



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, June 10, 2019**

Approved: June 24, 2019

Chairman Alan Chaney called the meeting to order at 6:33pm

Members present: Tara Alcorn, Leah Basbanes, Kieran Meehan and Juan Amodei

Member absent: Jeff Haight and Marijan Andacic

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

### **Wildlife Signs – Girl Scout Project**

Two girl scouts asked to meet with members to present a poster presentation on wildlife deaths. Emily Callahan and Nasta Koyutis explained that there are areas in town where they have observed more than the normal amount of dead wildlife, killed by vehicles. These areas are near streams/brooks and include Forest Street, Pleasant Street, Mill Street and Route 113 near Salmon Brook. They asked the Commission if they could post "wildlife crossing" signs in those areas. They would need eight signs. Members asked the scouts to work with the Highway Department and Conservation Commission on where to place the signs. Alan asked that the Administrative Assistant place notice in the Neighbor to Neighbor and Next Door about their project.

### **ANRAD Hearing – 39 Lowell Street – Leo Dumont**

Alan turned the meeting over to Leah Basbanes, announcing that since he is an abutter, he would not participate in the discussion or vote on the application. Leah opened the hearing at 6:44pm. Marijan, Tara and Leah attended the site walk on June 8. Leah said that the wetland delineation had not changed much from the original delineation done in 2011 (one area expanded a bit). The DEP file number assigned is 147-0305. Matt from Land Tech Consultants represented the applicant. Five parcels make up the 75-acre project. They are Map 17, Lots 4-1, 6-0, 6-1 and 13-0. Most of the wetlands are in the east and southeast. There is a pond on the site. Power lines go through some of the parcels. DEP made the following comments:

*"Assessors Lot 17-13 is referenced in the NOI and Sheet 4, but not on Sheet 1. The Site Plans should clearly label any vegetated wetlands that are isolated (not BVW)." "Verification of the limits of Bordering Land Subject to Flooding is not included in Section B (3) of the NOI, yet a 100-year floodplain is shown on the Site Plans. The 100-year Floodplain on the Site Plans is approximate and was derived from a Zone A overlay. Since an exact 100-year floodplain elevation is not available via FEMA Flood Profile data, the limit of Bordering Land Subject to Flooding should be determined using the procedures outlined in 310 CMR 10.57(2)(a)(3)." No one in attendance had any questions or comments on the delineation. After the discussion, Kieran made a motion to close the hearing. Tara 2<sup>nd</sup> the motion. – Motion passed with Alan abstaining from the vote. Kieran made a motion to approve the ANRAD delineation plan with the following changes discussed: 1. Adding a note on the plan that the Flood Zone A has no*



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elevation and is not approved under this filing. Any future work in this area will require floodplain determination. 2. Adding the assessor's lot 17-13 to the plan; and 3. Label any vegetated wetlands that are isolated as such. Tara 2<sup>nd</sup> the motion. Motion approved with Alan abstaining from the vote. Plan approved: Abbreviated Notice of Resource Area Delineation – 19 Lowell Street, Dunstable, MA, by Land Tech Consultants, Job No. 18-206, DWG. No. 10558, five sheets, prepared for Leo Dumont Jr., 323 Forest Street, Dunstable, MA 01827, dated April 22, 2019 with a revision date of 6/11/2019.

### **153 Hall Street – Jeff Rosen – Site Visit Results – Shed**

Leah had previously gone out to the site and discovered that the area Mr. Rosen wanted to place his shed is within the 60' "no build" area. Mr. Rosen attended tonight's meeting to ask for clarification on "*nor shall any new permanent structure or impervious surface (greater than 100 square feet in the aggregate) be permitted within 60 feet of any freshwater wetland*". He asked if the Commission would allow a smaller, 8'x12' (96 sq. ft.) structure (on blocks) within 60' of the wetlands. The Commission said that that would be acceptable under the bylaw.

