



OFFICE OF THE
CONSERVATION COMMISSION
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
mailto:concom@dunstable-ma.gov

Conservation Commission Minutes December 13, 2010

Meeting was called to order at 7:30pm by Chair, Leah Basbanes
Members present: Marilyn Pike, Alan Chaney (attended Selectmen's meeting from 7:40-8:22pm), Juan Amodei and Bill Moeller
Members absent: Jeff Haight and Judy Larter
Meeting held: At the Dunstable Town Hall – lower level

Dan Calderon – Eagle Scout Project

Dan attended the meeting along with his father to propose an Eagle Scout project to the Conservation Commission. He would like to re-introduce some disease resistant Chestnut and/or Elm trees in town. He asked if the Conservation Commission had any areas where they could be planted. Bill Moeller suggested some large private properties such as Tully, Larter or Kennedy land. The DRLT was also recommended. Alan said that the Central Cemetery would be a good spot as they would be cared for during the critical early years. It was also mentioned that the gazebo area and top of Blanchard Hill may be areas to consider (under Selectmen's jurisdiction). The Commission asked Dan to return once he had gathered information on the trees such as the type of soil the trees prefer, slope, and type of exposure and drainage requirements.

Peter Palakavong – Massapoag Way

Surveyor, Pat Flaherty attended the meeting along with Mr. Palakavong to discuss the stream on Lot 2. An ANR for 3 lots was previously signed in 2009. Wetlands were flagged on Lot 2. Mr. Palakavong provided materials asking the Commission to make a determination that the stream is intermittent, not perennial. Mr. Palakavong photographed the stream over a number of days (11/26 through 11/30) after the drought conditions were lifted on 11/1/2010. The pictures show that the area was dry. Bill asked about the state's legal definition of drought classification. Leah read 310 CMR 10.58f which says, **“...Periods of extended drought for purposes of 310 CMR 10.00 shall be those periods, in those specifically identified geographic locations, determined to be at the “Advisory” or more severe drought level by the Massachusetts Drought Management Task Force, as established by the Executive Office of Environmental Affairs and the Massachusetts Drought Management Plan (MDMP). Rivers and streams that are perennial under natural conditions but are significantly affected by drawdown from withdrawals of water supply wells, direction withdrawals, impoundments, or other manmade flow reductions or diversions shall be considered perennial.”** Leah told Commission members that 310 CMR 10.58d also states, **“Notwithstanding 310 CMR 10.58(2)(a)1.a. through c., the issuing authority shall find that any stream is intermittent based upon a documented field observation that the stream is not flowing.”** Leah said that the area does not have a typical perennial stream look. She then asked Pat about the stream stats. Pat said that the cut off is .5 square miles and he came up with a drainage of .68 square miles



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based on the USGA maps. After discussion, Marilyn made a motion to accept the evidence as submitted and declare the stream “intermittent”. Bill 2nd the motion. – Motion passed.

Sean Carney – 270 Depot Street – Addition

Mr. Carney approached the Commission to discuss an addition to his home within the 100 foot wetland buffer zone. The property was flagged back in 1998 when the house was originally constructed. Mr. Carney brought a copy of the plan to the meeting which shows the wetland boundary. The Commission told him that he did not need to re-survey the property, however, he would need to file a “Request for Determination” describing the work to be done. Mr. Carney also said that he is interested in filling a swale in the front yard with fill taken from the addition. The Commission said that they would need to see what he wants to do before allowing it.

Patrick Murphy – 74 Groton Street

Mr. Murphy abuts the Spaulding Proctor Reservation, the property the Commission is currently foresting. He said that he had met up with Alan and Bill earlier and it was mentioned that the Commission may enlarge the entrance for a parking area. Mr. Murphy said that both he and his neighbor are opposed to having a parking area and would like to suggest that the Commission put a parking area off the Larter Field parking. He also mentioned that part of the existing entrance does go across part of his property but he has no objection to that, he came to the meeting to talk about the parking area. The Commission asked Mr. Murphy to send a letter to the Conservation Commission stating his concerns so that they could officially deal with the issue at their next meeting. When Alan returned from the Selectmen’s meeting, he said that he had told the Forester to move the entrance about 18 feet so that it was away from the culvert and Mr. Murphy’s property. Although Mr. Murphy doesn’t mind the entrance to Spaulding Proctor crossing his property, Alan feels that a future owner may have an issue with it.

Meeting Minutes of November 22, 2010

Marilyn made a motion to approve, as submitted, the minutes from the November 22nd meeting. Juan 2nd the motion. – Motion passed unanimously.

Bills/Payroll

No bills. Bill made a motion to sign the Secretary’s payroll slip. Marilyn 2nd the motion. – Motion passed unanimously.

Open Space & Recreation Plan

The Secretary discussed the proposed changes to the draft plan that were suggested by Beverly Woods. The Secretary will be mailing the plan to the Division of Conservation Services this week after receiving the letter from the Selectmen. The Board asked that Selectman Welch’s letter addressed to the Commission be put on the agenda for the next meeting for discussion.



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Christmas Tree Sale

The Secretary reported that the tree sale was very successful. Amos Kendall took in \$500 for the 2 weeks; there were \$40 in presales, a \$10 donation and \$460 from the first week of Flat Rock Hill. A final tally will be reported at the next meeting.

Enforcement Order - 130 Hardy Street – Allison

No update

Sweet Restoration

No update

Discharge of Firearms/Hunting

The Secretary, as well as Carol Skerrett (Town Clerk), remarked that every year the Town receives many phone calls on whether hunting is permitted. The Commission discussed the issue and decided that Alan Chaney would write up something that can be used by Town employees as well as posted in the Neighbor to Neighbor.

Cara Sanford – Forest Legacy Program

Alan asked that the Secretary notify Ms. Sanford that she will be on the agenda for Monday, December 27th at 7:40pm.

McGovern Wall Project Meeting

Commission members were reminded that the meeting to discuss the McGovern wall project will be held on Tuesday (12/14) at 12:30pm.

Japanese Knotweed

Leah mentioned to members that she would like to get an herbicide specialist to develop a treatment plan for the Japanese Knotweed growing at Flat Rock Hill in the field where we were selling trees.

Bob Bacon

Alan mentioned that Bob Bacon used his own equipment and on his own time moved some rocks on Blanchard Hill. A letter will be sent to Mr. Bacon thanking him.

Jim & Doris Greene letter

The Conservation Commission received a copy of a letter from the Greene's regarding approximately 43 acres of land they own on the easterly side of Westford Street that is currently under Chapter 61 (forestry). The property is under agreement with Thomas & Kimberly Flanagan.



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Motion made to close the meeting at 9:08. Motion 2nd. – Motion passed unanimously. The next meeting of the Dunstable Conservation Commission will be held on Monday, December 13, 2010 at 7:30pm.

Respectfully submitted,

Cheryl A. Mann
Secretary
Dunstable Conservation Commission