



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
Monday, July 10, 2017

Approved: July 24, 2017

Meeting was called to order at 6:30pm by Vice Chairman Alan Chaney
Members present: Juan Amodei, Leah Basbanes and newly appointed member Kieran Meehan
Members absent: Marilyn Pike and Jeff Haight
Meeting held: At the Dunstable Town Hall– 511 Main Street-lower level– Grange Room

Proposed Replication Area – 467 & 477 Forest Street Lots 2 & 4 – Neil Gorman

Neil Gorman from David E. Ross Associates attended the meeting to discuss a proposed replication area for Forest Street. Mr. Gorman explained that he previously submitted and received approval (Order of Conditions 147-0289 and 147-0290) on a plan for a driveway crossing over what he thought was a non-jurisdictional wetland. The Commission discovered a discrepancy between a plan submitted to the Conservation Commission and one submitted to the Planning Board. After a site visit, it was determined that the wetland was in fact jurisdictional; a Bordering Vegetated Wetland. When the Conservation Commission learned about the wetland they requested that Mr. Gorman submit, for approval, a new plan showing a replication area. The new plan shows two 15' HDPE culverts and a proposed wetland replication area with plantings of 4,000 square feet. The Commission decided that although the replication area is not on the same waterway that will be disturbed, the plan meets the performance standards for a limited project therefore it is acceptable. After the discussion, Leah moved to correct the original Order of Conditions (147-0289 & 147-0290) by accepting the new plan showing the replication area and the two culverts (with culvert sizing calculations document) for Lots #2&4 - 467 & 477 Forest Street (Chris Doherty and Dennis Chartier). Juan 2nd the motion. – Motion passed unanimously.

Approved:

Culvert Sizing Calculations – Site: Lots #2 & #4 – Forest Street for Applicants: Chris Doherty & Dennis Chartier prepared by David E. Ross Associations, Inc. June, 2016

Plan: Site Plan – Christian Doherty & Dennis & Michelle Cartier – Lots 2&4 Forest Road – Dunstable, MA by David E. Ross Associates, Inc. July, 2017 – Plan No. L-13228, Job No. 30284

John Patterson – 15 Pleasant Street Extension – Removal of Utility Poles/Bridge

Mr. Patterson previously addressed the Conservation Commission regarding ATV vehicles using the property adjacent to his home; damaging a wetland area. Someone placed telephone poles near the wetlands which were used to make a bridge for ATVs. Mr. Patterson said that it appears that ATV traffic has picked up, even during the week days. The property is privately owned and when the owners were asked, they indicated that they had no idea that their property was used by the ATVs. Members feel that this is the leaseholder's responsibility



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(National Grid) as they were the ones that created the problem by providing the poles that were used instead of removing them from the area. Alan will contact the power company.

Notice of Intent Hearing Continuation – 610 Pleasant Street – Timothy Vigers

Mr. Vigers handed out a revised plan showing the garage addition moved forward so it is not closer to the wetland than the existing "grandfathered" house (50.1 feet). He also agreed to keep the driveway as gravel. There were no other comments or questions. As the project is located in a wetland resource area (or buffer zone) within an Estimated Habitat, NHESP was notified. They received the filing on June 16th. The Commission has not received comments from NHESP. The 30-day regulatory review period ends on July 16th. Juan made a motion to close the hearing. Kieran 2nd the motion. – Motion passed unanimously. Leah made a motion to issue an Order of Conditions after the 30 day waiting period for NHESP. Kieran 2nd the motion. – Motion passed unanimously.

Plan approved: Proposed Plot Plan in Dunstable, MA at 610 Pleasant Street, Prepared for VIP Siding and Contracting by Summit Surveying Inc. - May 16, 2017 - 17-0128 Revised: July 3, 2017

Stone Arch Bridge Field Mowing

Sharon Flanagan called the office to ask if a resident could mow the Stone Arch Bridge. She attended the meeting and was told that it is usually mowed once a year which members feel is adequate. Ms. Flanagan asked if she could arrange to have it mowed more frequently. The Commission had contacted Town Counsel for his opinion. He replied "*I assume the Stone Arch Bridge area is held by the Town and available to the public at no charge for recreational purposes? If so, the Town is exempt from liability for personal injuries sustained by individuals when on the property, pursuant to M.G.L. c.21, Sec. 17C. However, that exemption may not apply if the Town authorizes a non-recreational activity on the property (i.e. mowing). At a minimum, the Town should request a release/indemnification from the individual and run that document by the Town's insurance carrier.*" Members said they would mow the field soon and felt that at this time, once a year was sufficient.

Ms. Flanagan then asked about the trees in the Stone Arch Bridge area that are being tagged. Alan told her that a forester has been tagging trees in the Helen Hogg, Kennedy, and the Amos Kendall Conservation areas. No trees are proposed to be removed in the area of the Stone Arch Bridge. Trees to be removed have been marked in blue paint. The trees with pink ribbon are in the location of the skid row.

Meeting Minutes – June 12th and June 26th

Leah made a motion to approve the minutes of the June 12th and June 26th meetings as submitted. Juan 2nd the motion. – Motion passed unanimously.



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Bills/Payroll

Juan made a motion to pay the MACC invoice and payroll. Kieran 2nd the motion. – Motion passed unanimously.

Kennedy Conservation Area ATVs – Leah Phone Call

Leah said that she did not call the gentleman from the advocacy group who called about ATVs riding through a sensitive area of the Kennedy Conservation parcel.

Vote to Ratify Emergency Certification for Beaver Dam Removal

An emergency certification was filed by National Grid for removal of a beaver dam on Kemp Street. The Conservation Commission Chairman signed the document. Leah made a motion to ratify the signing of the beaver permit. Kieran 2nd the motion. – Motion passed unanimously.

Community Preservation Committee Member

Alan made a motion to nominate Kieran Meehan to represent the Conservation Commission as a member of the Community Preservation Committee member. Juan 2nd the motion. – Motion passed unanimously.

Site Visit to Sky Meadow Golf Course – Tree Cutting

Members received word that there may be activity going on in/near the wetlands at the Sky Meadow golf course property located in Dunstable. Members met Ben the Grounds Superintendent who took them up to the site. The area was stable however work that is proposed requires the filing of a Notice of Intent. Ben told the Commissioners that he would be filing the appropriate paperwork (NOI) by fall.

Westford Street Grant Update

The Conservation Restriction for the Westford Street property was filed at the North Middlesex Registry of Deeds on June 30, 2017. A check for \$643,000 out of the \$663,000 was issued with the remaining \$20,000 being held until the Town obtains the clear title report within the next week. Once all required documents have been received, the reimbursement paperwork will be mailed to the state.

Kendall Cranberry Bog Grant Application Update

The application for the Kendall Cranberry Bog was received by the state on June 21st, three weeks prior to the due date. Once July 12th has passed, the state will contact the Commission to schedule a site visit of the property.

Update the Open Space Plan by December 2017

Leah said she was working on updating the Open Space and Recreation Plan that is due to



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expire December of 2017. The Administrative Assistant will contact the appropriate agency to see if the Master Plan survey can be used in lieu of conducting our own survey.

Additional Topics Discussed Not Noted on the Agenda

Leah made a motion to close the meeting at 7:45pm. Juan 2nd the motion. – Motion passed unanimously. The next meeting of the Dunstable Conservation Commission is scheduled for Monday, July 24, 2017, 6:30pm at the Dunstable Town Hall.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Conservation Commission

APPROVED