



CONSERVATION COMMISSION

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RECEIVED
APR 15 2021
TOWN OF TOWNSEND
TOWN CLERK

Karen Hill, Chairperson

John Hussey, Vice Chair

James Deroian James LeCuyer Anne LeCuyer, Clerk Dalton Wagman Jenifer Eaton

Minutes

Wednesday, March 24, 2021 at 6:00PM Zoom Meeting

1.0 Preliminaries

1.1 Open Meeting

KH announced the meeting is being recorded

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

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

3.4 Approve and sign COC 59 West Meadow Rd

3.5 Discussion on the Wild and Scenic Grant

3.6 Discuss and or vote how to proceed with interview for the Agents position.

4.5 Letter from Dillis and Roy dated 3/22/21, requesting COC for 59 West Meadow Rd

4.6 Letter from Brad Harris, MRPC, Draft Amendment #2 to the FFY 2021-2025 Montachusett TIP
DW moves to add in the appropriate location. JE and JD seconded.

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

1.4 Chair's Report

Selectmen have reduced the hours of the Conservation department. Agent is 15 hrs. a week. Admin is 19 hours

1.5 Agent's Report

1.6 Review of Minutes- Approve 3/11/21 Minutes

JD motioned to approve and release. JE seconded

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

2.0 Hearings and Appointments

2.1 6:05pm Continuation Notice Of Intent DEP #308-0681

Applicant: Wesco Corporation

Location: South Row Road Lot 1 **Open both hearings in conjunction**

Project: The proposed project is to build a single-family dwelling, installation of a septic system in Riverfront area and has associated wetland buffer impacts

KH opened the hearings for 308- 681 and 308- 682 conjunctively at 6:05. Paul Chisholm (PC) Keach-Nordstrom Associates, Inc. presenting. The plans were revised. Infiltration trenches, in two places, on the side of the cart path where the trench is close to the wetland which will help with erosion, slow the flow and reduce water temperature of any water going into the wetland. In addition one leach field was rotated per the Board of Health, which created a small reduction of impact in the 200 ft. 42 plantings of shrubs and trees to provide Habitat. The plantings are in the areas indicated for stockpiling of

materials. We are proposing a Maine logging Road mix on the cart path. DW questioned if any one currently on the Commission was on the Commission at the time this was approved in 2007. KH- this was approved in 2007 with direct wetland impact. The economy tanked in 2008, the Permit Extension Act kicked in in 2010, which extended permits to 2015-17 depending. They missed the deadline to get an extension. They filed a new NOI. DEP commented on the direct wetland impact, so they purchased the easement from the neighbor to avoid direct impact. DW asked if the easement was for the Presby System further back. KH-No, the easement was for the pipe so that there is only buffer zone impact. DW- so what was approved before was direct wetland impact this is an improvement on what was previously approved. JH- it is still only 7 ft. from the wetland. KH- it is allowed. JE- the easement, is that so the homeowners can have the system serviced? PC- there are a couple of easements. One is for both lots, to in the future, go back to the area of the leach field. The second, is on the neighboring parcel, which allows the permanent right of access. JE- does the easement mean that they going to plow or just go out there? PC- it is really only for access and would be mowed to prevent trees from growing on it. DW-what is the interpretation of Townsend Wetland Bylaw and the 35'? KH- no disturbance in the 35' is not in the bylaw. KH read the location of the 35'. Article of Wetland Regulation, sub section 150-2, general provisions, item K- the following items, 1-11, must be shown on a plan. Item 7- a vegetated buffer of naturally occurring plant material, a minimum of 35' wide along all wetlands and water bodies. You just have to show it on a plan, unless we deem it unnecessary or they ask for a waiver. JD- That was granted previously, correct? KH- Yes. DW- Paul how would you know if this system fails? Is there a certain number of years that this system needs to be re-inspected? PC- The biggest thing is that the tanks near the house be cleaned regularly. DW-There are cleanouts along the way, any scenario that so close to the wetland could be compromised, and the piping burst? PC- The piping is durable, and it is unlikely. KH- It isn't under pressure, it is gravity feed. PC- Typically what you would see fail would be the pump, not the pipe. JD- The homeowner needs to be aware. KH-No different from any other septic system, this is not our jurisdiction. The leach field is outside of the 100' JE- Not everybody's house is next to a wetland. KH-Actually, there are quite a few, and the septic systems go right up to the 100' buffer zone. This is outside of the 100' buffer, yet, inside the Riparian Zone. It meets the DEP regulations. DW- I am concerned with the proximity of the pipe to the edge of the wetland, if the system is compromised. PC- It's extremely unlikely that the pipes will break. Leach fields themselves have very specific rules in terms of setbacks to wetland, river front areas and other sensitive areas. This meets all of that and is governed by Title 5. The plan before you has to meet certain performance standards outlined by Dep and Board of Health. This plan meets all of those things. One of the specific performance standards that we have gone way above and beyond, is to acquire the easement from the neighbor next door. In the River Front Protection Area Standards, because of the date of the sub-division, we don't have to do the easement, but it gets us out of the wetland, and it's the right thing to do. DW is worried about setting a precedent. KH- It's allowed. PC- There is not a performance standard that we are not meeting. You are not setting a precedent, it's already been set because it's allowed. All of the performance standards have been met and that is what you are judging this on. KH asked PC to go over the plantings. Sweet Pepper bush, American hazelnut, which hazel, and alternate leaf dogwood. JD-

