JH- Yes, CV- Yes, AL- Yes, JL- Yes, KH- recuses

**2.2 8:00pm Notice of Intent DEP#308-664**

**Applicant:** Tighe & Bond for Townsend Water Department

**Location:** Main Street

**Project:** The proposed project is for the replacement of approximately 3,100 linear feet of water main. The project extends from the intersection of Wheeler Road and Main Street (Route 119) to the Water Department's Main Street Pump Station at 512 Main Street.

JH opened the hearing, legal notice was read. Rick Canavan was present, representing Tighe & Bonde. The project is for half-mile replacement of a water main. Existing main will be excavated, sawed-out, removed and replaced. Erosion control will be installed in resource areas. No soil will be stockpiled as it will be backfilled. Project is exempt under the WPA. Area around Pearl Hill Brook will be monitored as it is not exempt. Commissioners' had many questions about the installation of drill boxes. KH had concerns about the drill material and what happens with that material if there is a breakout. Much of the soil is clay. The two boxes to be installed are in the riverfront area, one inside the 35' buffer. Box will be drilled down approximately 8'. Pumping area location has not been finalized as it is on private property. DH would like to do a site walk with Paul Refuse from the Water dept. before the next hearing.

KH moves to continue to 4-10-19 at 8:15. CV seconded. All in favor.

**2.3 8:15pm Request for Determination of Applicability TWB2019-153**

**Applicant:** James Gerry

**Location:** 28 West Elm Street

**Project:** The proposed project is for removal of existing garage and construction of a 28 x 40 garage located within the buffer of a wetland.

JH opened the meeting, legal notice was read. James Gerry was present. Project is for the removal of a garage which will be replaced with a little larger footprint. DH visited the site and recommends a Negative 1 Determination as the location is outside our jurisdiction.

KH moves to issue a Negative 1 Determination. JL seconded. All in favor.

KH moves to close the meeting. AL 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.

JH opened the hearing. Stan Dillis was present. NHESP has requested a wildlife habitat assessment. Client has hired someone. SD would like to wait until the study has been done and NHESP responds.

KH moves to continue to 4-24-19. JL seconded. All in favor.

**3.0 Work Session:**

**3.1 Compliance Issues**

**3.2 Discuss and review the Wetland Regulations – move to 5.0**

**3.3 Approve and sign Certificate of Compliance for DEP#308-611, 9 Depot Street Extension-** KH moves to approve and sign COC for DEP#308-611, 9 Depot Street Extension. AL seconded. All in favor.

**3.4 Approve and sign Certificate of Compliance for DEP#308-631, 264 South Row Road –KH moves to approve COC for DEP#308-631, 264 South Row Road. AL seconded. All in favor.**

**3.5 Approve payment to MACC in the amount of \$55.00 from the Wetland Protection account for Jim Le Cuyer and Anne Le Cuyer's to attend webinar-** KH moves to approve payment to MACC in the amount of \$55.00 from the Wetland Protection Account. CV seconded. All in favor.

**4.0 Correspondence:**

**4.1** Mandatory Referral Notice from Planning Board in regards to 187 and 199 North End Road – noted

**4.2** Notice from Planning Board in regards to amendment to Accessory Apartment Zoning By-law - no comment

**5.0 Items for discussion at the next meeting** – Earth Day, 3.2 and 3.1

**6.0 Advertisements and Conferences**

**7.0 Next meeting: April 10, 2019 at 7:30pm**

**8.0 Adjournment-** JL moves to adjourn at 8:50 pm. KH seconded. All in favor.