



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** **Tuesday, May 15, 2012**

Meeting was called to order at 7:30pm by Chair, Leah Basbanes  
Members present: Alan Chaney, Bill Moeller, Juan Amodei, Marilyn Pike, Judy Larter  
and Jeff Haight  
Meeting held: At the Dunstable Town Hall – lower level – Grange Room

### **Derek Bernard – 285 Forest Street – Work Done Near the Wetlands**

Mr. Bernard attended the meeting at the request of the Conservation Commission to discuss a concrete pad that he had poured near the wetlands on his property. Members were out at 285 Forest Street last month assisting Mr. Bernard in finding a suitable location for a new garage. He explained that although he knew the garage couldn't be built near the wetland area, he didn't realize that the cement pad is considered a "permanent structure". The Commission stated that the pad is an impervious surface, over 100 sq. ft. in the aggregate (18'x20'), and is infringing on the buffer zone. Members reminded Mr. Bernard that they have verbally made a concession with the garage location and don't want to set a precedent with the concrete pad. A site visit is scheduled for this Thursday, May 17<sup>th</sup> at 5:00pm. This will be put on the agenda for discussion at the next scheduled meeting.

### **7 Sweets Pond Road – David Sweet – Fence in a Resource Area**

Mr. Sweet was sent a letter requesting his presence at the meeting to discuss a fence that he was installing in a resource area. Mr. Sweet did not attend the meeting, however, sent a letter to the Commission dated May 10, 2012 saying that his work is legal and exempt from residential laws regarding wetland areas because he is a registered farm. Mr. Sweet attached a letter from Dan Lenthall (United States Department of Agriculture Natural Resources Conservation Service) citing definitions of agriculture and agricultural activities. Mr. Sweet explained that the fence was to keep his cattle from getting out onto Main Street. After discussing the activity and whether or not it is exempt, it was decided that Leah will contact Dan Lenthall and Pam Merrill from the state to resolve this issue. It was also mentioned that it looks like Mr. Sweet is using creosol telephone poles as part of the fence. This will be put on the agenda for the next meeting. ***The following document was introduced at the meeting: letter from Mr. Sweet, pictures of the fence, letter from Dan Lenthall, e-mail from Pam Merrill. – filed in the file – 7 Sweets Pond Road.***

### **Todd & Lisa McKenna – 398 Groton Street – Materials in the Buffer Zone**

Neither Mr. nor Mrs. McKenna showed up for their scheduled appointment. The Commission asked the Secretary to send them a letter stating that the materials near



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the wetlands on their property constitute a violation of the Wetlands Protection Act as well as the Town of Dunstable Wetlands Bylaw and are subject to fines up to \$25,000 a day for each day of the violation. Mr. McKenna has 2 weeks (deadline of May 31st) to remove the materials or enforcement action will be taken. He is to call the office once the materials have been removed so an inspection can be done.

### **Meeting Minutes – April 23, 2012**

Alan made a motion to accept the meeting minutes, as submitted, from the April 23<sup>rd</sup> meeting. Marilyn 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Review and Sign Bills**

Alan made a motion to sign the invoice for certified mail. Bill 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Review and/or Sign Payroll**

The Commission reviewed the Secretary's payroll of 4/22/12-5/5/12.

### **Flat Rock Hill Culvert Repair**

Kevin Smith had scheduled the repair for the first week of May but because of all the rain we've had, the work had to be pushed off for a couple of weeks. Work should be completed by the end of the month.

### **Knotweed Infestation Removal at Flat Rock Hill and Blanchard Hill**

The Commission received a work order for the Flat Rock Hill and Blanchard Hill Conservation Areas. The price of \$800 includes one foliar herbicide application on knotweed areas. Judy mentioned including the Quarry area. Members discussed that at this time we do not have the money to fund this project. ***The following document was introduced at the meeting: copy of Work Order – filed in the file – Flat Rock Hill and Blanchard Hill files.***

### **Memorial Day Meeting – May 28<sup>th</sup>**

The next scheduled meeting falls on the Memorial Day holiday. Members decided to cancel the meeting for that night.

### **431 Forest Street – McNamara – Schedule Site Visit**

The McNamara's had until May 15<sup>th</sup> to complete the restoration of their backyard. Members decided that they will visit the site this Thursday, May 17<sup>th</sup> after their 5:00pm appointment on Forest Street.

### **Certificate of Compliance**

157 Off Pond Street – Thomas Erickson – work has not been completed. Will



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advice Mr. Erickson to apply for his COC when he is done.

1055 Main Street – Tardif – Site visit was conducted on April 26<sup>th</sup>. No issues on site. Alan made a motion to sign the COC. Jeff 2<sup>nd</sup> the motion. - Motion passed unanimously.

27 Swallow Lane – Galvin – Site visit was conducted on April 26<sup>th</sup>. No issues on site. Alan made a motion to sign the COC. Judy 2<sup>nd</sup> the motion. – Motion passed unanimously.

517 Groton Street – Montague – Site visit was conducted on April 26<sup>th</sup>. No issues on site. Alan made a motion to sign the COC. Judy 2<sup>nd</sup> the motion. – Motion passed unanimously.

Moy, DiMaria, McNamara – Will set up a site visit for June.

### **Special Permit Notification for Cell Tower Equipment – 583 Pleasant Street**

The Secretary told members that the Planning Board will be holding a hearing on June 4<sup>th</sup> regarding the application for a Special Permit for Sprint to replace/install equipment on an existing cell tower at 583 Pleasant Street. The Commission does not have any issues or input for that filing.

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

#### **Community Preservation Committee**

Alan made a motion to have Judith K. Larter represent the Conservation Commission on the Community Preservation Committee for the next year. Marilyn 2<sup>nd</sup> the motion. – Motion passed unanimously.

#### **Best Triangle Parcel**

Alan reported that the Selectmen are moving forward with the potential purchase of the Best Family Triangle parcel on Main/Lowell Streets. A Special Town Meeting will be scheduled for the near future.

Alan said that while talking to residents about the property, they asked what the town was doing with the Mixed Use District (MUD) on Pleasant Street and the Pelletier property on River Street. Alan thought the following Boards/Committees should meet to walk the property and discuss future plans for the Pelletier property.

- a) School Committee – property could be considered for the siting of a new school for Groton-Dunstable. Will contact Jim Frey to get on the agenda for the School Committee before scheduling a site visit.
- b) Conservation Commission – regarding the protection of Nashua River
- c) Recreation Committee – playing fields.
- d) Water Department – area could be reserved for a future well site, if a school is



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to be built the 500' radius would need to be protected, in the Source Water Protection Zone.

The Secretary will contact the departments.

**Stone Arch Bridge**

Judy mentioned that someone was dumping clippings on our property. Alan will talk to the Police about contacting the residents that may possibly be involved.

Bill made a motion to adjourn at 8:28pm. Alan 2<sup>nd</sup> the motion. – Motion passed unanimously. The next meeting of the Dunstable Conservation Commission will be held on Monday, June 11, 2012 at 7:30pm at the Dunstable Town Hall.

Respectfully submitted,

Cheryl A. Mann  
Secretary  
Dunstable Conservation Commission