42 plants are a sizeable planting. KH- They have asked for a waiver of the 35', I have read the regulation to you.

JD motioned to grant the waiver. KH seconded. JH(N) JD(Y) JL(n/a) AL(n/a) DW(N) JE(N) KH(Y)

JD motioned to approve 308-681 and 308-682. KH seconded.

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

At 7:49 KH asked for a motion to close both hearings. JH- So moved. DW seconded.

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

2.2 6:20pm

Continuation Notice of Intent DEP#308- 0682

Applicant:

Wesco Corporation

Location:

South Row Road Lot 2

Project:

The proposed project is to build a single-family dwelling, installation of a septic system in Riverfront area and has associated wetland buffer impacts

2.3 6:35pm

Request for Determination of Applicability TWB 2021-100

Applicant:

Townsend Water Department

Project: The proposed project is to install a new wellfield and pumping station and to decommission the current wellfield. The proposed project is within Riverfront, located in NHESP estimated Habitat and ACEC.

KH opened the meeting at 6:44. Doug DeNatale (DN) AECOM, presenting. David Vigeant, (DV) Water Department Superintendent, present. The Water Department will decommission the existing tubular wellfield which consists of 50- 2 ½' pipes, and replace it with a well that was tested back in the 1990's and approved by DEP 400ft South of the existing tubular wellfield. An 8" diameter test well would be installed in the hayfield at the proposed well site. DEP requested the Water Department to pump the well for 5 days and take water samples at the conclusion, because 20 years has elapsed since the prior approval. Once DEP gives the final authorization to proceed, a permanent well, 24" in diameter, depth of 80' and a small pumping station will be installed. An unpaved access road connecting the new pumping station to the Main Street pumping station will be installed. The connecting water line and underground power will be installed under the access road. The Water Department would like to do the pumping test ASAP. The other permanent work will follow after the Summer. KH asked if they had heard from NHESP yet. DN-No. KH- We can't really approve this without their approval. We could conditionally approve. DW- Dave, you did core sample, I saw the pictures, you didn't find any evidence of wetland soils, correct? DV- Correct. KH- Everything they have proposed is exempt under the WPA. They have outlined the exemptions in their application. It is also exempt under Townsend Wetland Bylaw Chapter 138-1,C. KH read it aloud. JH motioned to issue a negative 5 determination with the provision that the Water Department contact the Commission prior to testing the well to inspect the erosion controls. JE seconded.

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

JH motioned to amend, pending NHESP approval. DW seconded.

