



OFFICE OF THE
CONSERVATION COMMISSION
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
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Conservation Commission Minutes
Monday, June 13, 2016

Approved: June 27, 2016

Meeting was called to order at 7:32pm by Chair Leah Basbanes
Members present: Alan Chaney, Judy Larter, Jeff Haight, Marilyn Pike and Bill Moeller
Member absent: Juan Amodei
Meeting held: At the Dunstable Town Hall– 511 Main Street-lower level– Grange Room

Vote Chairman of Conservation Commission

Judy made a motion to nominate Jeff Haight as Chairman of the Conservation Commission and Alan Chaney as Vice Chairman. Bill 2nd the motion. – Motion passed unanimously.

Building Permit – 157 Forest Street – William Mitchell

Mr. Mitchell came before the Commission for a signature on a Building Permit for 157 Forest Street. There is a recorded Order of Conditions on the property (4/28/2016 Book 29993, Page 188). Leah made a motion to sign the permit. Alan 2nd the motion. – Motion passed unanimously.

Notice of Intent Hearing – Zannoni – 473 Pond Street

Jeff opened the hearing at 7:40pm. A DEP file number was received (147-0292). Brian Milisci from Whitman & Bingham Associates was in attendance. Mr. Milisci explained that the applicant proposes to remove existing stone steps and replace them with landscape timber stairs (4-ft. wide minimum) and connect them to the existing dock. They would also like to install new stairs and create a beach area at another area of their property near the lake. No flood plain is involved, buffer zone work. The beach area is to be flat – applicant wishes to remove topsoil and replace with sand. DEP made the following comment "*Has the Beach Area been designed in a manner that will not adversely impact to the Bank along Massapoag Pond? A construction sequence should be provided for the Beach Area which describes the proposed vs. existing elevations, the composition of the proposed surface material, and proposed long measures to keep sand from the beach from washing into the pond*". There is concern that creating a beach area along the pond is not appropriate. Converting an area that is stabilized with vegetation to an exposed soil condition goes against the interests in the Act. With fluctuating water levels and ice, it will make the area prone to erosion. Also, by removed the soil around the Pine trees, the roots will be exposed and will destabilize the trees. It was the opinion of the Commission to build stairs and not create beach. The other area of proposed work was to flatten out the knoll by



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removing soil material between elevation grades 170-174, thus creating a "landing" to get to stairs and dock. Bill mentioned that they consider traversing the slope, or creating a flatter area at the top. Applicant will revise the plan and requested a continuation to June 27th at 7:40pm which was approved by the Commission.

Notice of Intent Hearings – 175 Off Pond Street (Dillon) & 179 Off Pond Street (Yezi)

Jeff opened the hearing at 8:00pm. Jeff Hannaford from Norse Design Services represented both applicants. Mr. Hannaford explained that last winter his clients removed soil from their properties and were given a cease and desists because the activity was being conducted in the 100' buffer zone without a permit. Part of a knoll and some trees were removed. Mr. Hannaford stated that they have since flagged the wetlands across the street and installed erosion control 100' to the lake and wetland across the roadway as requested by the Commission. Ultimately, the two applicants want to raze and rebuild houses on these abutting lots. There won't be any changes to the water front areas of either property.

#175 Off Pond Street – Is applying to the Board of Appeals. Their Board of Health application is pending as they will need to upgrade their septic system. The existing deck is 45' from the wetlands and they propose a new deck 36' from wetlands. It was asked if the bylaw could be waived to allow a structure to be closer to the wetland. The Commission said they could not waive the setback. The bylaw allows for a reconstruction/addition of a structure that already lays within the 60' N Structure setback as long the new structure is not closer to the wetland than the existing is. There was discussion on moving the house forward or shortening the deck in order to meet the bylaw. The width of Off Pond Street is 11-12' wide.

#179 Off Pond Street - Has Board of Health approval. The new home will go on the same footprint as the existing structure and the deck will be farther from the lake.

The Commission did not receive DEP file numbers for either property prior to the hearings so Mr. Hannaford requested to continue the hearings to the next meeting. Members approved the request.

Notice of Intent – 885 Main Street - MacLean

Mr. MacLean attended the hearing to discuss his garage foundation that was done without a permit from the Conservation Commission. Mr. Maclean filed a Notice of Intent to continue to work on the structure. The area has been flagged as requested. The Commission asked for a 25' buffer around the pond to remain in a natural



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condition. The garage structure is 96.3' from the wetland. Motion was made to close the hearing and hold paperwork until the DEP file number was received. Motion 2nd. – Motion passed unanimously.

Meeting Minutes

Bill made a motion to approve, as submitted, the minutes of the May 23rd meeting. Judy 2nd the motion. – Motion passed unanimously.

Bills and Payroll

No bills or payroll to sign.

Certificate of Compliance – 54 Swallow Lane

The Certificate of Compliance (COC) had been issued in 1988, however, was not filed at the Registry of Deeds. Leah made a motion to reissue the COC for 54 Swallow Lane. Motion was 2nd. – Motion passed unanimously.

Community Preservation Committee Member

Leah made a motion to appoint Judy Larter as Conservation's representative on the Community Preservation Committee. Marilyn 2nd the motion. – Motion passed unanimously.

Miller CR Grant Update

Judy made a motion to sign the Miller CR reimbursement paperwork. Bill 2nd the motion. – Motion passed unanimously.

Westford Street CR Application Update

No update

Additional Topics Discussed Not Noted on the Agenda

Motion made, 2nd and passed unanimously to adjourn the meeting at 8:48pm. The next meeting of the Dunstable Conservation Commission is scheduled for Monday, June 27, 2016, 7:30pm at the Dunstable Town Hall.

Respectfully submitted,
Leah Basbanes
Dunstable Conservation Commission