

TOWN OF LUNENBURG

Lunenburg Conservation Commission

Jennifer Pewtherer	<i>Chair</i>
Richard Bursch	<i>Vice Chair</i>
Michael Larouche	<i>Clerk</i>
Mary Wilson	<i>Member</i>
Jeff Viviano	<i>Member</i>
Chris St Germain	<i>Member</i>
Peter Stella	<i>Member</i>



Tel: (978) 582-4146
960 Massachusetts Ave
Lunenburg, MA 01462

Sophia Dorow – Interim Consv. Admin
Logan O’Connell – Temp Admin Asst.

MINUTES

Monday, 2025-05-07 – 7:00 P.M. | Zoom (Remote)

1. CALL TO ORDER

Roll Call: R. Bursch, M. Larouche, M. Wilson, Peter Stella, J. Pewtherer.

Joined late: Chris St Germain

Absent: Jeff Viviano.

Call to Order at 7:03 pm by J. Pewtherer

2. ANNOUNCEMENTS

- Public Comment. None
- Commissioner comments: M. Wilson acknowledged the work done by NHS students at Table Rock. J. Pewtherer noted there was a good turnout for the Earth Day event.
- Minutes of Previous Meetings: None

3. APPOINTMENTS

- 60 Cross Rd – CAOC-25-1
A request to amend the Order of Conditions issued on October 16th, 2024, for Notice of Intent DEP# 208-1329.
- Applicant not present – legal notice did not go out in time.

4. NEW PUBLIC HEARINGS

- 1178 Northfield Rd – NOI-25-4
A Notice of Intent by Mary Paquette & Joan O’Brien for replacement of an existing failed septic system, including work within the 100 ft and 30 ft buffer zone of a wetland resource area.

Ryan Proctor with Dillis and Roy represented the applicant. DEP comments were to obtain approvals from Nashoba Board of Health as well as Lunenburg Board of Health, both of which have been obtained. Confirmed that straw waddles will be utilized. M. Wilson requested that the construction debris be moved out of the 30-foot no touch zone. J. Pewtherer requested that the clearing debris also be moved out of the 30-foot no touch zone.

Motion:	C. St Germain, to approve, with the condition that all debris is removed from the 30-foot no touch zone.		
Second:	M. Larouche		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - AYE

b. 57 Round Rd – RDA-25-4

A Request for Determination of Applicability by Rene Rainville for installation of a well and waterline, including work within the 100 ft and 50 ft buffer zone of a wetland resource area.

The applicant explained that Dan Wolf from Ross Associates has done the paperwork but could not make this meeting. He explained that his neighbor is having a well installed and they thought doing both wells together would eliminate having the truck come in a second time. No vegetation needs to be removed to drill the well; it is all lawn.

Motion:	R. Bursch, for negative determination		
Second:	M. Wilson		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - AYE

c. 60 Cross Rd – CAOC-25-1

A requested amendment to the Order of Conditions issued on October 16th, 2024, for Notice of Intent DEP# 208-13.

The Ledger notice was not completed in time so we cannot review this item. We discussed whether the changes were significant enough to need an amendment, deciding that they did and to fully open for discussion at the next meeting.

d. 201 Leominster-Shirley Rd – RDA-25-1 (Cont. from 04-16 to 05-07)

A Request for Determination of Applicability by Keolis Commuter Services for vegetation management, control and maintenance activities along the railroad right-of-way within Lunenburg, as part of the renewal of the five-year vegetation management plan (VMP). (OpenGov.com Record ID# RDA-25-1).

Matt Donovan represented the applicant. This is part of the 5-year vegetation management plan and complies with CMR 11.04. He went on to describe the process. Requested that an exemption letter from the local 30-foot bylaw be added to Opengov.

