



## CONSERVATION COMMISSION

Town of Townsend  
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### Commission

Karen Hill, Chairperson

John Hussey, Vice Chair

Jim Deroian

James LeCuyer

Ann LeCuyer, Clerk

Dalton Wagman

Jenifer Eaton

### Minutes

Wednesday January 6, 2021 6 PM Zoom Meeting

#### 1.0 Preliminaries

-1.1 Open Meeting KH opened the meeting at 6:00

-1.2 Roll Call JH(P) JD(P) JL(A) AL(A) DW(P) JE(P) KH(P)

-1.3 Topics unanticipated by the Chair 48 hours in advance of the hearing (if any)

3.3 Planning Board meeting jointly with All Boards, January 7, 2021, 7:00 PM grants  
work session

4.4 Planning Board meeting jointly with All Boards, January 7, 2021, 7:00 PM grants  
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JH motioned to add in the appropriate place. JD seconded. JH(Y) JD(Y) JL(n/a) AL(n/a)  
DW(Y) JE(Y) KH(Y)

-1.4 Chair's Report None

-1.5 Agent's Report Comment during the meeting. He realizes how hard it is to be a public servant. He is proud of the work that the Commission has done, individually and in totality. You have been going about your service using a term that he used himself-SMILE. Service, Mentoring, Inspiring, Learning, and having Ethical conduct. He appreciates the way in which the Commission conducts themselves and how they go about their business.

KH announces that the meeting is being recorded. It was mentioned prior to the opening of the meeting.

-1.6 Approve 12/2/20 Minutes and 12/16/20 Minutes

JH, DW motion to approve and release. JD seconded. JH(Y) JD(Y) JL(n/a) AL(n/a) DW(Y)  
JE(Y) KH(Y)

#### 2.0 Hearings and Appointments

2.1 6:05 PM Continuation of a Notice of Intent for Diane

Silva/Iodice Family Trust/DEP # 308- 655

\*Applicant: Ducharme and Dillis for Diane Silva/Iodice Family Trust

\*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 located in ACEC and NHESP Estimated Rare Habitats. Filing under the Wetlands Project Act and the local bylaw.

### **Discuss the Proposed Order of Conditions**

*KH opened the hearing at 6:05. Stan Dillis (SD ) and Anne Rodgers (AR) present. SD-This all started with the Building Commissioner issuing a Cease and Desist for earth removal and unsafe areas. To rectify the area, that triggered a NOI, which triggered filing with NHESP, filing with the ZBA for earth removal/excavation permit and Planning Board for storm water permit Fish and Wildlife is interested in purchasing the property. The Con Com jurisdictional portion is in the back where there was a "historic" wetland that showed on a plan done in 2000. There is a pile of loam and a pile of screened stone calculated out to 460 yards and a couple of slopes that are dangerous. The original plan was to regrade slopes, loam and seed and restore the wetland. Since then, the wetland has come back on its' own. Facultative plants are growing in it. The consensus seems to be, to remove stockpiled materials and make slopes safe and to just leave it. Nature will take over. SD would like to modify the plan to reflect this. DH- had arranged a Zoom meeting on Monday, with SD, AR, KH, Rebecca Zimmer (RZ) NHESP, Anne Gagnon (AG) Fish and Wildlife, Eric Chartrand (EC) Building Commissioner. The original plan was to restore the wetland and reseed it. The area has revegetated itself with facultative plants-jewelweed, sedges and rushes over two growing seasons. Should the Commission allow this area to be left to its' own, which reduces the impacts to the resource area? It was suggested that an amended plan be submitted that shows the limit of work and show one plan for all parties, reflective of trash removal, earth moving etc., .would be beneficial. RZ and AG agreed no significant loaming or seeding should occur. NHESP issued an OOC in January 2020 which mentioned seasonality of work. No more trash can be removed until a plan is completed identifying the areas of work. F&W wants the trash removed. DW-are you suggesting no regrading? SD-only the unsafe areas would be regraded and it would be left exposed. DW -would the loam pile be removed? SD- that will stay on-site and be used somewhere. DW- would it be better to leave the piles there? Pat Huckery, Fish & Wildlife, (PH) leaving the loam piles as is, would be beneficial to the species. The rock piles really are not good habitat. Steep slopes are okay too. Spreading and seeding of the loam is problematic, sparsely vegetated areas are better habitat JH-there has to be a couple thousand concrete blocks as well as pipes that need to be removed. PH-. That could be some funky habitat for other critters-as far as Fish and Wildlife, they could stay there. SD- this is not a small pile of cinder blocks -probably 5000 and in piles ten feet high. PH-I meant the pipes. DW motions to let Stan amend the NOI with an all- inclusive plan of the work to be done. JH seconded. JH(Y) JD(abstain) JL(n/a) AL(n/a) DW(Y) JE(Y) KH(Y) DW motioned to continue to January 20, 2021. JH seconded. JH (Y) JD(abstain) JL(n/a) AL(n/a) DW(Y) JE(Y) KH(Y)*

