

**Town of Leicester Conservation Commission
Meeting Minutes
September 16, 2020**

[Note: This meeting was held remotely using GoToMeeting]

MEMBERS PRESENT: Stephen Parretti, Chair, JoAnn Schold, Dawn Marttila, James Cooper

MEMBERS ABSENT: None

STAFF PRESENT: Michelle Buck, Town Planner, Tiffany Peters, Department Assistant

MEETING TIME: 6:30 PM

AGENDA:

1. Certificate of Compliance

- a) Worcester Regional Airport, Mass Port Authority (DEP# 349-1916) *continued*, tree clearing
- b) 53 Fairview Drive, Scott Santley (DEP#197-0654), repair of failed septic

2. Request for Determination of Applicability (RDA)

- a) Pleasant Street (at Craig Street intersection) (RDA 2020-11) continued, Applicant: Leicester Highway Department, breach of dam on either side of culvert and repair catch basin
- b) 85 Waite Street (RDA 2020-14) Applicant: Travis McCauley, installation of inground pool
- c) Main Street (Map 21, Parcels B2-0 & B3-0) (RDA 2020-15) Applicant: Massachusetts Electric Company, installation of underground conduit, duct bank and one pole

3. Notice of Intent (NOI):

- a) Worcester Regional Airport (DEP # 197-0661) continued, Applicant: Mass Port Authority, removal of wetland vegetation identified as obstructions to the airspace

4. Approval of Minutes:

- a) July 22, 2020
- b) August 19, 2020

5. Board Discussion/Miscellaneous

- a) Waite Pond drawdown activities
- b) 289 Pine Street (owner to discuss filing requirement for small project)
- c) Cease & Desist Follow Up (1039 Stafford, 15 Bond, 83 Charlton, 57 Fairview)
- d) NOI Account Appropriation
- e) Miscellaneous Project Updates/Site Inspection Updates
- f) Correspondence/Other New Business

Mr. Parretti called meeting to order at 6:30PM

Certificate of Compliance

Worcester Regional Airport (DEP# 349-1916)

An engineer statement from Mr. James Stolecki was received which states that work was satisfactorily completed.

Motion: Ms. Marttila moved to accept Certificate of Compliance for DEP # 349-1916 with engineer letter on file from Mr. Stolecki

Second: Mr. Cooper

Discussion: None

Roll Call Vote: All in favor (3-0-0)

Ms. JoAnn Schold arrives at 6:35PM

53 Fairview Drive (DEP # 197-0654)

Ms. Schold states she visited site, and everything is stable. As-built plan for septic was submitted to the Board of Health.

Motion: Ms. Schold moved to approve Certificate of Compliance for 53 Fairview Drive regarding septic repair

Second: Ms. Marttila

Discussion: None

Roll Call Vote: All in favor (4-0-0)

Request for Determination of Applicability (RDA)

Pleasant Street (at Craig Street Intersection) (RDA 2020-11)

Mr. Dennis Griffin, Highway Superintendent, states that there is a small vault on top of the existing pipe which is in good shape. They are going to remove the vault and incorporate the basin and pipe together. There will be no changes in the pipe size.

Motion: Ms. Schold moved to approve RDA with a negative 3 determination subject to the condition that the Commission is notified when project is started

Second: Ms. Marttila

Discussion: None

Roll Call Vote: All in favor (4-0-0)

85 Waite Street (RDA 2020-14)

Mr. Travis McCauley, the property owner, states that they want to put in an 11'x22' one-piece fiberglass inground pool with a depth of 3'6" to 5'. He states it will be installed by JC Pools out of Barre, MA and that there will be zero wastewater, a special cartridge filter system to minimize chlorine and all material dug from the pool will be removed from the site. The pool will be 92 feet from the high-water mark. The Board asks that Mr. McCauley adds a wattle line between the work area and the existing wall. Mr. McCauley states that in addition to the pool, a small

rock wall, stairs and fence will also be added to the site. The Board requests that he submit an updated plan that shows the additional proposed work.

Motion: Ms. Schold moved to approve the RDA for 85 Waite Street contingent on the modifications of a fence and rock wall being added on a plan and submitted to the Conservation Commission, the installation of siltation devices and no stock piling of materials.