Motion:	M. Wilson, to approve a negative determination on the condition that the exemption letter is received and to accept the wetlands determinations as presented. (Positive 2A)		
Second:	M. Larouche		
Vote:	R. Bursch – AYE	M. Wilson – AYE	P. Stella - AYE
	M. Larouche – AYE	J. Pewtherer – AYE	

5. **CONTINUED PUBLIC HEARINGS**

- a. 390 Howard St – ANRAD, DEP# 208-1304. (Cont. from 04-16 to 05-07)

An Abbreviated Notice of Resource Area Delineation by Kevin O'Brien at 390 Howard Street (DEP # 208-1304)

The applicant was not present.

Motion:	R. Bursch, to continue to 5/21/2025		
Second:	C. St Germain		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - AYE

- b. 221 Electric Ave – NOI-24-9 (Cont. from 04-16 to 05-07)

A Notice of Intent by Daniel Sheehan of Haley Ward Construction for construction of a two-family dwelling and rain garden within the 100-foot buffer zone of a bordering vegetated wetland located at 221 Electric Avenue.

Applicant requested to be continued until 5/21/2025.

Motion:	R. Bursch, to continue to 5/21/2025		
Second:	C. St Germain		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - AYE

- c. 67 Island Rd – RDA-24-9 (Cont. From 03-05 to 05-07)

A Request for Determination of Applicability by Melissa Cannavino for the renovation of a patio, stairs, and walkway within the 50-foot buffer zone of Hickory Hills Lake.

The applicant presented pictures of what the walkway looked like previously. He also showed basic revegetation plans. Commissioners agreed that this would not be allowed as new construction and were not convinced the pictures demonstrate it to be an actual repair. The applicant requested they be allowed to continue working with Dillis and Roy to develop a plan acceptable to the Commission.

Motion:	C. St Germain, to continue to June 18.		
Second:	R. Bursch		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - Abstain

- d. 31 Round Rd – NOI-25-8 (Cont. From 04-16 to 05-07)

Continued to 05-21 per applicant's prior request via OpenGov.

A NOTICE OF INTENT by Shawn Farrow for the construction of two landscape replacement walls, placement of two removable docks & replenishment of beach sand within the 100 ft, 50 ft & 30 ft buffer zone of a wetland resource area on Lake Shirley.

Motion:	M. Wilson, to continue to 5/21/2025		
Second:	C. St Germain		
Vote:	R. Bursch – AYE	M. Larouche – AYE	M. Wilson - AYE
	P. Stella – AYE	C. St Germain – AYE	J. Pewtherer - AYE

6. **ADMINISTRATIVE DETERMINATIONS**

- a. 10 Sandy Cove Rd – [CAD-25-1](#).

Partial pass per Sophie's [03-26 site visit](#). Requested updated plan depicting location of replacement plantings be uploaded to OpenGov.

The applicant noted that the main goal is to install solar panels to help with electric costs, which will require tree removal. With the extent of the work, M. Wilson wondered if this was more properly an RDA or a NOI. Even then, this much work within the 30-foot no touch zone would likely be denied.

- b. 7 Park St Ter – [CAD-25-2](#)

Approved at 04-16 meeting, pending written determination from Sophie. Currently coordinating how to handle during absence.

Waiting for the administrator's report.

- c. 791 Leominster Rd – [CAD-25-4](#)

Request to remove two unstable pine trees 15-29 ft. past the Limit of Work.

Advised applicant (Stephen Bedartha of 81 View Street in Fitchburg) that the new interim administrator will be reaching out to him. Discussed the request and looked at several photos. The applicant agreed the trees are outside of the existing Limit of Work. It was agreed that the trees could be a real danger to the new house and should be replaced at a defined ratio based on the size of the existing tree.

Since the work is within the 30-foot no touch zone, there are restrictions on the equipment that can be used to remove the trees. Stumps must stay in the ground because removing them is very disruptive to the soil in the 30-foot zone.

Replacement trees must be pre-approved by the Commission.

