

In attendance: Mr. Rabbitt presiding, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

## **Town of Lunenburg Conservation Commission**

Richard Bursch, Chair  
Jack Rabbitt, Vice-Chair  
Brad Kennedy  
Tom Bertram  
Carl Luck  
Todd Dwyer  
Kenneth Jones



Tel: (978) 582-4146  
960 Massachusetts Ave.  
Lunenburg, MA 01462

### **NOTICE OF MEETING**

Wednesday, January 20, 2016, 6:30 PM  
Ritter Memorial Building, 960 Massachusetts Avenue  
Lunenburg, MA 01462

### **MINUTES**

**Call to Order – Vice Chair Rabbitt, presiding**

#### **Announcements**

**Public Comment – Commissioner Jones presented the commission with a letter on plantings for promoting butterfly habitat. The person promoting would like to plant on conservation land. The Commission requested Mr. Marro extend an invitation.**

**Commissioner Jones noted there is some chapter land that may be coming for sale on Howard Street. It is a 15.2 Acre parcel. He noted that it is on close proximity to a commission parcel that is 300 acres. There is a 5 acre landlocked parcel that the commission may wish to consider contacting the owner. Commissioner Jones will continue to pursue with Land Use Director Burney.**

**Commissioner Bertram reported that a proposed new trail would be created establishing a connection to Large Town Forest. The parking lot at the Lane Property has been reported as complete. The material used was processed gravel.**

**Commissioner Rabbitt informed the Commission on the forthcoming EPA storm water regulations that the implementation would likely be delayed until the end of 2016.**

**Approval of Minutes** November 18, 2015, December 2, 2015 and January 6, 2016 – No action taken

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## **Appointments/Hearings**

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public hearing on a Notice of Intent filed by Tanner Cole of Patience Realty, LLC (Chris MacKenzie of Whitman & Bingham Associates, LLC). The proposed project is for installation of a new septic system and well to replace existing failed system and existing well. The project is located at 1134 Northfield Road.*

*Mr. Mackenzie was present to represent the applicant. He oriented the commission to the site and the scope of work in relation to the wetland resource areas and the no touch zones. He noted that places to locate the proposed system were very limited. There is a Presby System proposed. There is some grading that will go into the 50 foot section of the buffer zone. There was one small area that traverses into the 30 foot no touch zone. Commissioner Rabbitt inquired if a wall could be constructed. Mr. Mackenzie noted that there is some grading in the public road that would have to be increased with a wall and the limit of work in that area is within 25 feet of the wetland resource area. It was pointed out by Commissioner Bertram that the existing terrain is driveway and that it is going to be converted to vegetation. The Commission examined a vegetative buffer for the area. Commissioner Dwyer inquired as to erosion procedure. Commissioner Jones moved for a standard Order with a vegetative barrier at the toe of slope. Commissioner Bertram seconded and the commission voted unanimously.*

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public meeting on a Request for Determination of Applicability filed by Edmond McSweeney. The proposed project is for Construction of a single family, house, garage, septic system and artesian well installation. The project is located at 90 West Townsend Road.*

*Angel Lehtonen represented the applicant she oriented the commission to the site in relation to the existing work and the area under consideration. She outlined the underlying soils. She also outlined the conflicts in the vegetation. Mr. Marro stated he inspected the area and found it was not a wetland. Commissioner Bertram indicated that the actual wetland be delineated to ensure no buffer intrusion. Commissioner Bertram moved to issue a negative determination with the condition the applicable section of actual wetland be delineated. Commissioner Luck second and the commission voted unanimously.*

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public meeting on a Request for a determination of applicability. The proposed project is for replacing a single car garage with a 24 by 24 foot two stall garage with a second story living area on the outer edge of the 100 foot buffer zone. The project is located at 72 Peninsula Drive.*

*Peter Cowley the property owner was representing himself. He oriented the commission to the site and the relation to the wetland resource areas. He stated that the garage was to be a 2 stall with a game room on the top floor. He noted the fact that the land was naturally bermed and would not allow flow to enter the lake. He added the wattles on his plans that Mr. Marro had suggested on the site walk.*