### **Occupancy Permit – 467 Forest Street – Chris Doherty**

Mr. Doherty told members that the house at 467 Forest Street has been built and he is looking for an Occupancy Permit signature. He said that the replication area located on 461 Forest Street (Chartier) would be completed when Mr. Chartier does his site work. The driveway will remain gravel until site work for both houses has been completed. Mr. Doherty was told that the Commission would sign off on the Occupancy Permit tonight, but reminded him that he would need to submit an as-built and apply for a Certificate of Compliance (COC) once work on both 461 and 467 has been completed and the areas are stabilized.

### **Meeting Minutes – May 20, 2019**

Juan made a motion to approve the meeting minutes from the May 20 meeting. Leah 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Bills/Payroll**

No bills. Tara made a motion to sign the payroll. Juan 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Result of Site Visit – 493 Forest Street – Christopher Bertrand**

Alan abstained from the discussion. Leah and Tara went out to the site just before the meeting and met with Mr. Bertrand. His as built shows the new house being 60 feet from the wetland. Grass is growing in. A 40' x 50' barn structure (on a slab) built approximately 63 feet from wetland flag 42 was not included in the original order. A building permit issued by the Building Inspector was without the knowledge or approval of the Conservation Commission. Mr. Bertrand told Leah and Tara that the barn is used for agriculture. After the discussion, Tara



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made a motion to amend the existing Order of Conditions to include the barn as a permitted structure. Juan 2<sup>nd</sup> the motion. – Motion passed with Alan abstaining from the vote. Mr. Bertrand will be reminded to file the amendment at the Registry of Deeds before the Commission signs off on the Occupancy Permit or COC.

### **Result of Site Visit – Forest Street – Kevin Dumont**

A resident emailed the Conservation Commission concerned that work done at Mr. Dumont's property was within the wetlands/buffer zone. Leah met Kevin Dumont out at the site. Mr. Dumont explained that he had removed trees years ago and finally was cleaning up the area and repairing a culvert. Although the work was within an area under the jurisdiction of the Conservation Commission, the work is completed and the area stabilized and seeded. Mr. Dumont was told that he is not allowed to do further work within 60 feet of the wetlands without a permit from the Commission.

### **Result of Site Visit – Flat Rock Hill Conservation Area**

Leah, Tara, Alan and Marijan met Tim Joyce out at the Flat Rock Hill Conservation area to review the areas discussed at the last meeting. After discussing the site visit, members agreed that they had no problem with the activities mentioned at the site visit, which include installing some electrical poles, repairing the culvert crossing to make it safe for horses and fire truck access, marking off a parking area with boulders and spreading loam piles on the field where appropriate. The Commission also determined that the culvert crossing work does not require filing with the Commission, as it is maintenance/repair.

### **257 Pleasant Street – Possible work within a Jurisdictional Area**

A resident stating that 257 Pleasant Street was blocking a culvert, which was negatively affecting a neighboring property, contacted Leah. Leah went out to the site and told members that the culvert was partially blocked. Kieran made a motion to send a letter to the homeowners at 257 Pleasant Street letting them know that if they were indeed blocking their culvert, under state statute, they cannot do so. Tara 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Emerald Ash Borer**

Javier Marin, a Forest Pest Outreach Coordinator for the Massachusetts Department of Agricultural Resources contacted the office regarding a confirmed case of Emerald Ash Borer infestation in the Town of Groton. He was notifying adjacent towns about the problem. The Administrative Assistant handed out materials regarding the invasive species.

### **Frye CR Grant Update**

The Commission is hoping to close on the property by the June 30 deadline, however, were granted a two week extension in order to file the reimbursement paperwork.



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### **Sweet's Pond CR**

Alan told members that he is meeting with the Community Preservation Committee this week to get financial support for the purchase of a Conservation Restriction on the Ernest Sweet property off Pleasant Street. The Dunstable Rural Land Trust will be paying for an updated appraisal. This project will go before voters at the Special Town Meeting in fall 2019.

### **Additional Topics Discussed Not Noted on the Agenda**

Motion was made, 2<sup>nd</sup> and passed unanimously to close the meeting at 7:55pm.

Respectfully submitted,

Cheryl A. Mann  
Administrative Assistant  
Dunstable Conservation Commission