



OFFICE OF THE  
CONSERVATION COMMISSION  
TOWN HALL, 511 MAIN STREET  
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## **Conservation Commission Minutes** **July 6, 2009**

Meeting was called to order at 6:30pm by Chair, Leah Basbanes  
Members present: Judy Larter, Juan Amodei, Alan Chaney and Marilyn Pike  
Member absent: Jeff Haight and Bill Moeller  
Meeting held: At the Dunstable Town Hall, lower level

### **Notice of Intent Hearing continuation – Lake Massapoag Rod & Gun Club**

DEP file number: 147-0271. Conservation Commission members reviewed the Notice of Intent and associated paperwork. Commission members had previously viewed the site. Leah asked if there were any questions with regard to the project.

Tom Quinn asked about the storage of materials that will be excavated from the lake. Brian Sargent explained that they will not be storing all of the weeds in Dunstable. He was in the process of filing a Notice of Intent in Tyngsboro for the upper dam harvest. Only the weeds collected from the Dunstable end of the lake will be deposited (temporarily) in Dunstable.

Mr. Quinn asked about access to the lake. The Commission said that the area chosen was adequate, and that the Rod & Gun Club has already received permission from the landowners (the Staple family).

It was asked, how many yards of material will be removed from the lake? Brian Sargent stated that the NOI is for 20 acres, with a stockpile of 2,500 feet. Leah said that the Commission agreed to a 50'x 50' designated area, and will ensure that the Club adheres to all guidelines set by the Commission.

Mrs. Quinn said that she felt that if the lake drawdown was more consistent, the weeds might not be as bad. The Commission explained that the NOI isn't for the drawdown. Leah went on to say that the drawdown is determined by a vote of club members, not the Conservation Commission.

The question was asked about aquatic wildlife getting caught in the harvester. Mr. Sargent stated that the conveyor will be inspected for wildlife, and if any are found, they will be returned back to the lake.

Mr. Quinn asked if the harvesting should be put on hold until permission is received from the Town of Tyngsboro. Mr. Sargent said that his hopes are that the Town of Tyngsboro will support the project. Alan said that there isn't any environmental reason to put the harvesting on hold in Dunstable.



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Alan made a motion to close the hearing. July 2<sup>nd</sup> the motion. – Motion passed, with Juan abstaining from the vote. Motion was made to approve the NOI as requested with conditions (restriction of containment area to 50'x50', no spillover, and the dirt path is not to be used, etc.). – Motion 2<sup>nd</sup>. – Motion passed with Juan abstaining.

### **130 Hardy Street - Mr. Blackburn – possible wetland violation**

Mr. Blackburn came to the meeting at the request of the Conservation Commission regarding a possible wetland violation at 130 Hardy Street. The Commission reviewed aerial photographs which showed some clearing near the wetlands. Mr. Blackburn said that he has had an issue with beavers, but did admit to removing some trees. The Commission agreed to go out to the site on Saturday, July 11<sup>th</sup> at 9:00am. This will be put on the agenda for the next meeting.

### **Brad Kinne – 286 Depot Street**

Mr. Kinne told the Commission that he and his son are looking to construct two wildlife ponds at 286 Kemp Street. Mr. Kinne said that they plan on eliminating an overgrown wetland and changing it to a more aesthetically pleasing wetland that will draw other wildlife. Mr. Kinne went on to say that he would be willing to install a dry hydrant near the pond for firefighting, as well as at another location in town (at the discretion of the Fire Chief). Mr. Kinne said that his son is also willing to gift the entire south facing wetland (approximately 3 acres) to the Town of Dunstable or to the Groton-Dunstable Regional High School.

Leah explained to Mr. Kinne that his first step would be to hire a wetland consultant to delineate the wetlands on the property. She also explained to Mr. Kinne that he would not be allowed to convert an existing wetland into an “aesthetically pleasing” pond. The Conservation Commission and the State of Massachusetts would not allow it. Leah told Mr. Kinne that under the Wetlands Protection Act (G.L. Ch. 131 §40) he would not be allowed to remove, fill, dredge or alter a fresh water wetland. She went on to say that he might be allowed to make an upland area into a pond; however, he will not be allowed to change the existing wetland. Mr. Kinne told the Commission to take under advisement that he will then fence off the area and put cows on the property.

### **Meeting Minutes**

Marilyn made a motion to accept the meeting minutes, with correction, from the June 22<sup>nd</sup> meeting. July 2<sup>nd</sup> the motion. – Motion passed with Juan abstaining from the vote.

### **Bills**

The invoice for Kevin Smith was signed.

### **Hardy Street (Carter) Grant**

The Secretary anticipates that the grant will be sent to Celia Riechel by the end of next week.



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**Community Preservation Committee Representative**

Alan made a motion to appoint Leah Basbanes as the Conservation Commission representative to the CPC. July 2<sup>nd</sup> the motion. – Motion passed with Juan abstaining from the vote.

**Matt Raymond Letter**

Mr. Raymond had requested a letter from the Conservation Commission regarding their finding at the site visit. The Commission asked the Secretary to send him a letter and attach the minutes.

Motion was made to adjourn the meeting at 7:38pm. Motion 2<sup>nd</sup> - Motion passed. The next meeting for the Conservation Commission will be held on Monday, July 27th at 7:30pm, downstairs at the Dunstable Town Hall.

Respectfully submitted,

Cheryl A. Mann  
Secretary  
Dunstable Conservation Commission