

**Conservation Commission
Meeting Minutes**

Minutes of March 15, 2017

Members present: Steve Parretti, Chair; John Marc Aurele, Joshua Soojian,
Jim Cooper arriving at 6:37PM

Members not present: JoAnn Schold

Meeting called to order at 6:35PM

Request for Determination of Applicability

0 Mulberry Street CONT (Solar array project)

In attendance: Meredith Borenstein, representing Cypress Creek Renewable, LLC

Copies of 11 x 17 plans submitted, as requested. DEP's determination on the cellar hole was it would not be regulated and considered, Isolated Land Subject to Flooding "an isolated depression without an inlet or outlet" and was not subject to the Wetlands Protection Act.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to recommend a Negative Determination #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 protection under the Act. Therefore, said work does not require the filing of a Notice of Intent, subject to the following conditions:

Erosion control to ensure no sediment degrades wetlands; no work allowed outside of what was shown on the approved plans; and no wetland to be filled."

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Notice of Intent

25 Lakeview Drive CONT (demo, renovate, construct addition onto home)

In attendance: Jason Dubois, DC Engineering representing William & Pamela Keyes

Mr. Dubois explained the meeting was continued until after the Zoning Board Hearing regarding the Variance request for the garage.

The Building Inspector determined the garage as an accessory structure; therefore, would only require a special permit and not a variance. After said hearing with the Zoning Board, the special permit was approved for the garage.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to approve the NOI for 25 Lakeview Drive, Leicester to William & Pamela Keyes, to demolish portions of the existing house; renovate & construct an addition onto existing house; demolish existing boathouse; construct a retaining wall & tree removal, per revised plans submitted on 3/15/2017. Including addition of a gravel drainage structure between the patio and retaining wall; & notification to the Conservation Office before the start of any work for Erosion Control site inspection.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Notice of Intent

63 Fairview CONT (modifying retaining wall location)

In attendance: Robert Cody, property owner & Barry Grenier, Contractor

The survey shows the existing property line 8-feet off the existing wall and they want to move the wall a maximum of 6-feet in to provide room to fit a 12-foot wide boatlift.

Regarding grading impact, the slope tapers down and will backfill with $\frac{3}{4}$ stone and existing grass.

Plan submittal requirements discussed. DEP accepted original plan submittal.

Mr. Grenier explained they will be relocating 31-feet of the wall.

Mr. Parretti reviewed his conversation with DEP who didn't feel that there was an issue, as far as moving the wall back as it relates to wetland protection and was permissible. The only concern was the grading.

Mr. Grenier explained the slope will go back to a 90-degree angle & the wall to a straight vertical wall.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to approve the NOI for 63 Fairview Drive to Robert Cody to straighten out 30-feet of existing retaining wall by 6-feet from the property line with the following conditions:

Siltation control be in place before start of work; call the Conservation office before the start of any work for a site inspection & make sure all work stays within the owners property boundaries.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Instructions given on the appeal process and the filing of this decision with the Registry of Deeds.

Notice of Intent

1136 Main Street CONT (Leicester library renovation/addition)

Continued to April 12

Amend Order of Conditions

Worcester Airport Taxiway Project (DEP#197-0576)

In attendance: Jim Stolecki of MassPort, Kyle Purdy of vhb, Environmental Scientists, Shawn Curley of RH White Co & Justin Block, Resident Engineer

The request is to amend the Order of Conditions for the CAT III ILS and Taxiway Project to include two items:

Revised dewatering procedures for the Taxiway MSE (Mechanically Stabilized Earth) Wall area, as approved by the Commission in an Emergency Certification issued January 23, 2017; & Permanent changes to the drainage system at the Glide Slope area, including permanent diversion of an intermittent stream.

The existing drainage that flows through the Glide Slope area will be diverted by blocking the outlet from the manhole. Temporary sumps will be installed at the low point behind the steel

sheeting, to facilitate dewatering this area. Water will be pumped to a 50x50 foot temporary basin, 6-feet in depth. From that storage basin, water will be pumped to two frac tanks and then into two weir boxes equipped with floc logs. When clear, water will be pumped to two dirt bags on a haybale/filter fabric base. Water will discharge from these dirt bags and flow overland across a grassed area, approximately 100-feet above a drainage swale that parallels the perimeter fence.

