



**OFFICE OF THE
CONSERVATION COMMISSION**

TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
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Conservation Commission Minutes
Tuesday, October 10, 2023

Approved: **October 23, 2023**

Chair Alan Chaney called the meeting to order at 6:30pm.

Members present: Juan Amodei, Marijan Andacic, Leah Basbanes, and Al Starbird

Members absent: Kate DeLoureiro

Notice of Intent, Public Hearing – 211 Off Pond Street, Maureen Herald of Norse
Environmental Services, Cynthia Golubisky-DiPrizito

Alan opened the Public Hearing at 6:30 with a reading of the Public Notice.

Maureen Herald presented the NOI on behalf of the owner/applicant, Cynthia Golubisky-DiPrizito who was in attendance with her husband Fred.

The project focuses on an existing single-family dwelling on Massapoag Pond. The request of the applicant is to raze the existing dwelling and construct a new single-family dwelling. The bank of the pond is flagged and highlighted on the plans. To the east of Off Pond St. is a bordering vegetated wetland which is also highlighted on the plans. In addition to the new home, they are proposing installation of a new septic system, which has been submitted to the Board of Health for review and approval. Given the new build and proximity to side lot lines, the applicant has applied to the Town Zoning Board of Appeals, where a public hearing is pending.

They are proposing some flood plain alterations. In the bordering land subject to flooding, they propose to alter 4.5 c.f. of flood storage loss and provide 36.5 c.f. replacement to takedown some timber retaining walls and reconstruct with block. They are requesting a waiver from the Commission on the 60' setback for new structures. The proposed structure is approximately in the same location as the existing one. They are requesting some trees near the banking be removed.

Leah asked about the flood plain alterations and removal/replacement of the timber retaining walls and if there were any options for moving it back. Maureen indicated there are possible options and noted an existing stairway (in tough shape) which they wished to maintain as access to the bank.



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Leah also asked about the 60' waiver in the no disturb area and noted that the Commission had not done a replacement build vs. additions in the past. She noted the work would only be allowed if it were not to be any closer to the area than the existing structure.

Maureen noted the work is proposed to be closer to swap out the timber retaining walls with block. They are hoping that given the original house was built in the 1950's, predating the Wetland Protection Act and the Town's wetland bylaws, that the Commission will allow the waiver for the building replacement. She noted the proposed house deck is 25' off the bank and a patio is only 22' off the water edge. The patio would make it 5' closer than existing and the deck would be 2' closer.

Alan noted that you cannot go closer than already built, although they could expand the house footprint sideways. Maureen noted that the septic design is for a one-bedroom and the owners have put together a modest home design in hopes of approval to rebuild. She indicated the ZBA would not likely allow side-expansion given proximity to the side lot setbacks, although that is why they are petitioning that Board.

Leah asked why the trees along the bank were requested for removal. Maureen noted the 'big scary pines' potential for falling on the house. If tree removal were to be approved by the Commission, Leah asked for native replacement plants/shrubbery of some kind to help support the bank.

A Commission site visit to review the property and existing conditions was set for October 14th at 2pm. The applicant requested a hearing continuance.

Leah made a motion to continue the hearing until October 23rd. Marijan 2nd the motion. – Motion passed unanimously.

Letter of Request for Trees Removal – 47 Lower Dam Way

The Administrator received an email from a citizen living on Massapoag Pond requesting to discuss the possibility of removing three very tall, white pine trees.

The Commission will request a visit to the site, likely for Oct. 14th, immediately following the nearby 211 Off Pond site visit.



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Site Visit Findings – 19 Woods Court

Leah and Alan visited the owner and site on October 8th.

The property owner seeks to build a new shed/barn within 100' of the vegetated buffer zone but not within 60'. They had their wetlands delineated and field flagged this past summer in anticipation of a visit by the Commission to assist with the best location for the new structure. The owner had staked out a potential site for the building, which will be done on footing pilons to minimize soil disturbance.

Leah noted the area had quite a bit of bittersweet invasives and others which the owner hopes to address.

Alan and Leah agreed there was nothing to indicate the building could not be constructed. They advised the owner to submit a formal Request for Determination to the Commission with a plan to scale of the wetland and the proposed structure location.

Organization of Clearing Parties: Woodward's Mill/Shaw's Conservation Area & Stone Arch Bridge

Alan has talked to the Highway Department about removal of the telephone pole posts with the cable and they agreed they could help. A large granite stone source to replace the pole which delineates the parking area has not yet been found.

A date of October 28th at 1:30pm was set to visit the properties and work on clearing brush near the bank area and tree limbs. Alan will bring the cemetery power equipment and his truck.

Meeting Minutes of September 25, 2023

Leah made a motion to approve the September 25th meeting minutes as presented. Marijan 2nd the motion. – Motion passed unanimously.



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Bills/Payroll

No bills. Leah made a motion to sign payroll. At 2nd the motion. – Motion passed unanimously.

Resignation of Tiffany Naughton from Conservation Commission

Tiffany has notified the Commission via email that she is unable to continue in her role with the DCC due to time constraints as she is working on her master's degree. A search for a new member will commence.

Marijan made a motion to adjourn at 7:33pm. Motion seconded by Leah. – Motion passed unanimously.

The Conservation Commission will meet next Monday, October 23rd at 6:30pm, at the town hall.

Respectfully submitted,

Carol A. Rock
Administrative Assistant
Dunstable Conservation Commission