

Conservation Commission Meeting Minutes

Minutes of July 11, 2018

Members present: Steve Parretti, Chair; John Marc-Aurele, JoAnn Schold, Jim Cooper

Meeting called to order at 6:30PM

Reorganization of the Board

MOTION: Ms. Schold moved to keep the Board the same as past year; Steve Parretti, Chair; John Marc-Aurele, Vice Chair; JoAnn Schold & Jim Cooper, Alternate Chair

VOTE: All in Favor

Request for Determination of Applicability

49 Peter Salem Road (install batter cabinet & concrete slab)

Mr. Parretti read the Notice into the record and then opened discussion to the applicant.

Ms. Corey Schutzman of BCS Group, Inc. in attendance.

The request is for the installation of one new battery cabinet and supporting concrete slab foundation within the existing substation yard. Project activities are located within 100ft buffer and inland bank. No work proposed within the 25ft No Disturb Zone.

Ground disturbance will be minimal and limited to excavation within existing gravel yard. Hay bales and/or straw wattles will be on hand if ground disturbance require placement.

Mr. Parretti asked for any further comments or questions; hearing none, asked for a motion.

MOTION: Mr. Marc-Aurele move to approve a Negative #3 Determination; "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) Wattles around end of work area.

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

Notice of Intent

Waite Pond Dam Cont (general improvements & repairs to dam)

Mr. Chris Cullen & Ms. Robin Casioppo of Fuss & O'Neill in attendance

Mr. Cullen apologized for taking so long moving the application forward.

The request is for proposed work ordered by DCR on repairs to Waite Pond Dam.

The project involves demolition of the existing spillway and training walls, the demolition of the upstream and downstream concrete and masonry walls, the rehabilitation of the dam crest, including leveling of the dam crest, removal of woody vegetation and trees within 20ft of the dam & abutments, and restoration of existing parking, the construction of a new concrete spillway and energy dissipation basin, the construction of a riprap lined downstream channel, the

construction and installation of a low-level outlet structure, grading and armoring of slopes and other minor repairs.

Ms. Debra Lamoureux, 84 Mannville Street had concern on how the repair will affect wildlife in the pond during construction.

Mr. Cullen explained activity will take place .25 miles outside of a known NLEB hibernaculum, no permits or consultation should be necessary. In addition, tree removal will not occur between June 1 and July 31.

The project area was not within any areas of endangered or priority habitats.

The drawdown is agreement with the DCR, at 8ft and won't be done during the summer.

Mr. Parretti questioned 8ft on the drawdown and DEP suggesting 3ft. He asked if they had spoken with DEP regarding this.

Ms. Casioppo had conversations with DEP & DCR & she explained, when it had to do with dam safety, the time of year restrictions didn't apply, as well as, the basic drawdown for the amount of time they needed to do the work.

Mr. Parretti asked for that in writing. Ms. Casioppo agreed to forward their email.

Mr. Marc-Aurele asked if there were any plans on water control upstream from Waite Pond, on the other side of Mannville Street. His concern was the affect the drawdown would have on the wetlands along Mannville and Chapel Streets.

Mr. Cullen didn't see the necessity on drawing down upstream.

Mr. Dennis Griffin, Highway Superintendent asked they try to maintain the existing water level and not stop the flow completely, because it would compromise a critical culvert that crosses under the road in that location.

Mr. Parretti asked the length of construction. Mr. Cullen said approximately 6 months. It would be a September start and end approximately February/March.

Ms. Jan Parke, 207 Greenville Street had concern about the water level and asked the depth of the lake and what guidelines and rules were followed on construction.

Mr. Cullen didn't know the total depth, but where the outlet pipe would be located, would be 11 feet deeper. Dam Safety will be monitoring the project throughout.

Ms. Schold requested progress reports be sent to the Commission throughout the project.

Mr. Marc-Aurele mentioned previous discussion regarding the low-water outflow and having a natural headwall, showing how far above the pipe that would be & how far above the surface water for boats, etc.

Mr. Cullen will need to look closer to what was proposed for trash-traps there, and wasn't sure if there would be a headwall.

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

MOTION: Mr. Marc-Aurele moved to approve the NOI for Waite's Pond Dam Repair with the following conditions:

1) Conservation Office receiving copies of:

- Letter from Mass Division of Fisheries and Wildlife:
 - acknowledging the proposed actual drawdown depth
 - acknowledge potential impacts on upstream water bodies and resource areas
 - confirming exemption from typical drawdown date restrictions
 - identifying any additional requirements
- letter from DEP stating they have no additional restrictions;

2) Preconstruction meeting with Conservation Commission two months prior to start of work;

3) Quarterly update status reports on funding;

4) Confirmation all work done is on Town property

SECONDED: Ms. Schold – Discussion: None - VOTE: All in favor

Notice of Intent

101 Huntoon Highway (addition)

Mr. Cooper recused himself as voting member because he is an abutter.

