

CONSERVATION COMMISSION
MINUTES of MEETING
Tuesday, March 12, 2024
TOWN HALL ANNEX, 39 CENTRAL STREET
APPROVED: 4/2/2024

Present: Chair Daniel Shinnick, Vice Chair Howard Vogel, Nancy Miller,
Sam Streiff, Howard Terrien and Ann Witzig
Absent: N/A
Attending: Brent Baeslack, Conservation Agent

Opening Statement: Authorized by Wetlands Protection Act, Town of Rowley Wetlands Protection Bylaw, and the Stormwater Management and Erosion Control Bylaw. Meeting convened at 7:30 PM (all legal ads were read to open new agenda items). This remote meeting was held pursuant to Chapter 2 of the Acts of 2023 which extends the expiration of the provisions pertaining to the Open Meeting Law to March 31, 2025. The public could not physically attend this meeting, but every effort was made to allow the public to view the meeting in real time.

Administrative: Commissioners reviewed and authorized the payroll and reimbursement of various vendor bill requests.

Acceptance of Minutes: After the Commission reviewed the minutes of February 20, 2024, Witzig moved to accept the minutes. Terrien seconded and the motion passed unanimously by roll call vote.

Acceptance of Minutes: After the Commission reviewed the minutes of October 4, 2005, Streiff moved to accept the minutes. Vogel seconded and the motion passed unanimously by roll call vote.

Expense Vouchers and Payroll Authorization – Authorization for Chairman and Vice Chair to sign Expense Vouchers and Dept. Payroll Forms. The Commission discussed authorizing either the Chairman and or the Vice Chairman to sign individually all expense vouchers and payroll authorization forms. In the absence of either signature from the Chairman or the Vice Chair, signatures from three (3) Commissioners would be required to submit to Accounting Dept. for processing. A consensus was reached that this would be acceptable.

Streiff moved to authorize the Chairman or the Vice Chairman to sign expense vouchers and payroll forms. Terrien seconded and the motion passed unanimously by roll call vote.

Proposed Budget for Fiscal Year 2025 - Review and authorization of NOI Funds for use for a portion of wages. The Commission reviewed the proposed budget for fiscal year 2025 to be submitted for approval to the Board of Selectmen and the Finance Committee. Agent Baeslack advised that the budget was level funded with a 2% Cost of living allowance and requested that the Commission approve use of NOI Funds to cover a portion of the wages for

the Conservation Secretary. The Commission agreed to the proposed budget and authorized the Agent to prepare a letter requesting the Selectmen to authorize the use of NOI Funds for wages.

Witzig moved to submit FY25 Budget as presented, approve the use of NOI Funds, and request Board of Selectmen to authorize use of NOI Funds for wages of the Conservation Secretary. Terrien seconded and the motion passed unanimously by roll call vote.

Request for Determination at 935 Haverhill Street (Map 4, Parcel 31) by Bitterroot LLC: After-the-fact establishment of a stockpile area and construction of a gravel access way within the 100' Buffer Zone to Bordering Vegetated Wetlands and 200' Riverfront Area of Muddy Brook. Ms. Maureen Herald of Norse Environmental Services was in attendance on behalf of the applicant. Agent Baeslack provided photos of the site. The Commission reviewed Agent Baeslack's email memo dated March 12, 2024 with recommendations for plan revisions and conditions. The Commission discussed relocation of the stockpile and agreed to add a condition that the stockpile be relocated within one (1) year to a grassed area outside of the canopy of the mature tree it was currently enveloping to forestall any negative impacts to the tree.

Witzig moved to issue a Negative Determination options #2 and #3 with the additional condition as discussed and receipt of a revised plan. Terrien seconded and the motion passed unanimously by roll call vote.

Abbreviated Notice of Resource Area Delineation at 935 Haverhill Street (Map 4, Parcel 31) by 935 Haverhill LLC: Proposed delineation of regulated wetland resource areas (state & local). Ms. Maureen Herald of Norse Environmental Services was in attendance on behalf of the applicant and described the property. She advised, due to weather conditions, the review of the Bordering Vegetated Wetlands and Riverfront Area delineation had been delayed and requested that the hearing be continued. The Commission reviewed Agent Baeslack's email memo dated March 12, 2024 that recommended plan revisions. The Commission agreed to a continuation.

Streiff moved to continue the public hearing to the meeting of April 2, 2024 with the applicant's permission. Vogel seconded and the motion passed unanimously by roll call vote.

Continued Notice of Intent at 45 Stackyard Road (Map 33, Parcel 16) Michael Goolkasian: Proposed construction of sanitary disposal system, private well, and site work to resolve compliance issues possibly within Bordering Vegetated Wetlands, Salt Marsh, ACEC, associated 100' Buffer Zones, NHESP Priority Habitat, and Land Subject to Coastal Storm Flowage. Mr. Robert Grasso of Engineering Land Services was in attendance on behalf of the applicant. The revised plan was reviewed. The Commission discussed a variable width No Cut/No Disturbance Area to accommodate the past existing use and development of the property.

Vogel moved to issue an Order of Conditions as discussed with revised plans. Witzig seconded and the motion passed unanimously by roll call vote.

Request for Certificate of Compliance DEP #63-0295 at 645 Main Street (Map 33, Parcel 30) First Congregational Church: Expired Order of Conditions for proposed construction of a single family residence, work never commenced. Agent Baeslack presented the request and advised the Certificate of Compliance was being issued for an expired Order where the work had never commenced. The property now has a Conservation Restriction in place and this is an administrative action to close the permitting record.

Streiff moved to issue a Certificate of Compliance for invalid DEP #63-0295 Order of Conditions. Terrien seconded and the motion passed unanimously by roll call vote.

Adjournment:

Accomplished 8:40 PM by a motion made by Witzig. Terrien seconded and the motion passed unanimously.

Submitted by Brent Baeslack, Conservation Agent