Motion:	M. Larouche, to approve 6 trees at least 10 feet each with a 3:1 replacement. Pine number 2 will be taken down manually while pine number one can use a bucket
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	outside of the limit of work. A planting diagram must be pre-approved and must use native trees comparable to existing trees. They must be planted in the current growing season.		
Second:	C. St Germain		
Vote:	M. Larouche – AYE	M. Wilson – AYE	C. St Germain - AYE
	P. Stella – AYE	R. Bursch – AYE	J. Pewtherer - AYE

- d. **Extension Request Permits:** None
- e. **Certificates of Compliance:** None
- f. **Notice of Project Change:** None

7. **ENFORCEMENT**

a. **Violations, Enforcement Actions, and Hearings:**

- i. 10 Mass Ave: None
- ii. 1168 Mass Ave Rear
- iii. 40 Fire Rd 12: the Town will put the boulders in place. One person had simply moved the trash, and this should be treated as a separate incident.
- iv. 950 Chase Rd
- v. 390 Howard St
- vi. 48 Meadow Ln
- vii. 199 Mass Ave
- viii. 1147 Mass Ave
- ix. 314 Highland St

b. **Emergency Certifications:** None

8. **NEW BUSINESS**

a. **Topics Unknown – 48 Hrs. Advance of Meeting**

- i. 42 Meadow Lane. Not on the agenda but applicant wondered if some work she wanted to do was in the 30-foot zone. Mass Mapper indicated the area in question is approximately 653 feet from the wetlands, so it is within the 100-foot zone. Commission recommends the applicant continue by filing an RDA.

b. **Discussion – Adding associate members to Conservation**

- i. There are currently no associate members. The Chair would like former commissioners to be allowed to retain some duties, such as grant administrator.

Motion:	C. St Germain, to create the position of associate commissioners.		
Second:	M. Larouche		
Vote:	C. St Germain – AYE	P. Stella – AYE	R. Bursch - AYE
	M. Wilson– AYE	J. Pewtherer – AYE	

- c. Conservation administrator: The Fitchburg admin will be onboarding as our interim admin.

9. **OLD BUSINESS**

- a. Peer Review Process: None
- b. Default Continuations Practice: as long as meetings are properly opened and the applicant is coming to meetings then we are on stable ground, but a better rubric should be developed.
- c. Training Updates – Big 5: intended to let commissioners share the 5 things they have learned by going to the MACC training and to encourage commissioners to take advantage of available training. Example: Daily fines have a maximum of \$300 per day and must be issued every day.
- d. April Earth Day Report: successful pollinator habitat event, a fence was put around the cherry tree. Several volunteers cleared the area.
- e. Conservation Budge: None;
- f. **Encroachment Issues:**
 - i. 315 Lancaster Ave: None
- g. **Open Space & Land Use:**
 - i. Chapter 61 OpenGov Workflow: None
 - ii. Grants Update (LCC sponsored, award year 2023): Minor paperwork for Table Rock completed.
 - iii. Conservation Land Improvement
- h. **Hollis Rd Residence:**
 - i. Lease Agreements & Tenant Responsibilities
Submitted a \$218 order for final plants for the season and requested a trimmer be purchased. For \$229 we can get an 18-vold heavy-duty battery-operated trimmer, stored in the locked shed of the habitat.

Motion:	R. Bursch, approve \$447 from the HAW account to cover \$218 for plants and \$229 for a trimmer.		
Second:	M. Wilson		
Vote:	P. Stella – AYE	M. Wilson – AYE	R. Bursch - AYE
	C. St Germain – AYE	M. Larouche – AYE	J. Pewtherer - AYE

- i. **Committee Reports – Any Update:**
 - i. Open Space: None
 - ii. Storm Water: went to Town Meeting

10. **COMMUNICATIONS / PUBLIC COMMENT**

- a. Noted that Public Notices can also be placed in the Sentinel, which is a daily newspaper as opposed to the weekly Lunenburg Ledger. This is the applicant's decision.

11. **UPCOMING MEETING SCHEDULE:**

- a. May 21, 2025, by Zoom

12. **ADJOURN**

Motion:	C. Larouche, to adjourn at 10:05PM
Second:	M. Wilson

Vote:	P. Stella – AYE	C. St Germain – AYE	M. Larouche - AYE
	M. Wilson – AYE	R. Bursch – AYE	J. Pewtherer - AYE