



OFFICE OF THE
CONSERVATION COMMISSION
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Conservation Commission Minutes **March 23, 2009**

Meeting was called to order at 7:30pm by Chair, Leah Basbanes

Members present: Bill Moeller, Juan Amodei, Alan Chaney, Marilyn Pike, Jeff Haight and Judy Larter

Meeting held: At the Dunstable Town Hall, lower level

Matthew Raymond – Pleasant Street Property

Mr. Raymond came to the meeting to answer any questions that the Commission may have in regard to the proposed zoning of his Pleasant Street property from R1 (Residential) to B2 (Service). Judy started off by explaining to Mr. Raymond that the previous owner had proposed a B1, planned to raze the existing buildings and donate the 100 feet around Salmon Brook to the Conservation Commission. Mr. Raymond told the Commission what his plans for the property were and the following questions were asked:

CC: What are you planning on doing with the existing buildings?

Mr. Raymond: The front building will be used as an office. The remaining two buildings will be used to store my antique cars. I am also planning on parking twelve (12) company vehicles in the back.

CC: What type of vehicles will be parked on the property?

Mr. Raymond: Vehicles such as dump trucks, bucket trucks, highway set-up trucks, and other vehicles used in my business.

CC: Do you plan to store gas for the trucks on the property?

Mr. Raymond: No.

CC: Do you plan on adding any additional buildings on the property?

Mr. Raymond: No.

CC: Are you planning on hot topping the property?

Mr. Raymond: No.

CC: How large are the gas tanks on the vehicles you own?

Mr. Raymond: 25 gallon diesel tanks.

Bill told Mr. Raymond that the property is located within the Source Water Protection District. He suggested that Mr. Raymond familiarize himself with the bylaw so that he would be aware of limitations on the property.

The Commission explained to Mr. Raymond that the concern they have with the property if it is zoned B2 was the proximity of the parcel to Salmon Brook, which feeds the town aquifer. The Commission told Mr. Raymond that the 100 feet around Salmon Brook is protected by the Wetlands Protection Act, the Town of Dunstable's Wetland Bylaw; and, per the Rivers Bill, an additional 100 feet from that would be regulatory. The Commission said that they are concerned



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with oil and gas from the cars/trucks getting into Salmon Brook. It was suggested that Mr. Raymond may want to have a hydrologist give a technical assessment of the property. He would be able to make suggestions (possibly installing an impermeable membrane or other measures of containment) for the property so that the brook is protected.

Someone asked that if the property is not approved at Town Meeting as B2, is there a “right” to use the property for some sort of business since the parcel had a history of business use. Mr. Raymond said that that would be up to the lawyers to work that out.

The public hearing is scheduled for Tuesday, April 14th at 7:30pm.

Dan Locapo – Lower Dam Way

Brian Locapo was in attendance for his brother Dan who is looking to remove some trees on his property that were damaged during the ice storm in December. The trees are located near the lake and could possibly fall on his house or into the lake. Mr. Locapo said that the trees will be removed with a crane. The Commission said that the trees, although possibly dead, are holding the soil in place, therefore, they may require the stumps to remain in place. The Commission told Mr. Locapo that they would like to visit the site in order to better assess the situation. Mr. Locapo will meet Commission members at the site on Saturday, March 28th at 9:00am.

Diane Dalida and Nancy Curran

Diane and Nancy came to the meeting to discuss clearing some trails on Conservation Commission properties. The trails are blocked by branches and dead trees which make it difficult for riders on horseback to use. Diane and Nancy wanted to get the approval of the Commission before coordinating volunteers to do the work. The Commission told Diane and Nancy that the Rural Land Trust may also need help with some of their properties. The Commission gave permission for Diane and Nancy to restore existing trails to usable condition.

Walter Alterisio

Mud District

Selectman Alterisio explained to the Commission that the Town has applied for a “shovel ready” grant for a 202 project (affordable housing). Included in the project would be the replacement of a 4” water main with a 12” main. Selectman Alterisio asked the Commission if they had any conservation issues that would hold up the project. The Commission explained that a Notice of Intent has not been filed for the MUD project, and they have not even seen plans for what was being proposed. What they believe that Selectman Alterisio was referring to was a 2006 letter from the Division of Fisheries & Wildlife that explained that since the proposed project was located within a priority habitat, it must be reviewed by the NHESP (Natural Heritage and Endangered Species Program). Leah explained that since this is a state issue (not Conservation Commission) the Selectmen need to contact Natural Heritage to find out what steps they need to take in order to get their project to move forward.



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Zoning Pleasant Street – B2

Selectman Alterisio wanted to update the Commission on where the Selectmen stand with regard to the zoning of 213-215 Pleasant Street to a B2 district. Mr. Alterisio said that the Selectmen feel that the zoning of that property to B2 would be spot zoning, and that the parcel involved is not in an area of town where the Selectmen feel a B2 district would best fit into the town's plan.

Meeting Minutes

Bill made a motion to accept the meeting minutes, with correction, from the February 23rd meeting. July 2nd the motion. – Motion passed.

Bills

None

Pictometry

The Secretary told the Commission that there was another training session at the City Hall in Lowell April 7th. She is planning on attending the session along with the Assessor and Highway Secretary.

Farming Initiative

The Secretary and Leah had been in contact with the state self-help grant office regarding the Tufts farming program. Although community gardens is an acceptable use of the self help properties, there needs to be additional research done to see if those properties could be used for the Tufts program.

MACC Networking Group

The Secretary reminded the Commission that they have been invited to the MACC Networking Group meeting on April 21st from 6:00pm – 8:00pm in Lowell.

High Street Property – material in stream

A letter had gone out to residents on High Street that had a manure pile in a stream. Leah will drive by the residence to make sure the owners have removed the material to another location.

Motion was made, seconded, and passed to adjourn the meeting at 9:25pm. The next meeting for the Conservation Commission will be held on Monday, April 13th at 7:30pm, downstairs at the Dunstable Town Hall.

Respectfully submitted,

Cheryl A. Mann
Secretary – Conservation Commission