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

Mr. Steven Balcewicz of BC Engineering & Survey, Inc. representing the applicant, in attendance.

The request is to construct a 90 x 90 square foot addition to existing building, install stormwater facility and retaining wall.

There will be a series of 4 culvert chambers installed; the retention/stormwater pond will be enlarged; retaining wall rebuilt; the hill dug out to slop towards wall to catch runoff in parking area; a construction entrance put in away from access area; existing culvert to be cleaned out and riprap replaced; and existing detention pond to be cleaned out.

They also have an application before Planning Board for Site Plan Review; therefore, they are requesting a continuance until after the Planning Board Meeting.

Hearing continued to August 23rd.

Notice of Intent

315 River Street (septic repair & well)

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

Ms. Alesia Farrell, Green Hill Engineering, representing the applicant, in attendance.

The request is for a repair of a septic system and installation of a new well.

Removing cesspool, the septic system will be put in same place, and new well installed.

There is no work within wetland resource area. Straw wattles proposed below work area.

Wetlands delineated based on vegetation and abrupt change of slope upgradient from wetlands.

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

MOTION: Mr. Marc-Aurele moved to approve the NOI for 315 River Street, Leicester with the following conditions: 1) erosion control placed in accordance to approve plan; 2) notify Conservation Office 48 hours prior to start of work for erosion control inspection

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

Notice of Intent

Auburn & Church Street Bridge Repair

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

There was no DEP Number issued at this time.

Mr. Geoffrey McGuirk of WSP USA, Inc. in attendance.

The project two locations are Auburn Street at Kettle Brook and Church Street at Kettle Brook.

The Auburn Street location includes approximately 25-feet on each side of the bridge and

Church Street includes approximately 30-feet to the south & 50-feet north of the bridge.

Church Street site is undeveloped to the southwest; it crosses the Kettle Brook, which is wooded along its banks. There are residential buildings at the northwest corner & southeast corner of the bridge.

Auburn Street site is developed to the northeast and southeast, but undeveloped to the northwest & southeast. Auburn Street crosses the Kettle Brook, which is wooded along its banks. There is a commercial building to the northeast and residential properties to the southwest.

There is no closed drainage system or curbing along Auburn Street near the bridge and Church Street has no curbing or drainage structure within the project limits.

Church Street Bridge is proposed to be replaced. The abutments and pier will have a new concrete cap to support the new concrete slab bridge structure. The existing stone masonry abutments & pier will be rehabilitated; the existing southwest & northeast corners will have stone channel walls rebuilt; rockfill will be added for a 2-foot width along face of both abutments; existing widths will remain the same; pavement milling & overlay to roadway and placement of guardrail at the approaches. Church Street will be repaved within riverfront, resulting in approximately 2,828sf of impact, which 2,180 is associated with milling and paving operations.

Auburn Street Bridge is proposed for minor rehabilitation/preservation activities. Replacing existing substandard railing system with new three beam guardrail system; the uppermost portions of existing stone masonry spandrel wall removed & reinforced concrete headwall with moment slabs will be constructed; new bridge rail anchored to new concrete headwall; roadway width will remain as existing. Approximately 100ft of roadway will be repaved centered on bridge location. The work will result in approximately 2,200 square feet of riverfront impacts. All disturbed areas will be restored to preconstruction conditions or better.

Mr. Jeff Canane, 357 Main Street, owns the business next to the Auburn Street site, had concern with the bridge construction blocking the entrance to his business.

Ms. Jan Parke of Common Ground Land Trust, who owns land across from Mr. Canane's business, also had concern with access being blocked to the land trust property.

Mr. McGuirk said the bridge will be closed during construction, but will not block entrances to the either property.

With no further questions or concerns, hearing was continued to August 23rd.

Board Discussion

- 445 Pine Street Cease & Desist – Tree cutting w/in Riverfront buffer

Mr. Glenn Krevosky of EBT Environmental Consultants, Inc. representing the property owner and Susan Shea, property owner in attendance.

A cease and desist order was given to the landowner for construction activity within the Riverfront Area without approval from Conservation.

