

**Conservation Commission
Meeting Minutes**

Minutes of November 15, 2017

Members present: Steve Parretti, Chair; Joshua Soojian, JoAnn Schold, Jim Cooper

Meeting called to order at 6:30PM

Certificate of Compliance:

408 (1) Stafford Street Solar Farm CONT (National Grid DEP#197-0578)

No confirmation received on riprap work being completed.

Continued to December 13th meeting.

45 Fairview Drive (DEP#197-0585)

Ms. Michelle Cosper in attendance.

Attached was a copy of their Certificate of Compliance for their septic system replacement and a letter from their consultant certifying the work done was done in compliance with the Wetland Protection Act and the Town of Leicester Wetland Bylaws.

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

MOTION: Mr. Soojian moved to approve the request for Certificate of Compliance for 45 Fairview Drive, DEP#197-0585.

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

Ms. Schold stepped down from her seat, due to a conflict of interest.

555 Pine Street (DEP#197-0611)

Mr. Matt Schold of Schold Development in attendance.

A letter submitted from Graz Engineering stated the Order of Conditions had lapsed and therefore no longer valid and the work regulated by it as depicted on the plan, was never started. This was an NOI never started and the developer was looking to release this and apply for a different NOI.

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

MOTION: Mr. Soojian moved to approve the request for Certificate of Compliance for 555 Pine Street, DEP#197-0611.

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

Notice of Intent

555 Pine Street (single family home)

Mr. Matt Schold of Schold Development in attendance

Mr. Parretti read the notice into the record and then opened the hearing up to discussion.

This request is to construct a new single family dwelling with attached garage and associated septic system, well, driveway and site grading which are located in the Buffer Zone to a

Bordering Vegetated Wetlands. They also want to construct lake front access just above lake high water line.

Mr. Schold explained this NOI application was taking the place of the previous NOI on this property. The new plan shows a significant change in the structure's envelope. On the original plan, the structure was closer to the street and on the new plan, they moved the structure closer to the water, making it more of a waterfront lot. The septic system will remain the same, but the grading will change down by the water. A 12-foot wide boat ramp access that is currently a grassy area, will be graded down to the water.

The grading down by the water will consist of constructing the retaining wall at the high water mark and placing riprap along anything over 2 to 1, creating a patio (currently not shown on the plan) down by the water.

Mr. Parretti asked if the applicant's engineer was expected to attend. Mr. Schold said yes. Mr. Parretti tabled discussion until the applicant's engineer arrived.

Ms. Schold reseated.

Request for Determination of Applicability

Moose Hill Road (Snowmobile Trail along DCR property)

Mr. John True of the Leicester Snowmobile Club and Mr. Marc Grady of the Snowbirds Snowmobile Club in attendance.

Mr. Parretti read the notice into the record and then opened the hearing to discussion.

This request is to remove the original wooden bridge crossing at the Cattail Marsh, including all sections of pilings & remove and reinstall the cattle gate at the Donnelly Cross Road Midstate Trail access to the WMA. Clear and construct a new section of trail to the satisfaction of the Mass Division of Fisheries & Wildlife.

Mr. True explained they will remove the gate onsite and move it to a new location approximately 15-20 feet from Moose Hill Road, at the new trail proposed. A 70-foot bridge will be removed; a piece at a time, from site and a new trail will be cut 8-foot wide. They will use DR 24-inch brush cutter, chain saw hand cutters and hand held brush cutters.

The project was approved by Bill Davis, District Manager of the DCR and will remain under DCR's supervision until complete.

Once completed, MassWildlife will reissue the license agreement authorizing snowmobile passage across the designated trail.

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

MOTION: Mr. Soojian moved to recommend Negative Determination #3 for the Moose Hill Road Snowmobile Trail going through DCR property; "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: 1) notify Conservation Office before start of work and at the end of work; 2) abide by whatever DCR requires. SECONDED: Mr. Cooper – Discussion: None – VOTE: All in Favor

71 Burncoat Lane (Home addition)

Mr. Peter Fischer in attendance.

