



Office of the
CONSERVATION COMMISSION

Town of Townsend,
272 Main Street
Townsend, Massachusetts 01469

James Deroian, Co-Chairman

Veronica Kell, Clerk

Leslie W. Gabrilka,
Conservation Agent

Jennifer Pettit

Emily Norton, Co-Chairman

John Hussey

office 978-597-1700, ext. 1739
fax 978-597-1835

Minutes
Selectmen's Chambers
Memorial Hall
Wednesday, March 25, 2015 @ 7:00 P.M.

1.0 Preliminaries

1.1. Open Meeting – Co-Chairman Emily Norton opened the meeting at 7:05 pm

1.2. Roll Call – Co-Chairman Emily Norton (EN), Jennifer Pettit (JP) and John Hussey (JH) were present. Veronica Kell (VK) arrived at 7:06 pm. James Deroian was absent. Conservation Agent Leslie Gabrilka (LG) was present.

1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting - none

1.4 Chair's Report - EN reported that she, Ken Hartlage (President of Nashoba Conservation Trust), Nick Miller (authored multiple letters to FERC on the Fix FERC First approach), and Elaine Mroz, will be meeting with Jeremy Thompson of Senator Elizabeth Warren's staff on Monday, March 30th, in Boston. Prior to the meeting they will get together on March 26th to coordinate their presentation to Senator Warren's staff about the need to revise FERC's policy.

1.5 Administrator/Agent Report – LG discussed the Open Space land deeded to the town when the Planning Board approved the Dudley Meadows Open Space Preservation Development. One of the additional requirements of the permit was that the developer put a walking trail on the Open Space, which he did. The deed does contain language placing the property under the care and custody of the Conservation Commission, so it would not have Article 97 protection. When she contacted the state GIS office about putting it on the protected Open Space data layer, they agreed to do so, but also recommended getting that language on the deed. The Commission needs to request that the Selectmen, and probably Town Meeting, transfer the property.

JH motioned that the Conservation Commission proceed with whatever process is required to transfer the Dudley Meadows Open Space to the care and custody of the Conservation Commission, seconded by JP, all in favor.

1.6 Review of Minutes (3/11/15) –not drafted – tabled until the next meeting on 4/08/25

2.0 Hearings and Appointments - none

3.0 Work Session

3.1 Bills payable:

3.1.1 Vote to pay \$100 to the MACC from the Wetland Protection Act fund for Veronica Kell to attend a Wetland Delineation workshop – LG stated that VK had already paid for the class, so the motion would need to state that the Commission approve the payment to

reimburse her. JP motioned to reimburse VK in the amount of \$100 from the Wetland Protection Act fund for the Wetland Delineation workshop, seconded by JH, all in favor.

EN stated that she would like to take the course as well, but had not signed up for it yet. JP motioned to reimburse EN in the amount of \$100 when she registers for the Wetland Delineation workshop, seconded by VK, all in favor. LG will draft the warrant for the next meeting.

- 3.1.2 Vote to reimburse Leslie Gabrilksa in the amount of \$774.60 from the Wetland Protection Act Fund for mileage** – JP motioned to reimburse LG in the amount of \$774.60 from the Wetland Protection Act fund for mileage, seconded by VK, all in favor.
- 3.1.3 Vote to reimburse Leslie Gabrilksa in the amount of \$71.28 for the Conservation Commission operating budget for mileage unassociated with the Wetlands Protection Act.** – JP motioned to reimburse LG in the amount of \$71.20 from the Conservation Commission operating budget, seconded by VK, all in favor.
- 3.2 Vote to recommend the appointment of a Commissioner to Town Properties Committee.** – tabled until 4/08/15
- 3.3 Sign letters of appreciation to former Commissioners Karen Chapman and Mary Small** - signed
- 3.4 Discuss ZBA Mandatory Referral Notice: Andrew & Wendy Hammond, 11 & 15 Sauna Row Rd.** – The hearing will be opened on April 29th, so the Commission tabled commenting until LG and the Commission can go out and confirm that the work would not be in a buffer zone of a wetland located behind the property.
- 3.5 Vote to approve the conveyance of the conservation land at Locke Estates to the Massachusetts Division of Fisheries and Wildlife, and to request the Board of Selectmen to send Article 97 Home Rule Petition to Rep. Harrington and Sen. Flanagan requesting approval of said conveyance.** – LG explained that though the Commission asked the Board of Selectmen to put the above-referenced article on the Town Meeting warrant, and it did pass at Town Meeting, the language did not DIRECT the Selectmen to take the action. There was also no record of a vote by the Commission as well. So, in order to ensure thoroughness for the state legislature to seek passage of the proposed bill, the Commission should have a vote on the record. The Selectmen will vote on the matter at their meeting on 3/31. Then the language will be presented to our representatives in the legislature to pursue passage. When approval is obtained, and the town receives the check from the Division of Fisheries and Wildlife, the Commission will need to go back to Town Meeting to request that the money be transferred to the Conservation Land Fund.

JH motioned to approve the conveyance of the conservation land at Locke Estates to the Massachusetts Division of Fisheries and Wildlife, and to request the Board of Selectmen to send the Article 97 Home Rule Petition to Representative Harrington and Senator Flanagan, requesting approval of said conveyance, seconded by VK, all in favor.

4.0 Correspondence

- 4.1 Forest Cutting Plan Final Comments: West Realty Trust, Meadow Rd** - noted.
- 4.2 Forest Cutting Plan Final Comments: Julius Melbin, North End Rd** - noted.
- 4.3 ZBA Notice of Decision and Decision for a Special Permit for the NMRSD for the construction of a new high school at 19 Main Street in the Aquifer Protection District** – noted.
- 4.4 ZBA Notice of Decision and Decision for a Special Permit for Riverbank Development LLC for construction of a new Fire Department headquarters at 13 Elm St.** – noted.

5.0 Items for discussion at the next meeting

- 1.4 EN to report on meeting with Senator Warren regarding the meeting about the Federal Energy Regulatory Commission on Monday, March 30th**
 - 3.1 Vote to recommend the appointment of a Commissioner to Town Properties Committee.**
 - 3.2 Discuss ZBA Mandatory Referral Notice: Andrew & Wendy Hammond, 11 & 15 Sauna Row Rd.**
 - 3.3 Vote to reimburse Emily Norton in the amount of \$100 from the Wetland Protection Act Fund for the MACC Wetland Delineation workshop.**
 - 3.4 Update on Article 97 vote by Board of Selectmen re: Locke Estates, and status of request to transfer Dudley Meadows open space to the care and custody of the Conservation Commission.**
 - 3.5 Update on MACC and other workshops available to Commissioners**
 - 6.0 Advertisements and Conferences**
 - 6.1 Massachusetts Open Space Conference, Saturday, May 9th, 9:30 am – 4 pm, Overlook Middle School, Ashburnham, MA**
 - 7.0 Next meeting – Wednesday, April 8, 2015 at 7:00 pm**
 - 8.0 Adjournment** – JH motioned to adjourn at 7:38 pm., seconded by JP, all in favor.
- Minutes respectfully submitted by Leslie W. Gabriliska, Conservation Agent