Second: Ms. Marttila

Discussion: None

Roll Call Vote: All in favor (4-0-0)

Main Street – Map 21, Parcels B2-0 & B3-0 (RDA 2020-15)

Ms. Heidi Graf, of BSC Group is representing Mass Electric Company. She states that this project is being proposed to interconnect Mass Electric Company and First Light Energy. It consists of them installing 24 linear feet of underground conduit and duct bank system, one new distribution pole and some exempt utility project activity. She states parts of the exempt maintenance activities which were submitted with the RDA are the replacement of 6 utility poles, removal of one push brace (92, 89), installation of two push braces (96), removal of one utility pole (91). There is one pole installation that is within 10 feet of the driveway off Main Street that could be considered exempt under the Wetlands Protection Act which is the installation of pole 92-1 so it was submitted for review under the local bylaw only. Ms. Graf states that the rest of the work was submitted under the Wetlands Protection Act and the local bylaw and includes the installation of the 245 linear feet of underground conduit and duct bank which is proposed within the 100-foot buffer zone. A section of it will be within the 25 foot no disturb zone which is one pole (92-1) that will be installed using a direct embed method, which consists of them auguring a hole of approximately 6 feet deep, install the pole and back fill with soils they had removed (excess soils will be removed from the site). They are proposing to use an open trench method which is usually 2.5-3 feet and will be restored to pre-existing conditions once complete. Erosion controls will be installed to demarcate the work area and to prevent sediment from migrating into resource areas.

Mr. Parretti and Ms. Graf discuss the immediate removal of residual soil that is not used for backfilling, so they do not silt into the wetlands. Ms. Graf states that the trench for the conduits is not in wetlands but in the buffer zone and that the vegetation will be replaced with whatever is presently there.

Ms. Schold asks when the project will begin. Ms. Graf states their goal is to start near the end of this year. She also states that there will be no impact to the culvert that is currently there. Ms. Marttila expresses concerns about their ability to complete the sidewalks if the project is done in December. Mr. Graf states that the sidewalk is about 150 feet from Brimstone Brook. There is concern of siltation/erosions and issues with snow plowing if sidewalks are not completed. The issue of siltation run off would need to be addressed if sidewalks are not completed.

Ms. Schold questions why this was submitted as an RDA as opposed to an NOI. Ms. Graf states that they believed it was applicable for an RDA because it was all within the buffer zone and the only permanent impact will be the installation of pole 92-1, the rest will be temporary disturbance associated with the installation of the underground conduit and duct bank which can

be restored after it is completed. Ms. Schold expresses that she would like to see this as an NOI due to concern over wetland issues, especially if starting project in the winter. The Commission decides that they will continue this RDA until the next meeting so that they may do a site visit.

Notice of Intent (NOI)

Worcester Regional Airport (DEP # 197-0661)

Mr. Stolecki gives an overview of the Vegetation Management Plan update for which they submitted the NOI. He states that during the last Conservation meeting they received the DEP number with comments that they comply with specific provisions requiring them to provide copies of the NOI and VMP to certain state agencies. He states that they did mail copies to the required agencies and provided the Conservation office with the mailing certificates showing that they were sent. Mr. Stolecki states that an additional requirement was that they provide a letter from the FAA indicating that they have reviewed the VMP and find it necessary to implement in order to comply with their airspace regulations. A letter of acknowledgement from the City of Worcester was also provided to meet the requirements of the Commission. There are no comments from the public.

Motion: Ms. Schold moved to approve the Worcester Regional Airport NOI, DEP # 197-0661 for removal of wetland vegetation to identified as airspace obstruction as shown on plans provided and by Mr. Stolecki's comments

Second: Ms. Marttila

Discussion: None

Vote: All in favor (4-0-0)

Approval of Minutes:

July 22, 2020 & August 19, 2020

Motion: Ms. Schold moved to approve meeting minutes for July 22, 2020 and August 19, 2020

Second: Mr. Cooper

Discussion: None

Roll Call Vote: All in favor (4-0-0)

Board Discussion/Miscellaneous

Waite Pond Drawdown Activities

Mr. Allen Phillips of 53 Waite Street is present. He states that the pond is undergoing the dam project and the water level has gone down. The residents are looking for guidance as to how much they can clean up their shorelines for a general clean up.