Mr. Parretti read the notice into the record and then opened the hearing to discussion.

This request is to install 10” diameter x 48” deep sono-tube forms and concrete supports for a 10’ x 23 ½’ home addition to be built. All dirt to be removed from the 100’ buffer by wheelbarrow as holes are dug. The addition will be built within the 10’ x 23 ½’ flat lawn area adjacent to the street end of the house, 87’ from the lake.

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

MOTION: Mr. Soojian moved to recommend Negative Determination #3 for 71 Burncoat Lane, Leicester home addition; “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: 1) notify Conservation Office before start of work for EC inspection and at the end of work. SECONDED: Mr. Cooper – Discussion: None – VOTE: All in Favor

Ms. Schold stepped down from her seat, due to a conflict of interest.

Notice of Intent

555 Pine Street (single family home) – RECONVENED

Mr. Brian McEwen of Graz Engineering in attendance.

Mr. McEwen was asked if there was a plan showing the additional work proposed down by the water that does not currently appear on the plans, for a patio proposed.

Mr. McEwen explained the changes made were because the developer had a perspective buyer for the property and they had some distinct ways on how they wanted to go about developing the property. One of the things that came up was developing a small patio down behind the bank area.

The other changes made was the location of the house, the septic system reversal, more clear-cutting to shift the house allowing for a better view of the lake and creating an access way to the lake.

The Commissioners noted they would not approve something not shown on the plan and suggested coming in for an amendment at a later date. Mr. McEwen agreed.

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

MOTION: Mr. Cooper moved to approve the NOI for 555 Pine Street, Leicester, MA, conditional upon: 1) notify the Conservation Commission Office for hay bale/silt fence inspection & when ready to start work; 2) Any changes made from the approved plan will require additional review by the Conservation Commission; 3) No deviation from the approved plan. SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Ms. Schold reseated

31 Fairview Drive CONT (septic repair)

Mr. Glenn Krevosky of EBT Environmental & Mr. John Ajemian, property owner in attendance. A site inspection was done sighting no concerns.

Mr. Krevosky gave a brief review. This application is for a septic repair and there will be repair work on the railroad tie retaining wall. Retaining wall work will not begin before lake drawdown at 3-feet+. Work on the wall will start as soon as the water is below the low water level mark.

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

MOTION: Ms. Schold moved to approve the NOI for 31 Fairview Drive, Leicester conditional upon: 1) Work on retaining wall during drawdown; 2) notify the Conservation Commission Office when hay bail and silt fence was installed for a site inspection and ready to start work.

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

26 Lake Shore Drive CONT (addition with patio & deck)

Mr. Glenn Krevosky of EBT Environmental in attendance.

A site inspection was done, sighting no concerns.

Mr. Krevosky gave a brief review. This is a tear down and rebuild of a structure and proposal to add on an addition. Remove existing deck, construct new paver patio on lakeside, abandon existing well, drill a new well and concrete fire pit and construct a dock in same location as previous dock location.

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

MOTION: Mr. Soojian moved to approve the NOI for 26 Lake Shore Drive, Leicester conditional upon: 1) Notify the Conservation Commission Office when hay bales & silt fence installed and ready to start work

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

36 Lake Drive (demo & rebuild home)

Mr. Glenn Krevosky of EBT Environmental & Mr. Steven Bryant, property owner in attendance.

Mr. Parretti read the notice into the record and then opened the hearing to discussion.

This request is to remove existing structure, including foundation, pour new foundation and construct new home in same location as existing home.

There will be no changes by the water line, no changes to the septic and well and the new house will be 5-feet closer to the road and 8-feet to the side, and will not go closer to the water.

