

**Town of Leicester Conservation Commission  
Meeting Minutes  
September 11, 2019**

MEMBERS PRESENT: Stephan Parretti, Chair, James Cooper, John Marc-Aurele, and Dawn Marttila

MEMBERS ABSENT: JoAnn Schold

STAFF PRESENT: Michelle Buck, Town Planner and Maureen Schur, Department Assistant

MEETING TIME: 6:30 PM

AGENDA:

**1. Certificate of Compliance**

- a) 19 Ackley Drive, Christopher Hallen (DEP#197-522)
- b) Cedar Meadow Lake Watershed District, lake drawdown, off 142 Charles St. (DEP#197-0584)

**2. Request for Determination of Applicability (RDA)-None**

**3. Notice of Intent (NOI)**

- a) Cedar Meadow Lake Watershed District, off 142 Charles St., lake drawdown and dam maintenance (DEP# pending)
- b) 24 Virginia Drive (wetland replication)/Kevin Maher, Prospect Hill Estates LLC, dba Oak Ridge Estates (DEP #197-0652)

**4. Approval of Minutes**

- 8/14/2019

**5. Board Discussion/Miscellaneous**

- a) 184 River Street (tree cutting near pond)
- b) 92 Rawson Street (potential work in wetland buffer)
- c) 93 Huntoon/KM Kelly status update (DEP#197-0599)
- d) October meeting date
- e) Miscellaneous Project Updates/Site Inspection Updates
- f) Correspondence/Other New Business

Mr. Parretti called the meeting to order at 6:32pm. [Note: Dawn Marttila was not present until agenda item #4: Approval of Minutes.]

**Certificate of Compliance, Christopher Hallen, 19 Ackley Drive.**

The Board discussed issuing the Certificate of Compliance for 19 Ackley Drive. (#197-0522) Mr. Parretti was provided a copy of the letter from H.S.&T. Group, Inc. certifying the sewer connection at this address is in compliance with the design documents approved by the Conservation Commission.

MOTION: Mr. Marc-Aurele moved to approve the Certificate of Compliance for 19 Ackley Dr..

SECOND: Mr. Cooper

DISCUSSION: None

VOTE: All in favor

**Certificate of Compliance, Cedar Meadow Lake Watershed District, Cedar Meadow Lake Watershed District, lake drawdown, off 142 Charles St. (DEP#197-0584)**

Brian Wadman spoke on behalf of the Cedar Meadow Lake Watershed District and explained they need the Certificate of Compliance in order to receive a new DEP number for the NOI request to do another lake drawdown. Mr. Wadman explained the last order expired in 2018 and the work has been done. Cedar Meadow Lake Watershed District didn't apply for an extension before the order expired that is why they have had to file a new NOI. Mr. Parretti asked if there were any questions from the board and there were none.

MOTION: Ms. Marc-Aurele moved to issue a Certificate of Compliance for Cedar Meadow Lake Watershed District lake drawdown DEP#197-0584

SECOND: Mr. Cooper

DISCUSSION: None

VOTE: All in favor

**Notice of Intent (NOI) Cedar Meadow Lake Watershed District (DEP # pending)**

Cedar Meadow Lake Watershed District, off 142 Charles St., lake drawdown and dam maintenance (DEP# pending)

Mr. Wadman explained he has filed all the paperwork the way Mr. Johnston has in the past and included an update on information on tree trimming, weed control, and the condition of the dam. A mission statement and past DEP comments were included in the application. The drawdown in 1 inch per day.

The board explained this is not supposed to be a permanent solution. Mr. Wadman explained there have been some “rests” where they don’t do major a drawdown. They will wait to receive DEP comments as to what the proper course of action should be. The board asked if Fisheries had been contacted and Mr. Wadman stated they had not because there is no boat access and no stocking of the lake. He stated water clarity is good and weed control is going well.

Mr. Parretti stated the NOI would be continued to the next meeting and instructed the applicant to call the Town Planner’s office to double check on the next meeting date.