DW motions for a recess at 6:58. JE seconded.

KH called the meeting back to order at 7:00

**Applicant:** Erika Dellova  
**Location:** 36 Old Battery Road  
**Project:** Septic replacement with related grading.

*KH opened the meeting at 7:00. Stephen Sears (SS) representing. This is a septic system replacement. The house was built in 1945. The current system is in failure. The entire parcel is within the 200 ft. riverfront. The new system is entirely outside of the 100 ft. buffer zone, with the exception of 500 sq. ft. of grading, being the toe of the slope.*

*JH motions to issue a negative 3 determination. JD seconded. JH(Y) JD(Y) JL(n/a) AL(n/a) DW(Y) JE(Y) KH(Y)*

*JH motioned to close the meeting. DW, JD seconded. JH(Y) JD(Y) JL(n/a) AL(n/a) DW(Y) JE(Y) KH(Y)*

### **3.0 Administration**

**3.1 Discuss and or vote under the Excessive Absence provision Section 7-10 of the Town's Charter to declare the position occupied by James Deroian vacant. No action**

**3.2 Fire and oil release at 0 Turnpike Road/Emergency Order/NOI**

*A fire occurred Dec. 22 approximately 1:30AM. There was a release of oil, quantity and type unknown. Townsend Fire responded and reported it to DEP. DH and KH arrived around 11:20. We asked the Rosbachs to help remediate some of the oil. Hay bales and wood shavings were installed. DEP responded with their sub-contractor, New England Disposal Technologies. Booms were installed in the retention basin, absorbents were used in the driveway. Impervious surfaces were steam cleaned. The area was stabilized and a clean-up plan was developed. Absorbents and waste water were taken off-site and disposed of properly.*

**3.3 Planning Board meeting jointly with All Boards, January 7, 2021, 7:00 PM grants work session**

### **4.0 Correspondence:**

**4.1 Response from Town Council, dated December 17, 2020, to AGO regarding OML violation complaint from Joan Savoy dated 12/3/20**

**4.2 Public Record Request from Joan Savoy, dated December 18, 2020, requesting the audio of the 12/16/20 Conservation Commission meeting**

**4.3 Letter from the AGO's office, dated December 21, 2020, releasing the OML complaint from Joan Savoy, dated 10/14 /20.**

**4.4 Planning Board meeting jointly with All Boards, January 7, 2021, 7:00 PM grants work session** *This is a meeting to discuss the types of grants that the Town may be interested in pursuing. Sub-committees may be formed.*

**5.0 Items for discussion at next meeting** Trail maintenance, 59 W Meadow, Baseline report.

### **6.0 Advertisements and conferences**

**6.1 UMass Extension's invasive insect webinar, Jan. 19, 26, Feb 2, and 9 2021**

**7.0 Next meeting tentatively January 20, 2021, 6 p.m.**

**8.0 Adjournment** DW motioned to adjourn at 7:35. JH seconded.

**JH(Y) JD(Y) JL(n/a) AL(n/a) DW(Y) JE(Y) KH(Y)**

**Per the Governor's Order and during the State of Emergency now-in-effect or until sooner rescinded, public bodies are relieved from the requirement that they conduct their meetings in a public place that is open and physically accessible to the public.; provided, however, that the public bodies shall ensure public access to deliberations through adequate, alternative means, which include (but not limited to) telephone, internet, or satellite enabled audio or video conferencing or other technology that enables the public to clearly follow the proceedings of the public body while they are occurring. The Order also allows remote participation by all members of a public body; and waives the requirements that a quorum and the chair be physically present at a meeting location. The Chairperson reserves the right to adjust the sequence of hearings/appointments and any other business on the agenda.**