They are before the Commission, with an NOI application to restore 1,203 square feet of Riverfront Area, in order not to exceed 10% of the Riverfront Area contained within the lot. The restoration will be accomplished by removing the exotic invasive plants and planting & seeding the area with native seedlings and a seed mix.

The site has been flagged and the applicant proposes to restore the Riverfront area.

They requested permission to continue some work, as long it is outside of the 200ft jurisdiction.

The Commissioners agreed to do a site inspection to agree on the Resource Area Line, to allow work outside of the 200ft and any work within the 200ft, will not be touched.

The NOI hearing will be set for August 23rd.

- Virginia Drive Wetland Concerns – Oakridge Condo Association

Mr. Glenn Krevosky of EBT Environmental Consultants, Inc., representing Steven Paquette of the Oakridge Estates Senior Condo Association, in attendance.

Concerns were raised regarding silt barriers & hay bales not holding back runoff into the wetlands behind units 22, 24, 26 & 28 on Virginia Drive.

Sediment & rock debris was witnessed overtopping the hay bale/silt fence line causing alteration to wetlands. The Association did not want responsible for these alterations once the contractor has left the site. In addition, it was witnessed water passing through the lots under construction flowing through the randomly placed boulders and undermining the boulder structure.

After some discussion, the Commissioners agreed sending a Cease and Desist Order to the contractor; requesting an onsite meeting as soon as possible and that they attend the next Conservation meeting on August 23rd. Failure to respond could result in fines.

MOTION: Mr. Marc-Aurele moved to send a Cease and Desist Order to the contractor, requesting an onsite meeting and that they attend the next Conservation Commission Meeting

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

- Worcester Airport Mitigation –(draft NOI)

Mr. Robert Leger of MassPort in attendance.

As MassPort nears the end of the CAT III Instrument Landing System/Taxiway Project, one remaining item was restoration of the wetland area immediately north of the project.

A draft NOI was submitted to conduct a sediment removal within vegetated wetlands.

MassDEP directed MassPort to submit a wetland restoration plan that included details of the proposed restoration of the north and south wetland areas.

As part of the project, MassDEP requested they reach out to the Leicester Commission asking to identify any projects where MassPort could assist their implementation. Such assistance would be an effective way of mitigating the temporary wetland impacts associated with the airport project.

The Commissioners questioned why the project could not be done under the existing NOI, or whether the existing NOI should be closed out before opening a new one. They suggested having MassPort contact DEP to ask why a new NOI was being required.

Mr. David Genereux, Town Administrator explained by MassPort filing this application, opens an opportunity for the Town to receive mitigation money for potential wetland or stormwater projects issues in Town. DEP asked for suggestions where the Town could use the mitigation money and asked for an answer as soon as possible.

Mr. Dennis Griffin, Highway Superintendent mentioned, Green Street, being an area in need of stormwater control measures. Due to new construction along that road, caused significant stormwater issues. He suggested mitigations funds be used to add three catch basins at the top of the hill on Green Street that leads down to Pleasant Street.

The Commissioners agreed having Mr. Genereux move forward with DEP's mitigation funding proposal and requested for MassPort to contact DEP regarding the need on filing a new NOI and could work continue under the current NOI.

- Use of Mosquito Control at Fire Station retention ponds

The architect for the Fire Station asked the Commissioners for options to controlling mosquitos at the retention ponds.

The Commissioners agreed the Fire Station project was not a Conservation issue and permission was not required from Conservation to control the mosquitos around the retention ponds.

- Greenville Pond Weed Control

Mr. Griffin explained Greenville Pond receiving a \$15,000 grant for weed control.

He informed the Commission that the Highway Department will be trimming debris from the spillway and replacing the fence. There will be no excavation needed.

- 2 Patricks Drive

Upon recent inspection by the Commission, regarding replacement of a broken water pipe done under an Emergency Certification, found the erosion control was never put in place and did not protect the wetlands from siltation runoff.

The Commissioners agree a letter be sent asking the property owner to attend the next Conservation Commission meeting to discuss siltation concerns on the property

Failure to respond to this request, could result in a fine

Approval of Minutes

5/16/2018 & 6/13/2018

MOTION: Mr. Marc-Aurele moved to approve the minutes of May 16 & June 13, 2018

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

Correspondence

Letter received from Joshua Soojian stating he will not be seeking reappointment to the Commission.

Email memo from Glenn Krevosky stating restoration work at the west end of 690 Stafford Street has begun.

Next meeting Thursday, August 23rd.

MOTION: Mr. Marc-Aurele moved to adjourn meeting

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

Meeting adjourned at 8:44PM

Respectfully submitted:

Barbara Knox

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