*[Note: the DEP# assigned after the 9/11/2019 meeting date is 197-0653.]*

**Notice of Intent (NOI) 24 Virginia Drive/Oakridge Estates (wetland replication)/Kevin Maher (DEP 197-0652)**

John Stelmok stated that they’d done work in the wetlands and completed replication, overseen by EcoTec, Inc. The homeowners’ association requested an after-the-fact DEP filing based on the recommendation of Mr. Krevosky (EBT Environmental Consultants, Inc). The board discussed Mr. Stelmok coming before them in June and explaining that erosions controls had mistakenly been installed in the wetland area due to the incorrect flagging of the wetlands. The developer had done restoration exceeding the wetland area disturbed. The board approved this as a minor change [on June 12, 2019]. After consultation with DEP, the developer was asked to file a new NOI. Mr. Stelmok explained there are 3 phases of the project and phases 1 & 2 are completed. The order on Phase 3 is open along with the current small wetland replication behind 22 & 24 Virginia Drive (unit #s 55&56). He noted that DEP had no comment on the current NOI.

A member of the public asked how the disturbance was mitigated. The board explained an environmental scientist oversaw the project and a complete replication was done. It was explained the area replicated exceeded greater than the 1:1 area that is required by the DEP. The disturbance was 119 sf and the replication was 160 sf. The board suggested if someone has questions regarding the actual construction/slope of the wall they reach out to the building inspector or the Planning Board.

MOTION: Mr. Marc-Aurele moved to approve the NOI with standard order of conditions.

SECOND: Mr. Cooper

DISCUSSION: None

VOTE: All in favor

Ms. Marttila arrived at 6:55pm.

## **Approval of Minutes 8/14/2019**

MOTION: Ms. Marttila moved to approve the minutes with the correction that Mr. Mark-Aurele was not present at the previous meeting.

SECOND: Mr. Cooper

VOTE: All in favor

## **Board Discussion/Miscellaneous**

### October Meeting Date

The board discussed the next Conservation Commission meeting date and decided on October 16, 2019 at 6:30pm

### 184 River St.

Several board members have driven by this property and noticed the clearing of trees in a resource area. The board decided a cease and desist letter should be sent and the property owner should be invited to the next board meeting to explain the work being done.

### 92 Rawson St.

The board discussed the house renovation and driveway having been repaved. They will put this item back on the agenda so the full board can be present to discuss.

### 93 Huntoon Memorial Highway

The board discussed a status update on this property. No replication has been done. Ms. Buck stated she heard from the applicant and the replication is scheduled to be done in October as the Order of Conditions expires in November. The board could require a bond if the applicant asks for an extension. The Board noted that replication needs 2 growing seasons for a Certificate of Compliance to be issued.

### Mulberry Solar

The applicant emailed the Commission and asked for a board member to come out to the site and inspect the erosion control on Friday at 1:00pm. Several board members agreed to do a site inspection.

### 403 Mulberry St.

Several board members stated there appears to be some tree cutting and no erosion controls in place. The board requested a cease and desist letter be sent and the applicant be asked to attend the next meeting.

## Miscellaneous

### *Elementary School Parking/Driveway Modifications*

Mr. Parretti went out to the school to see if there are wetlands in the area of the proposed widening of a path around the school. Ms. Buck said the Public Safety Committee had discussed the proposed project and the Fire, Police and Highway departments all agreed the project will not take place (they're planning an alternative solution for student pickup/drop-off).

### *Burncoat Pond Watershed District*

Ms. Buck explained the Town Administrator is looking for someone from the board to join the Burncoat Pond Watershed District now that Spencer is giving up their seat. The board will gather more information and take a vote at the next meeting.

### *Public Comment*

Jan Parke asked about properties in Leicester adjacent to Greenville Pond and Towtaid Park. Ms. Buck explained the Towtaid park land in question is described in the Open Space plan.

MOTION: Mr. Marc-Aurele moved to adjourn the meeting.

SECOND: Mr. Cooper

DISCUSSION: None

VOTE: All in favor

Meeting adjourned at 7:26pm

Respectfully submitted:

Maureen Schur, Department Assistant

**Documents included in meeting packet:**

- Agenda
- CoC Ackley Dr.
- NOI Cedar Meadow Lake Watershed District
- Letter from EcoTech dated 8/22/2019
- Invoice Bigelow Nurseries re: Oakridge Estates
- Meeting Minutes August 24, 2019

**Documents submitted at meeting:**

- N/A