

PEPPERELL CONSERVATION COMMISSION

Minutes – April 1, 2008

The Pepperell Conservation Commission (PCC) held a regularly scheduled meeting under the Massachusetts Wetlands Protection Act, MGL Ch. 131, §40 and the Pepperell Wetlands Protection By-Law. The meeting was held in the Town Hall at 7:00 p.m.

Members present: Elliott presiding, Moody, Rand, Rice, Steeves, and Tzanoudakis; member absent: Sauer.

The Commission approved a vacation for Fisher from April 9 through 14.

Several members of the Nashoba Conservation Trust had asked if they could install more bluebird houses at the Heald Street Orchard. The Commissioners agreed, but asked that any birds which use the houses be allowed to stay, even if they are not bluebirds.

The Commissioners approved spending up to \$100 to mount a copy of the Open Space Plan on foam core board for display with the photos at Ken Hartlage's Library show.

A Request for a Certificate of Compliance for DEP File #259-654 for paving of the driveway at 29 Boynton Street had been received. Fisher reported that her site visit was satisfactory. On a motion from Elliott, seconded by Rand, all

VOTED: to issue a Certificate of Compliance.

7:10 p.m. Public Meeting re RDA filed by Mass. Electric Company (dba National Grid) for temporary relocation of electric power lines at the covered bridge on Groton Street

David Therrien attended the meeting to represent the applicant. Under the Pepperell Wetlands Protection Bylaw, the Commission determined that the project area involved BVW. Therrien said that he believes this activity is part of the Massachusetts Highway project to replace the covered bridge. He said that the Wetlands Protection Act, and, therefore, the By-Law, did not apply to this project under Chapter 40 of the Commonwealth of Massachusetts Acts of 2003, Section 10.

Therrien said that because the new covered bridge would be lifted into place by cranes, the electric wires currently passing over the bridge needed to be moved. He described 3 alternatives for the relocation of the wires. The preferred location would carry the wires across the river from an existing pole on the northeast corner of the bridge onto a set of temporary poles to be placed on the Fisheries and Wildlife land on the southeast corner, then running along Lowell Street to the substation. Other alternatives included one previously discussed with the Commission which would have placed a utility pole on the Conservation Land on the northwest corner of the bridge and a third alternative which involved burying the wires (this had been rejected because of cost).

Therrien said that the temporary installation of the wires in the proposed location would require the removal of 3 large trees. No stumping was planned. One tree was on the northeast bank, and two additional trees were on the southeast. Therrien said that the two trees on the southeast bank were already compromised. One had damage from an apparent lightning strike, and the other had been girdled by beavers. Therrien said that there would be additional minor trimming and removal of small trees or brush. Moody asked why this was a temporary relocation. Therrien answered that Fisheries and Wildlife could not give permission for permanent location of utility poles on their land. Rice asked if any replacement trees were planned. Therrien said that Fisheries and Wildlife had not requested any. Tzanoudakis reviewed a copy of Chapter 40 of the Acts of 2003 and said that the exemption seemed clear. On a motion from Elliott, seconded by Rand, all

VOTED: to issue a Negative 5 and 6 Determination.

7:25 p.m. Public Hearing re NOI filed by John Kimball for construction of a driveway and installation of a water line at 23 Heald Street

At the request of the applicant prior to the meeting, this hearing was continued until April 15, 2008 at 7:25 p.m. Fisher distributed extra copies of the Notice of Intent and project plans to the Commissioners. A site visit was scheduled for Tuesday, April 8, at 5 p.m. Fisher said she would notify Mary Trudeau.

Other Business

Upon a motion by Elliott, seconded by Rand, with Steeves abstaining, it was

VOTED: to approve the minutes of March 4, 2008 as drafted.

After a brief discussion, the Commissioners approved and signed the Keyes Farm Land Use and Management Plan, as adopted by the Nashoba Conservation Trust Board of Directors on March 24, 2008.

The Commissioners asked Fisher to develop a list of tips for lawn maintenance to be included in the Water Department's annual mailer about water rates. Moody and Rice suggested that caution about over-fertilizing and a suggestion to use organic products be included. There was discussion about irrigation wells, but the Commissioners decided not to suggest to the Board of Health that regulation of irrigation wells be implemented at this time. Rand said that water supplies are not unlimited and asked if the aquifer levels are currently being monitored. Steeves asked if there were any monitoring wells in Pepperell. Fisher was asked to research this.

In answer to a question from the ACEC Stewardship Committee, the Commissioners decided that the release of beetles for purple loosestrife bio-control would not require a WPA filing in Pepperell, but they requested that they be notified if/when it is done. Release on Conservation Land would require permission of the Commission.

The Commission endorsed and signed an Enforcement Order that Fisher had issued the previous week for a beaver dam breach on the Hicks property, Lot 5B Beaver Creek Circle. Fisher had received a complaint, including photographs, from neighbors about a flash flood on March 20th

and after investigation she had discovered recent activity on the dams. The Enforcement Order was issued jointly to Jean and Reed Holmes and the Robert M. Hicks Company.

The meeting adjourned at 8:30 p.m.

Respectfully submitted,

Ellen L. Fisher