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

JH motioned to close the meeting. JE seconded

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

Recess from 7:00 to 7:02

3.0 Work Session:

3.1 Amend OOC 308-669 Squanacook Greenways Rail Bridge resurfacing

Joan Wotkowicz (JW) and Bill Meehan (BM) present. JW- We have an OOC for the Rail Trail, in July 2020 we submitted a request to amend the OOC to repair the bridge next to the Grist Mill in the Harbor. It is badly deteriorated. The Commission had an issue with pressure treated wood being used. We have submitted a new request, the changes are in red. A tarp will be used under the bridge and a boom will be placed in the spillway to collect any small pieces. The boom is a plastic sleeve that can be filled with plastic bottles to serve as floatation. We are not replacing the ties, just the decking. The bridge is not for the Rail Trail, we are doing this for public safety. People on the Rail Trail are encouraged to use the sidewalk to the Harbor Church.

JD and JH motioned to approve and sign. JE and JH seconded.

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

3.2 Mandatory Referral ZBA re: Senior Center Expansion No comment

3.3 Mandatory Referral Planning Board re: Senior Center Expansion No comment

3.4 Approve and sign COC 59 West Meadow Rd

KH went out on the 18th and took pictures. They were sent to everyone. The slopes have been regraded. The work was done to what Fish and Wildlife wanted. Everything in our jurisdiction is done. JE motioned to approve and sign. DW seconded

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

3.5 Discussion on the Wild and Scenic Grant

JE-This is a Grant that Cemetery and Parks is applying for to stop traffic from driving to Adams Damn. This is the first part of a multi-phased plan. A gate is proposed, located at the Farmers Exchange to DW- Does this money come from the State? KH- No. It's from NRWA through the Wild and Scenic, which is National Parks. JE- We need to file an NOI so work can be done. KH-Wasn't a trail being recreated? JE- Once the gate is up, people will be encouraged to park in the Jefis St. parking lot and come in that way. There is erosion in that area. We want to install 6x6 wood fence with rebar to keep the edge from falling

down. Later, we will apply for a Grant to restore the River Bank and the steps that go down. Right now, we just want to make it safe and encourage people to use the parking lot. Bill Cadogan (BC)-I have been working on the NOI, and was wondering if this would be a Limited Project. We are trying to enhance the path from Jefts St .parking lot so that people will stay safely away from the river bank. JH- instead of pressure treated, concrete railroad ties could be used. That would be more environmentally friendly and stable.

3.6 Discuss and or vote how to proceed with interview for the Agents position.

KH- In the past, the Land Use Dept. would have been involved in the interview process. JE-This is about how we want to go about the interview process? KH-Correct.JE-WE don't meet again until April 14th, so how could we do this? Could we meet sooner? KH-If TCAM has the time. JH- Or the chair and another board member could interview. JD feels that the whole Commission should have a say. JE- If everybody is willing to meet, then we should have a special meeting. DW- Can we meet privately, or does this have to be broadcast to the general public? I don't want to compromise the candidate's current employment. KH-No, this wouldn't be public. DW- Weekday evenings around 7:00 work best.

JH() JD() JL() AL() DW() JE() KH()

4.0 Correspondence:

- 4.1 Legal Notice from Planning Board dated 3/11/21 re: Site Plan Review Special Permit, Senior Center Expansion Public Hearing April 5 2021
- 4.2 Legal Notice from ZBA dated 3/11/21 re: Special Permit, Senior Center Expansion Public Hearing April 7, 2021
- 4.3 Mandatory Referral ZBA re: Senior Center Expansion
- 4.4 Mandatory Referral Planning Board re: Senior Center Expansion
- 4.5 Letter from Dillis and Roy dated 3/22/21, requesting COC for 59 West Meadow Rd
- 4.6 Letter from Brad Harris, MRPC, Draft Amendment #2 to the FFY 2021-2025 Montachusett TIP

5.0 Items for discussion at the next meeting:

6.0 Advertisements and Conferences:

- 6.1 MACC Spring Conference April 6-17,

7.0 Next meeting: April 14, 2021 at 7:00pm

8.0 Adjournment

DW motioned to adjourn at 8:00. 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.