

The following Commissioners were present: Bob Elliott, Chairman; Tim Dinsmore, Stuart Lahtinen, Pat Swain Rice, Rob Rand. Absent: Emily Boeing, Peter Steeves

3/21/2023 - Minutes

1. Public Hearings, Public Meetings & Appointments

- A. 7:05 PM The Commission Will Consider A Request For Determination Of Applicability Filed By New England Power Co. To Conduct Geotechnical Boring Investigations Within The NEP O42-5 Tap Electric Transmission ROW. The Following Regulated Wetlands And Buffers Were Identified Within The Project Area: Bordering Vegetated Wetlands, Bank, Land Under Water, Bordering Land Subject To Flooding, Buffer Zone, And Riverfront Area.

Stephen Herzog with VHB represented New England Power Co. The proposal is to conduct geotechnical borings from the National Grid substation on Groton Street east to Dunstable for a future project to replace some of the pole structures. There would be a mobile drilling rig. Wetlands and unstable soils would require the placement of timber construction mats. A small crane would lift and place the timber mats in front of the crane to provide a stable, dry surface for the equipment. Rand asked when the proposed project would be scheduled. Mr. Herzog said they expect to start sometime in May. Commissioner Lahtinen asked about the plan for addressing protected wildlife. Mr. Herzog said he would be able to provide the Determination letter from MA Natural Heritage and Endangered Species Program (NHESP) to Administrator Terrasi. Mr. Herzog said a Request for Determination of Applicability was filed so that VHB could provide details about the project to the Commission and the public, as proposed. He is requesting a negative Determination of Applicability. Under the MA WPA the project would be exempt. After the borings are taken, the mats would be removed. The soil removed during the borings would be returned to the holes. Chairman Elliott asked the depth of the holes. Mr. Herzog said they would drill to refusal (bedrock) or 30'. Mr. Herzog stated that they would return several years from now to do the work. At that time, they will return to the Commission with a plan for the replacement work. On a motion from Chairman Elliott, seconded by Commissioner Rand, all,

**VOTED** to issue a negative Determination of Applicability #2 The work described in the Request is within an area subject to jurisdiction under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent; #3, The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to jurisdiction. Therefore, said work does not require the filing of a Notice of Intent; and #6, the work is allowed under the Pepperell Wetlands Protection Bylaw.

2. Review Of Draft Minutes

- A. Review Of Draft Minutes Of March 7, 2023

On a motion from Chairman Elliott, seconded by Commissioner Rand, all (Commissioner Lahtinen was not yet in attendance).

**VOTED**: to approve the draft Minutes of March 7, 2023, as drafted.

3. For Signature: Schedule Of Bills Payable

- A. Bills Payable - NRWA \$100 Membership

On a motion from Chairman Elliott, seconded by Commissioner Rand, all (Commissioner Lahtinen was not yet in attendance).

**VOTED**: to pay the Bills Payable for \$100 to Nashua River Watershed Association for

membership fees.

#### 4. Conservation Administrator's Report

##### A. NRWA Request For Permission To Take Cuttings For Restoration Efforts

Staff from the Nashua River Watershed Association (NRWA) have asked for permission to take cuttings from trees and shrubs to be used for restoration efforts at various properties throughout the Watershed, specifically, willow, red osier dogwood, speckled alder, and/or elderberry. Commissioner Dinsmore said this type of work would involve taking the first year of growth. Commissioner Rice said cuttings should not be taken from one plant but multiple plants, one here and one there. The remaining Commission members voiced no additional concerns, but support the comments and advice already provided. Administrator Terrasi will contact the NRWA staff involved with the projects to authorize the cuttings, but state the cuttings must be taken from multiple plants to protect the trees and shrubs.

##### B. Great American Rain Barrel Program - Orders Must Be Placed By Midnight On 5/30/2023

Administrator Terrasi stated that the Town of Pepperell will be working with the towns of Tyngsborough and Dunstable to, once again, offer rain barrels to the public. Details of the program and ordering instructions are available on the town's website. Orders must be placed online by midnight on May 30, 2023. The barrels will be available at the Tyngsborough Highway Garage on Saturday, June 10. Questions about the program can be directed to Administrator Terrasi.

##### C. Subdivision Rules And Regulations Review

After review of the Subdivision Rules and Regulations, comments from the Conservation Commission, Building Department, and Highway Superintendent were provided to the Planning Board. Working with a consultant from the Northern Middlesex Council of Governments (NMCOG), the Planning Board is proposing an update to the Rules and Regulations. Comments from other town departments and committees has also been requested.

#### 5. Matters That May Be Raised That The Chairman Didn't Reasonably Anticipate

None

#### 6. Other Business

##### **Breakfast with the Birds**

Breakfast with the Birds is scheduled for Saturday, May 20 at 6:30 am at the Heald Street Orchard. The "Breakfast" will include coffee and breakfast pastries from Dunkin Donuts. The event will be advertised in the Freedom's Way Hidden Treasures calendar for the month of May and we are hopeful, that the Lawrence Library and other town organizations will also provide programs that day.

##### **Earth Day**

The Lawrence Library will be coordinating Earth Day activities and a table on Saturday, April 22 from 10-2:00 PM. There will be a table for the Conservation Commission and the Nashoba Conservation Trust. At a minimum, we expect to have a large open space map available for viewing, a rain barrel to highlight the program, and trail guides.

There are no public meetings or hearings on April 4, 2023. The next meeting will be April 18, 2023.

Respectfully submitted,

Paula Terrasi

Conservation Administrator