Ms. Schold states that DEP limits what they can do during a drawdown. If they want to do any significant or new work, they would have to obtain their own NOI or RDA. Picking up leaves, debris or general cleanup is permissible. Any larger projects or altering of the banks would require a filing. Mr. Phillips states that there are rocks that need to be removed, some of which

may require a machine to remove. Ms. Schold states that if they needed to come out with machine they would need to come before Conservation. The Commission will visit the site at the same time they go out to inspect the erosion controls at 85 Waite Street.

289 Pine Street

Homeowner was put on agenda to discuss filing needs for work he wanted to do on his property. He did not attend. Board advised that we send the wetland bylaws to the property owner.

1039 Stafford Street

Owner has not contacted Conservation since Cease & Desist letter was received. Property owner info will be sent to Mr. Parretti so he can follow up on this.

15 Bond Street

Mr. Krevosky walked the site and did a wetlands report on it. There is more than one area that requires attention. The first is fill where the tree farm is and the second is fill on the stream side. The owner has been asked to file with Conservation regarding the fill at the tree farm. The issues on the stream side need to be further evaluated but needs to be postponed until drainage issues under the road are addressed.

83 Charlton Street

A letter was received from abutter stating that the property line for this site is in dispute. The Department Assistant will reach out to the property owner for a status update and this will be reviewed again at the next meeting.

57 Fairview Drive

Ms. Schold states that she visited the site today, there is a disturbed area. The Cease & Desist letter was returned in mail, it was not received by owner. Property owner info will be sent to Mr. Parretti so he can follow up on this.

0/31 Chapel Street

Mr. Krevosky sent the Commission an update on this property. They have done wetlands delineation and they need more time to work on the design and submit the NOI.

NOI Account Appropriation/Burncoat Park

Ms. Buck states that funds from this account can be used for wetland delineation work at Burncoat Park. Ms. Buck reviews transfers over previous years. She states that the transfer amount that was voted on at the June 2020 Town Meeting was roughly 28% of the cost of the Department Assistant's time. Further discussion is had regarding appropriation from this account and the process in which the appropriation occurs. The current balance is \$18,424.00. The Board members want to be notified prior to funds being transferred out of the account. Ms. Martilla states that she has met with different two wetlands specialists for Burncoat Park and is still waiting for a quote from one of them. Ms. Martilla states she intends on getting quotes from Engineers as well. Quotes from the wetlands specialists will be reviewed at the next meeting.

Upcoming Meeting Dates:

October 21, 2020

November 18, 2020

December 16, 2020

Motion to Adjourn: Ms. Schold

Second: Mr. Cooper

Discussion: None

Roll Call Vote: (3-1-0)

Meeting adjourned at 8:25PM

Documents included in meeting packet:

- Agenda
- Engineer letter from James Stolecki for Cert of Compliance (DEP # 349-1916)
- Request for Certificate of Compliance (WPA Form 8A) for DEP # 349-1916
- Request for Certificate of Compliance (WPA Form 8A) for DEP # 197-0654
- RDA application for Highway Dept work at Pleasant & Craig Street
- RDA application for 85 Waite Street & associated photos/plans
- Letter from BSC Group, Inc dated 8/27/2020 Re: Mass Elec RDA
- RDA application for Main Street (Map 21, Parcel B2-0 & B3-0) & associated plans and documents
- NOI application for Worcester Regional Airport 2020 NOI for VMP
- Email from DEP issuing # for Airport NOI
- Certificates of mailings from Mass Port
- Letters from Mass Port to Mass Historical Commission, DCR, DEP, MDAR dated 8/31/2020
- Letter to the Commission from FAA dated 8/26/2020
- Letter to the Commission from Worcester Department of Public Works & Parks dated 9/3/2020
- Meeting minutes for 7/22/2020
- Meeting minutes for 8/19/2020

Documents submitted at meeting: N/A