

DRAFT MINUTES

CONSERVATION COMMISSION

FEBRUARY 22, 2011

Chair Cathy Allyn called the meeting to order at 7:07 PM

Roll call: Cathy Allyn chair Terry Jarvis selectmen's representative Charlie Berube, vice chair.
Excused: Bob Craycraft, Paddy McHale, Bill Malay.

Cormier, air Shoreland permit: David and explained that there is no formalized process for the conservation commission to comment on Shoreland permits. He asked the commission to review this application in order to give feedback to the ZBA and the planning board, which will probably need to review it before permitting is complete. The commission may also send its, habits to the wetlands Bureau, although it is not clear how much impact they might have.

The application requests a Shoreland permit to tear down an existing house and replace it with a new house of its approximately the same footprint and in approximately the same location but to feed further away from the lakes edge. The application also proposes replacing a large section of the driveway with pervious pavers.

The commission found it difficult to understand the details of the proposal. Note the mentions are provided for either the old or new house and no, distances from the shore line are provided. The new driveway appears to Smaller than the existing driveway, but no numbers are provided to confirm that. The title box indicates that the plans cover two lots and there are references to two lots on the plans but the boundary between lot 005 and lot 006 is not shown. Therefore, it is not possible to know if the if any of the proposed structures overlap lot boundaries and.

The plan shows the Leach field with no set back from the property line. This proposal is in violation of town ordinances and will require a variance application to the zoning board of adjustment demonstrating that this location is the only location that is possible without creating hardship to the property owners and

The plan does not include a maintenance plan for the pervious pavement or any other storm water best management practices that will be built on the lot. Most storm water BMPs require regular maintenance or they lose their effectiveness.

The commission members agreed by consensus to draft a letter to the wetlands Bureau with these comments. They also agreed to send a letter to the ZBA asking them to take these factors into consideration when they review a request for a variance. And finally they agreed to write to the applicant and inform him of their concerns and of the need for a variance from the CBA. They also agreed to notify the building inspector that no occupancy permit should be issued until all of these conditions are met.

Prime wetlands: commission members continued their discussion of requesting prime wetlands status for several wetlands in town. They asked for additional information about the impact of prime wetlands designation. What additional requirements are placed on the property owner's and

Commission members discussed the process of persuading the town meeting to approve prime wetlands designation. They identified several factors that would encourage voters to be supportive. One. Agreement of property owners whose land would be designated as prime wetlands. Two. The sum of the wetlands locations appear to be in existing conservation protections. Heading the prime wetlands designation would have little or no impact on these properties and

Terry Jarvis suggested that the wetlands behind Doug Roberts old garage would be a high priority for protection. She said she is concerned that, there may be contamination in that area from the garage and the location has been used for partying drug use and other activities that could affect the water quality of those wetlands paragraph in

Commission members agreed on for of the wetlands areas as a starting point for consideration. These are numbers nine cold rain pond. Number six E. side of Mary meeting like number 10 Beaverbrook and number 11 forest society.

The commission asked Mr. Alan to prepare met this which would show the overlap of the prime wetlands areas with property lines and with existing conservation designations.

The and Shirley forest trail: at the February 8 conservation commission meeting, members had discussed the possibility of a hiking trail in the Shirley forest. Peter Farrell the forest are preparing the plan had said that he was open to working with the commission on such a trail and that he would need to know the desired location before the cutting of timber in the can began.

Commission members agreed that the precise location of the trail was of less important to them than certain characteristics of the trail. They agreed that they would want the trail to coast have as much diversity of trees and shrubs, and wildlife as possible and they agreed they would like the trail to have a loop so that people could start in one location and and up

returning to a location nearby. Members are also hoping that the trail will come within viewing distance of a few of the biggest trees and that these will be protected from cutting.

Chair Allyn agreed to call Mr. Farrell, and to share these thoughts with him and to find out from him. If that is enough information for him to go forward or if some members of the commission should accompany him on an additional site walk.

CSP eight: shall Mr. Alan shared information with the commission about legislation that has been introduced that would affect the comprehensive Shoreland protection act. He suggested that members review the information at home and that they contact legislators about any concerns that they may have.

He added that the threats to the state law raise again the question of whether the town wants to strengthen its own Shoreland protection ordinance the commission had some discussions on this subject last year and there was interest expressed but the commission focused its work on other issues. Mr. Alan suggested that the commission make it a regular item on its agenda for this year and explore the need and the issues that would be addressed in an amendment to the existing ordinance.

Members agreed that it would be important to communicate their interest with the planning board, which would be the board that would actually make a proposal to town meeting for an amendment. They also suggested that getting support from the Mary meeting Lake Association and similar formal or informal associations for marches pond and chalk pond should be done early on in the process.

Potential legal issues: David Allen briefly updated the commission on to applications that were discussed in detail at the February 8 meeting, which could result in legal action between abutters, or possibly with the town. At the last meeting, the commission asked him to consult with the local government center attorneys in regards to a couple of questions raised by these applications. Mr. Allen indicated that he would send a letter to the LG see by the end of this week.

Minutes: Terry Jarvis moved to accept the minutes of February 8, as amended, Charlie Berube Ruby seconded. Approved unanimously with no abstentions I sweetie can you hold on just a second.

Terry Jarvis moved to adjourn at 8:38 PM Charlie Berube he seconded. Approved unanimously with no abstentions.

Respectfully Submitted,

David Allen
Land Use Administrative Assistant

DRAFT