Because of the violation of discharge entering the wetlands, DEP had become continually involved to make sure there were no future violations.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to approve the request to amend the Order of Conditions for the Worcester Regional Airport Taxiway Project to the follow up to the Emergency Certification issued on January 23, 2017 to create dewatering procedures for the Taxiway MSE Wall area and make permanent changes to the drainage system at the Glide Slope area. All conditions contained in the Original Order dated 4/27/2015 and amended 11/22/2016 apply to this amendment.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Board Discussion:

Miscellaneous

Ms. Donna Gilmore of 38 Cemetery Road, Charlton owns property on Greenville Pond.

The house on that site sits very close to the water. She inquired putting in a dock/deck extending from the house to the water.

The Commission recommended putting a plan together, showing the distance the deck would be from the water and bring to the Building Inspector for an opinion.

It was noted the filing of an RDA may be required.

Snowmobile club

In attendance: John True, Leicester Snowmobile Club

Memo from Bill Davis, District Manager of Mass Fishery & Wildlife Management. He stated having the opportunity to review work done by the Snowmobile Club removing the bridge over the intermittent stream and removal of tree sections, tops and brush from the intermittent stream. He was waiting for feedback from the Conservation Commission regarding compliance with their Enforcement Order.

After some discussion, the following motion made:

MOTION: Mr. Marc Aurele moved to send a letter to Bill Davis of Mass Wildlife stating, it was in the opinion of the Conservation Commission that the Leicester Snowmobile Club has satisfactorily addressed the Commission's concerns and recommended Mr. True continues to work with Mass Wildlife. If any concerns arise in the future, not to hesitate contacting this office to help in any way. The Commission now considers this matter to be closed and fully in

the hands of the Snowmobile Club and Mass Wildlife, because the wetland issues have been addressed.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Mr. True asked the Commission for any information regarding selective tree cutting behind the Leicester Pumping Station on Pine Street. He was informed that Conservation had walked the site with someone inspecting where a bridge was located over a stream and tree cutting taking place.

The Commission had no knowledge on this issue and recommended contacting Kate Marquis, DCR Service Forester, who might provide insight on this issue.

Permit Extension Request

Sargent Pond, Order of Conditions DEP#197-463

Marc Bellaud of Solitude Lake Management submitted, on behalf of the Sargent Pond Association, a request for a three-year extension to the current Order of Conditions, for the continued maintenance of the aquatic vegetation in Sargent Pond.

After some discussion, the Commission recommended sending a letter to Mr. Bellaud asking for a detailed report on what has been done to the pond, to supply those results to the Commission, along with a progress report on treatment of the lake. In addition, providing DEP's opinion on extending an 11-year old Order.

Board Discussion Cont.

Proposed replacement bridge (Rawson Street Bridge – MassDOT)

An application by the Department of Transportation – Highway Division has been filed with the Department of Army Corps of Engineers regarding the replacement of the Rawson Street Bridge. The work is associated with the replacement of the bridge conveying Rawson Street over the Cedar Meadow Pond Inlet.

The Army Corps determined the proposed activity will have only minimal individual or cumulative environmental impacts; therefore, the work is authorized under General Permits for Massachusetts, under pre-construction notification process. A Work Start Notification Form is to be filed at least two weeks before the anticipated starting date. The authorization expires on 2/4/2020 and work must commence by that date and completed by 2/4/2021.

Site Inspection Updates

- Main Street property across from WalMart

A call received from Rose Dolan of the Burncoat Water Commission regarding the ongoing excavation of that site and the proximity to Burncoat Pond.

Upon inspection of the site, it was in the opinion of the Commission that the site was stable, there was no ongoing activity and that the site was approximately 2200-feet away from Burncoat Pond.

- 207 Main Street, Cherry Valley

Upon inspection on 3/6/2017, it was found the erosion control was clearly unstable and in need of immediate repair. A letter was sent to the property owners noting the violation and allowing 5-days to bring the site back into compliance.

- Main Street at Community Field

A call received regarding work at the site was encroaching within the wetland buffer.

Upon inspection of the site, the work was still a good distance from any wetland area.

- Stiles Dam Update Report

Mr. Marc Aurele gave report and concurred with Pare' Engineering Corp weekly report updates.

Approval of Minutes

2/8/2017

MOTION: Mr. Marc Aurele moved to approve the minutes of February 8, 2017 with minor corrections.

SECONDED: Mr. Soojian – Discussion: None - VOTE: All in Favor

Hearing no further comments, questions or concerns, Mr. Parretti asked for a motion to adjourn.

MOTION: Mr. Soojian moved to adjourn

SECONDED: Mr. Cooper –Discussion: None – Vote: All in Favor

Meeting adjourned at 7:45PM

Respectfully submitted:

Barbara Knox

Barbara Knox