



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 **Monday, May 6, 2019**

Approved: May 20, 2019

Vice Chairman Alan Chaney called the meeting to order at 6:07pm

Members present: Tara Alcorn, Marijan Andacic, Leah Basbanes and Kieran Meehan (6:52pm)

Members absent: Juan Amodei and Jeff Haight

Meeting held: at the Dunstable Town Hall – 511 Main Street-lower level – Grange Room

Building Permit – 31 River Street – David Tully III

Did not attend meeting.

Certificate of Compliance – 157 Forest Street - Mitchell

Alan reported that he went out to the site earlier in the day. Everything looked in order. The homeowner may now remove the silt fence. Leah made a motion to issue the Certificate of Compliance for 157 Forest Street. Tara 2nd the motion. – Motion passed unanimously.

Signing of Land Management Plan for Frye CR

The Administrative Assistant passed out the Frye CR Land Management Plan for review and signatures. Leah made a motion to sign the document. Marijan 2nd the motion. – Motion passed unanimously.

461 Forest Street – Dennis Chartier – Removal of Stumps

Mr. Chartier stopped by the office the week before asking to meet with the Commission; however, he did not show up at the meeting.

Certificate of Compliance – 23 Massapoag Way – Ken Tully – 147-0281

Mr. Tully requested a Certificate of Compliance (COC) in November of 2017, however, when the Commission went out to the site; they discovered that a corner of the porch encroached into the 60-foot “no build” area of the wetlands. Mr. Tully met with the Commission on December 11, 2017. Members denied the request for a COC but agreed that removing the porch would cause additional damage to the resource area. At that meeting, Mr. Tully agreed to submit a plan to provide restoration of the eroding stream bank and complete the work by July 1, 2018. He would then resubmit his COC request.

Mr. Tully submitted a new request for a Certificate of Compliance and attended the meeting on April 22, 2019 where he explained that although he did not submit a restoration plan as requested by the Commission, he completed the work. Members agreed to approve and release the COC after inspection of the site to insure that Mr. Tully complied with the December 2, 2017 letter. Leah went out to the site and determined that Mr. Tully in fact had not done the work. While there, Leah noticed additional violations of the Order. Tara then made a motion that



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under the current conditions, to rescind the previous approval made at the April 22 meeting and deny the Certificate of Compliance stating the following reasons:

Order of Conditions - Additional Conditions

#21- The builder must install permanent demarcation of the wetlands by either fence, stonewall, or materials which must be approved by the Conservation Commission prior to installation.

#22 – Driveway: the 250 feet from Massapoag Way heading towards the house shall be crushed stone with regular pavement allowed from the 250-foot mark (near the well) to the house.

Letter of December 12, 2017 stating that in order for the project to be brought into compliance

- a. A plan to provide restoration of the eroding stream bank must be submitted and approved by the Conservation Commission
- b. The plan must be submitted and work completed by July 1, 2018.

Mr. Tully is to work with the Commission on rectifying the issues at 23 Massapoag Way and resubmit his request for COC once completed and the area is stable.

Discussion on Bertrand Order of Conditions – 493 Forest Street

The Commission decided they would schedule a site visit to 493 Forest Street. #15 of the General Conditions under the Massachusetts Wetlands Protection Act, as well as the Additional Conditions on the Order of Conditions (#1) both state that "*members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to the Order at reasonable hours to evaluate compliance with the conditions*". The Commission will contact Mr. Bertrand to have him suggest a convenient time for members to go out to the property.

Meeting Minutes – April 22, 2019

Tara made a motion to approve the meeting minutes from the April 22 meeting. Marijan 2nd the motion. – Motion passed unanimously.

Bills/Payroll

Tara made a motion to sign the one invoice for the title company (Frye CR) and payroll. Marijan 2nd the motion. – Motion passed unanimously.

Memorial Day – May 27

The next scheduled meeting of the Conservation Commission will be moved from Monday, May 27 to Monday, May 20 at 6:30pm.



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Additional Topics Discussed Not Noted on the Agenda

Annual Town Meeting

Leah talked about putting together a PowerPoint presentation for the Annual Town Meeting to explain the proposed changes to the wetland bylaw.

153 Hall Street – Jeff Rosen

Mr. Rosen stopped by the meeting with the Building Inspector to ask about a proposed building on his property. Members asked him to stake out the area where he would like to place the building and they will stop by this week.

Motion was made, 2nd and passed unanimously to close the meeting at 7:10pm.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Conservation Commission