



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** **Tuesday, October 9, 2012**

Meeting was called to order at 7:28pm by Chair Leah Basbanes  
Members present: Bill Moeller, Jeff Haight and Marilyn Pike  
Members absent: Alan Chaney, Juan Amodei and Judy Larter  
Meeting held: At the Dunstable Town Hall– 511 Main Street-lower level– Grange Room

### **Review and Sign Bills**

Marilyn made a motion to sign the invoice for Nashua River Watershed Association dues for \$100. Jeff 2<sup>nd</sup> the motion. – Motion passed unanimously.

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

None

### **Meeting Minutes – September 24, 2012**

Bill made a motion to approve the meeting minutes, as submitted, from the September 24<sup>th</sup> meeting. Marilyn 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Building Permit Signature – 359 Forest Street – Megan Price**

Ms. Price attended the meeting seeking a signature on a building permit for a new home at 359 Forest Street. The wetlands are over 100 feet from the proposed construction. Jeff made a motion to sign the permit. Bill 2<sup>nd</sup> the motion. –Motion passed unanimously.

### **Collin Sullivan – Eagle Scout Project – Water Bars**

Collin did not attend the meeting.

### **67 Valley Street – Chellis’ – Possible Wetland Violation**

Mr. and Mrs. Chellis were in attendance to discuss the results of the site visit conducted by Leah Basbanes on September 27th. A property survey done on the Chellis property subsequently showed that 80% of the wetland violation was on the neighboring property (61 Valley Street). The remaining 20% is fill that seems to have encroached onto the Chellis’ property from 61 Valley Street. Bill made a motion to issue an Enforcement Order to 61 Valley Street. They will be told to:

1. Cease and desist all activities within the wetlands/buffer zone.
2. Hire a wetland consultant to do the following:
  - a. Delineate the wetland boundaries at 61 Valley Street.
  - b. Show on an engineered plan, the wetland boundaries as well as the limit of fill and grading activities within the wetlands/buffer zone.



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- c. Submit a draft remediation plan for the altered areas including a proposed reasonable timeline for removal of the fill, restoration of the area, and stabilization of the resulting slope. This plan should also include the portion of fill encroaching on property owned by the Chellis' at 67 Valley Street which, by the nature of the fill material (landscaping materials), was most likely not done by the Chellis'. The rectification of this violation is ultimately the responsibility of the landowner at 61 Valley Street and/or the violator.
- d. The plan and any supporting documentation shall be submitted to the Dunstable Conservation Commission by December 1, 2012 for review and approval by the Commission.
- e. The Dunstable Conservation Commission has set aside time at their meeting on Monday, December 10<sup>th</sup> at 7:30pm to address this with the resident/owner of 61 Valley Street.

Marilyn 2<sup>nd</sup> the motion. Motion passed unanimously.

#### **Abbreviated Notice of Intent Hearing – 285 Forest Street – Derek Bernard**

Leah opened the hearing for the Abbreviated Notice of Intent for 285 Forest Street. No one from the public attended the hearing. Mr. Bernard had previously been asked by the Commission to have his wetlands delineated (flagged) because of an issue with a freshly poured unapproved basketball court well within the 60ft. buffer zone, a violation of our bylaw. The hand-drawn plan submitted at the meeting tonight did not show the location/size of the court in relation to the flagged area. After talking with Mr. Bernard, members also determined that the court is pitched so run off flows into the wetlands.

Leah said that she had been out to the site and agrees with most of the wetland flagging. Mr. Bernard said that he plans on razing the existing shed to build a 24'x36' garage/barn in its place. His plan showed the proposed garage to be approximately 42'-45' from the wetlands.

The Commission told Mr. Bernard that additional information is needed before a decision can be made. The Commission then asked if the applicant would like to request a continuance. Mr. Bernard said that he would and signed the appropriate form. The continued hearing will be held on Monday, October 22<sup>nd</sup> at 7:30pm.

#### **Certificate of Compliance – 804 Main Street – Built Best Construction, LLC**

A site visit was done on September 27<sup>th</sup> by Chair Leah Basbanes. All work has been completed. Bill made a motion to sign the Certificate of Compliance for 804 Main Street. Jeff 2<sup>nd</sup> the motion. – Motion passed unanimously.



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

Leah and Bill met with Kevin Smith to discuss the repair to the culvert. Kevin thought he might be able to get out last Sunday to repair the damages. Leah stopped by on Monday and it had not been completed. This will be added to the agenda for the next meeting.

### **Update on Knotweed Herbicide Application**

Leah reported that the Knotweed on the top of Skytop Lane as well as some Olive and other invasives along the edge of the field were treated. At Flat Rock Hill, the Knotweed as well as Olive, Rose, Honeysuckle, Bittersweet and Buckthorn were treated by Michael Barry from Bay State Forestry. The Commission discussed the amount of invasive species in town on both municipal and private properties. This will be put on an agenda for a future date.

### **431 Forest Street – McNamara – Enforcement Order Closed**

Leah dropped by the McNamara residence on September 27<sup>th</sup> because of a request from them to close out their Enforcement Order. Leah reported that the restoration project has been completed. The swale is stable, stump pile removed, site graded and seeded. Since the grass coverage in the new lawn is still spotty, the Commission will drop by in the spring to check on its growth.

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

#### **Dana Rusnak – Hall Street/Lake Street - 30 Acre Parcel**

The Secretary received an e-mail from Ms. Rusnak stating that she is not planning on getting an appraisal for the 30 acre parcel at this time. The Assessor's have the parcel valued at \$313,300. Alan will call Ms. Rusnak to discuss this with her.

Bill made a motion to adjourn at 8:08pm. Jeff 2<sup>nd</sup> the motion. – Motion passed unanimously. The next meeting of the Dunstable Conservation Commission will be held on Monday, October 22, 2012 at 7:30pm at the Dunstable Town Hall.

Respectfully submitted,

Cheryl A. Mann  
Secretary - Dunstable Conservation Commission