



OFFICE OF THE
CONSERVATION COMMISSION
TOWN HALL, 511 MAIN STREET
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Conservation Commission Minutes **Monday, September 24, 2018**

Approved: October 15, 2018

Chairman Jeff Haight called the meeting to order at 6:30pm
Members present: Juan Amodei, Leah Basbanes, Alan Chaney and Kieran Meehan
Members absent: Bill Moeller
Meeting held: at the Dunstable Town Hall– 511 Main Street-lower level– Grange Room

Notice of Intent Hearing – 54 Hardy Street – Ken Tully – New Home

Jeff opened the hearing at 6:32pm. Mr. Tully asked to suspend the meeting for five minutes to wait for his engineer. The Commission honored the request.

Request for Determination Continuation – 200 Pond Street – Garage – Robert Hopke

Alan told members that he, Leah and Bill went out to the site to review the wetland line. They measured from the edge of the wetland to the corner of the proposed garage. Mr. Hopke was 3½ feet shy of the 60-foot “no build zone”. Members told him that he needed either to make the garage smaller or push it closer to the road in order to stay away from the required setback. Mr. Hopke said that he would make the 60’ requirement by either reducing the garage size or moving it forward. No one from the public attended. Leah made a motion to close the hearing and issue a negative 3 determination with the following conditions: 60’ setback from wetland to the garage must be adhered to, there cannot be storage of any spoil on the upside of the wetland and erosion control must be installed on the toe of slope in the backyard. Alan 2nd the motion. – Motion passed unanimously.

Notice of Intent Hearing continuation – 54 Hardy Street – Ken Tully

Mr. Tully’s engineer Jeff Hannaford arrived. Mr. Hannaford told members that Mr. Tully seeks to build a single-family dwelling on the lot. The parcel slopes down from the street to the wetlands. The septic system, approved by the Board of Health, will be in the back of the house with the well located in the front. Mr. Hannaford filed with the Division of Fisheries & Wildlife and received a letter dated September 19, 2018 stating “...*the Division has determined that this project, as currently proposed, **will not adversely affect** the actual Resource Area Habitat of state-protected rare wildlife species.*” In addition “...***will not result in a prohibited Take** of state-listed rare species.*” Alan explained that Leah had met Mr. Hannaford out at the site and they agreed to adjust the wetland line. Members discussed their concern about the homeowner using the existing stonewall as the edge of the wetland, when in fact the wetland is before the wall. The Commission told the applicant they would be requiring in the Order of Conditions, permanent markers along the flood plain to alert future residents of the “do not disturb” area. Discussion took place on what to use with both the applicant and Commission agreeing on a



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mixture of boulders and posts with placards. Jeff asked if there were comments or concerns from residents in attendance. Mr. Paquin told the Commission that water from the property runs by his house in the backyard. He has a fear that the water level could rise and affect his property. Members said that there should not be any displacing of water since the proposed impervious services (house and driveway) are over 100' away. Leah asked for some feathering of the grades along the sides of the leach field. Since the DEP file number was not received, the applicant's representative requested a continuation to the next meeting, which is scheduled for Monday, October 15 at 6:30pm. The request was granted.

Attorney Connie Sullivan – Conservation Restriction (CR) – Russell – Thorndike St.

Attorney Sullivan handed out a document explaining the history of the Russell's common law conservation restriction recorded at the North Middlesex Registry of Deeds. Alan also met earlier with Attorney Sullivan to provide information on the CR process. When the Russell's purchased the property back in 2000, they did so with the knowledge that the restriction was in place and a permanent CR, accepted by the town and Secretary of Environmental Affairs, needed to be completed. In 2016, the Russell's received approval from the Planning Board to reconfigure their property and build on the backland lot on the condition that they complete the process. The Planning Board further told Ms. Russell that they would not sign a building permit until the restriction was completed and filed at the Registry of Deeds. Attorney Sullivan said he would be helping the Russells with the CR process and asked the Commission to review his marked up draft. All interested parties will meet again on October 22nd to discuss the draft restriction.

Members discussed the Notice of Intent to Sell Land Classified under Chapter 61A. Alan made a motion to recommend to the Board of Selectmen that the town not exercise their right to match the offer. Kieran 2nd the motion. – Motion passed unanimously.

Meeting Minutes – September 10, 2018

Juan made a motion to approve the meeting minutes from the September 10 meeting, as presented. Leah 2nd the motion. - Motion passed unanimously.

Bills/Payroll

No bills. Alan made a motion to sign the Administrative Assistant's payroll. Leah 2nd the motion. – Motion passed unanimously.

October 8, 2018 Meeting - Holiday

It had been decided earlier in the evening that the Conservation Commission would meet on Monday, October 15th at 6:30pm.



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Additional Topics Discussed Not Noted on the Agenda

Andrew Dorr – Eagle Scout Project

Mr. Dorr attended the meeting to ask about an Eagle Scout project. Members told him that they could use a kiosk at the Woods Court location. The kiosk could hold history of the parcel as well as pictures and identifying trails. Alan will meet with Mr. Dorr to discuss the project.

Tara Alcorn

Ms. Alcorn came to the meeting at the request of Leah to discuss her possible appointment to the Conservation Commission, to fill the remainder of Marilyn Pike's term. Juan made a motion that the Commission recommend to the Board of Selectmen appoint Ms. Alcorn to the Conservation Commission. Alan 2nd the motion. – Motion passed unanimously.

Woods Court

Alan reported that he contacted John Cover regarding mowing Woods Court. He also spoke to the abutter, Harold West, who was pleased to have the Commission maintain the area.

Motion made, 2nd and passed unanimously to close the meeting at 8:27pm. The next meeting scheduled for Monday, October 15, 2018 at 6:30pm.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Conservation Commission