*Commissioner Bertram inquired of Mr. Marro if he feels a request is appropriate or is a notice of intent required. Mr. Marro noted that there was not enough work proposed in the buffer zone and that he felt a negative determination was appropriate. Mr. Bertram moved for a negative determination with the conditions that the wattles as outlined on the site visit be installed and that grading be minimal. Mr. Luck seconded and the commission voted unanimously.*

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public meeting on a Request for a determination of applicability by Brian Hoffmann. The proposal is for the repair of an existing retaining wall at 433 Townsend Harbor Road.*

*Mr. Hoffmann outlined the scope of work which was to replace a crumbled mason wall with a paver/stacked wall. Commissioner Dwyer cautioned the applicant that he should not extend the wall into the water in front of the old wall and it must be in the exact same spot of the old wall. Commissioners Rabbitt and Kennedy stated they would like to*

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*see a rock surface in front of the pavers to allow for a more natural habitat. Commissioner Dwyer did note that it would still be fine to replace the wall in-kind. He stated he feels that asking for some added items to the wall is an unnecessary added expense that is not required under regulation. He also noted that the applicant can use any material as long as it is the same dimensions and he feels that going above and beyond is not necessary. Commissioner Bertram stated that he agreed with Commissioner Dwyer. Mr. Bertram asked Mr. Marro for his opinion and Mr Marro stated that he agreed with Commissioners Bertram and Dwyer. Commissioner Bertram motioned for a negative determination with the condition that no equipment enter the water and wattles be in place. Commissioners Kennedy seconded and the Commission voted unanimously.*

*Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public hearing on a Notice of Intent filed by JEG HOLDINGS, LLC (Mark Piermarini of Whitman & Bingham Associates, LLC). The proposed project is for construction of 65 single family homes and three roadways totaling 7700 Linear Feet. The project is located Off 961 Northfield Road.*

*Mark Piermarini appeared on behalf of the applicant. Commissioner Rabbitt inquired if the plan meets the requirements in the by-law. He noted that aside from wetland crossings that are necessary to access upland there is no intrusion into the 30 foot or 50 foot zones. Commissioner Rabbitt noted concerns that he wanted to see as little disturbance in the entire 100 foot buffer zone. The site is 180.9 acres with 59 acres of open space retained. He outlined the cul-de-sac locations and utilities. Mr. Marro recommended the hearing be continued and a site walk with the engineer be scheduled for the 30<sup>th</sup> of January. Mr. Piermarini reviewed the wetland crossings that utilize spans that met the stream crossing standards. Greg Bittner from the planning board inquired if there was an update wetlands flagging. Mr. Piermarini noted that the flags were located by survey and Mr. Marro noted he inspected and verified the flagging. DEP comments were examined by the commission. Commissioner Dwyer moved to continue to Feb 3<sup>rd</sup> 2016 , Mr. Luck Seconded and the commission voted unanimously.*

### **Current Business**

- 1. CONTINUED PUBLIC HEARING: UNITIL- 357 ELECTRIC AVE, NOTICE OF INTENT- The applicant requested a continuance until the Feb 3<sup>rd</sup>, 2016 meeting. Commissioner Kennedy moved the hearing be continued until the 2/3/16 meeting at 7PM with a second by Mr Luck and a unanimous vote by the commission.**
- 2. Senior work program.**
- 3. Signatures on documents to be issued.**

### **Old Business**

- 1. Holman Street Parking Area- Note: See public comment section**
- 2. Shirley Reservoir Drawdown Levels**
- 3. Forest Cutting Plans and updates**
- 4. Regulations and By-Law**
- 5. Commission Education- Mr. Marro informed the Commission about the upcoming MACC annual conference on March 5, 2016.**
- 6. Storm Water By-Law – See Public Comment Section.**
- 7. FY 17 Budget-**
- 8. Annual Report (Due February)- Mr. Marro is going to check on the details.**

### **Committee Reports**

**Notices & Communications- Mr. Marro read a thank you card from Jan Carrier to the Commission.**

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**Meeting Schedule- Next meeting for February 3, 2016 at 7:00 PM In the Ritter Memorial Administration Building.**

**Public Comment For Meeting Close.**

**Adjournment**