



**OFFICE OF THE
CONSERVATION COMMISSION**

TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
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Conservation Commission Minutes
Monday, February 12, 2024

Approved: **February 26, 2024**

Chair Alan Chaney called the meeting to order at 6:35pm.
Members present: Juan Amodei, Marijan Andacic, Kate DeLoureiro
Members absent: Leah Basbanes, Alan Chase and Al Starbird

Meeting Minutes of January 22, 2023

Kate made a motion to approve the January 22nd meeting minutes as presented. Marijan seconded the motion. – Motion passed unanimously.

Bills/Payroll

Juan made a motion to pay an invoice from StaySafe Traffic Products for \$85 to purchase the Swallow Mill Pond (SMP) sign. Kate seconded the motion. – Motion passed unanimously.

Marijan made a motion to pay an invoice from Mirick O'Connell for legal services around both the SMP title search and McLoon CR. Juan seconded the motion. – Motion passed unanimously.

Kate made a motion to pay the \$13.60 in DCC related mailings postage. Marijan 2nd the motion. – Motion passed unanimously.

Marijan made a motion to sign 2 payrolls. Kate 2nd the motion. – Motion passed unanimously.

Feedback on Brattle Development (41 Lowell St) 1/24/24 Technical Review Meeting

As an abutter to the proposed project, Chairman Alan recused himself from the discussion and left the Commissioners table.

As the Commissions representative during the technical review meeting, Marijan led the discussion to update the members present on the technical review meeting with the



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Brattle Development team. He distributed a hard copy of the summarized notes from the meeting and reviewed the questions and responses posed on behalf of the DCC.

The Commission's inquiry about the proposed buildings abiding by Town's 60'-100' wetland bylaws setbacks were responded to: *"No, they will likely apply for a Notice of Intent to allow them to build within the wetlands buffer zone."* They don't know how close they'll be at this time, but they are confident that they will apply to the DCC for proximity to build within the wetland buffer zone area. They do not have an updated wetland delineation at this time but will be having one done as part of any wetland filings to come.

The Commission had asked how all the open space would be handled. The Developers expected to have a Conservation Restriction (CR) held by either the DCC or the DRLT.

The Developers do not have a definitive plan for the development yet. They expect waste processing/sewage treatment will be on-site. Probably in a portion of one of the bigger buildings or a small separate building nearby.

Marijan noted that the DCC should offer thoughts, concerns, and recommendations back to the Select Board. Of which these three recommendations were determined:

- 1) All buildings to be outside of the wetland buffer zones
- 2) addition of natural pond side vegetation
- 3) CR to be held by third party

It was agreed that the Commission would have an opportunity to offer conditions around any building during a future Notice of Intent hearing.

Swallow Mill Pond Grant Award Related

The Administrator noted:

- the required signage for the property has been received.
- the ANR for the 4.76-acre property was approved by the Planning Board on Feb. 5th. This is needed for the deed to be created.
- A draft of the Conservation Restriction has been sent to the state and a municipal certification is to accompany it. An EEA DCS CR Municipal Certification Form requires the DCC signatures and all members present signed it.
- The title search is expected to come back shortly from the Town counsel's office. They quoted a \$219 cost for title insurance on the \$60,000 purchase price.



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Alan shared that the LAND Grant management plan needs to be updated and will require some site work this Spring. The Commission will spend a few hours when the weather turns warmer to help trim up some pathways and mark out the parking area. An old metal culvert needs to be addressed with a new culvert and some loads of gravel. Alan will speak with the Roads department to see if they can assist with the replacement culvert and signage installation.

Site Visit Feedback on Proposed Tracking Ground Mounted Solar Array – 165 Pleasant Street

Property owner Joe Dean was in attendance to answer questions from the Commission.

A site visit occurred on Saturday, January 27th at 10am with Marijan and Alan visiting the property. They thought two trees, a big pine and smallish oak, should remain. Mr. Dean presented a photograph of the leaning pine which he'd prefer to have removed before the installation of the ground mounted solar array. He shared that this pine tree is located ~35-40' from brook bank, and as it was leaning, they feared it could fall onto the array. The Commission agreed to allow this additional tree to be cut. Mr. Dean will not be stumping any of the trees removed but have stumps ground in place.

The Commission agreed that the project to install ground mounted solar would not require any formal wetland filing. Mr. Dean's vendor should proceed towards filing a Special Permit application and site plan review with the Planning Board.

Open Space and Recreation Plan Status (expires March 2025)

This will be an ongoing discussion. Leah had emailed that she had started her review, and she thought the Town Administrator was reaching out to NMCOG for their services to help update the plan.

Proposed Barn Location – 93 Westford Street

The property owner had contacted the Commission after reaching out to the Building Inspector to inquire about building an additional barn on the property. There are adjacent wetlands and the lots on Westford St. abut the 25.5-acre Black Brook Conservation Restriction held by the Commission.



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The Commission agreed that they should wait for the rest of the members to determine a site visit timeframe that works best for all this Spring.

MASSTRAILS Grant Letter of Support for Town

A grant to pursue a trail system in the center of town with sidewalks to the pond, library and cemetery is being considered. The Town Administrator requested letters of support from Town boards and the Commission.

Marijan made a motion for the DCC to support the Town's MASSTrails grant application. Kate 2nd the motion. Motion passed unanimously.

MASSTRAILS Grant 2023/Drew's Landing Boardwalk Follow-up

The Commission reviewed an email response from Hoyle-Tanner regarding the options to reduce construction costs on Drew's Landing Boardwalk proposed in the prior year's MASSTrails grant application. The costs accommodated the requirements of the MASSTrails Grant to be handicap assessable. Alan asked the Administrator to send the email to all members for additional consideration in a future discussion.

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

Land Conservation

Alan noted the 83-acre property along Salmon Brook which had been introduced during the prior meeting had not materialized for conservation. The owners decided to hold onto the property.

Marijan made a motion to adjourn at 7:31pm. Motion seconded by Kate. – Motion passed unanimously.

The Conservation Commission will meet next Monday, February 26th at 6:30pm, at the town hall.

Respectfully submitted,
Carol A. Rock
Administrative Assistant, Dunstable Conservation Commission