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

MOTION: Mr. Soojian moved to approve the NOI for 36 Lake Drive, Leicester conditional upon: 1) Wattles/wall/silt fence be installed in accordance to approve plan dated 10/15/ 2017; 2) Notify the Conservation Commission Office for an erosion control site inspection & when ready to start work; 3) Any changes made from approved plan, will require additional review by the Conservation Commission.

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

54 Lake Drive (septic system replacement)

Mr. Jason Dubois of DC Engineering & Mr. Ed Nevalski, property owner in attendance.

Mr. Parretti read the notice into the record and then opened the hearing to discussion.

The request is to install a new septic system to replace an existing failed system located within the same location within the 100-ft buffer zone of Burncoat Pond.

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

MOTION: Mr. Soojian moved to approve the NOI for 54 Lake Drive, Leicester conditional upon: 1) Notify the Conservation Commission Office for an Erosion control site inspection & when ready to start work.

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

Burncoat Pond Dam Repair (general improvements & repair to dam)

Mr. Shawn King and Ms. Robin Casioppo of Fuss and O'Neil in attendance.

Mr. Parretti read the notice into the record and then opened the hearing to discussion.

The request is for general dam repairs including repairs and improvements to the downstream right toe of the dam with known seepage, replacement of capstones on the upstream and downstream walls of the dam, and minor concrete surface repairs in the vicinity of the low-level outlet gatehouse and training walls.

The work does not need to be done during drawdown. They do not need to access through the pond and are proposing a temporary wetland crossing across at the downstream channel, in an area where there is currently placed rock that provided protection to the dam. They are proposing the use of timber mats to allow access to cross.

The tree clearing will be within 20-feet of the dam to allow the root system to be far enough away from the dam, so that if a tree were to fall, there won't be any additional seepage, which could lead to the failure of the dam.

DEP number was not issued; therefore, the hearing was continued to December 13th.

The Commission requested a site visit done before next meeting.

Board Discussion

298 Clark Street (Enforcement Order)

No update available at this time

1135 Stafford Street (increase number of parking spaces)

Mr. Travis Johnson in attendance.

Mr. Johnson has an existing business there and applied to the Selectmen for an increase in the parking on the lot. They advised this request be reviewed by Conservation, because the property abuts a brook.

Mr. Johnson explained no additional grading to the lot and that parking will be along the existing grade & graveled area.

The Commissioners agreed it was not a wetland issue because the additional parking was along an existing graveled area and no new disturbance proposed.

147 Main Street (used car dealership)

A couple present, interested opening a car dealership at the 147 Main Street site, i.e. Goretti's Market lot, inquired what the conservation restrictions were on the site.

The Commission agreed the size and type of the project would determine the type of application to file. Any new construction would require an NOI, because the lot abuts Smith's Pond having continuous conservation concerns.

690 Stafford Street (Enforcement Order)

Notice of Intent application filed at meeting. The hearing will be scheduled for December 13 meeting.

Schold – Pine Street Replication Bond

Tabled until a growing season passed and site is stable.

Forest Stewardship Plan at Burncoat Park

Mr. Russ Anderson so the Burncoat Park Committee in attendance.

The Committee was looking at the possibility of creating a Forest Stewardship Plan on the property at Burncoat Park Conservation Land.

Mr. Anderson asked whether the Commission had the opportunity to review the proposal and if NOI funds could be used to pay up front for implementation of the plan. The money would be fully reimbursed back to the Town.

Ms. Buck researched and found NOI funds could not be used and can only be used for expenses directly related to administration or enforcement under the Wetland Protection Act, not for Conservation Commission activity generally.

After further discussion, the Commission agreed looking into submitting the paperwork needed to help move the project forward and to keep Mr. Anderson informed.

Minutes

10/11/17

MOTION: Ms. Schold moved to approve the minutes of October 11, 2017

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

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

MOTION: Ms. Schold moved to adjourn meeting

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

Meeting adjourned at 8:25PM

Respectfully submitted:

Barbara Knox

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