

**Leicester Conservation Commission Meeting Minutes
August 9, 2023**

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TOWN CLERK'S OFFICE
LEICESTER, MASS.

Location: Leicester Town Hall, Select Board Meeting Room

Member Present: Stephan Parretti, James Cooper, JoAnn Schold, Vanessa Lopez

Members Absent: Ashlyn Coyle

Others Present: Donna Main, DIS Assistant

Call to Order: Chairman Parretti called the meeting to order at 6:30 PM

1. 112 Huntoon Memorial Highway – Request for Certificate of Compliance

The Commission reviewed the as-built and Mr. Peter Engle, P.E.'s certification letter. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the Certificate of Compliance request for 112 Huntoon Memorial Highway.

Second: Ms. Lopez

Discussion: None

Record of Vote:

| | |
|--|--------|
| Stephan Parretti | Aye |
| James Cooper | Absent |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Three (3) in Favor. None (0) Opposed. | |
| Two (2) Absent. | |
| Approved 3 to 0 | |

2. Stiles Reservoir – Extension of Order of Conditions

Mr. Dominic Morengallo from Solitude Lake Management was present on behalf of for Stiles Lake Water District. Mr. Morengallo provided a project update on past weed control and said they wanted to extend the Order of Conditions to keep it current. Mr. Parretti read an email from Judy Schmidt with MassDEP saying that due to COVID the Order of Conditions was automatically extended until April 10, 2024. Mr. Parretti also said that MassDEP commented that now that the dam has been repaired, they will be considering whether a 6' drawdown is appropriate when evaluating extension requests. Mr. Morengallo said he believes that's a different Order.

Fran with Stiles Lake said the typical drawdown is 6' feet but now DEP only wants to allow them to drawdown 3' when their current permit expires. Mr. Morengallo said they have two Orders; one for drawdown and one for herbicide treatments.

3. 694 Stafford Street – Request for Determination of Applicability

Mr. Mendez was present to represent Ana Martinez. Ms. Martinez would like to replace existing deck behind the house and make it 6 feet wider. House is 75' away from wetlands to beyond 50' buffer. Mr. Parretti said the existing deck is about 60-65' feet from water. Ms. Schold said they are still within the 100' buffer. Mr. Parretti said they are not within the no disturb. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the RDA with a negative 3 determination for 694 Stafford Street according to the project description.

Second: Mr. Cooper

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

4. 48 Lake Drive – Notice of Intent for replacement of failed septic system (DEP #197-0705)

Ms. Main said MassDEP issued File # with no comments. Ms. MaryAnn DiPinto with Three Oaks Environmental was present for the applicant. The existing system is being abandoned in place and is closer to the pond than the new system. There is nowhere else to place the system. Ms. DiPinto does not know if BOH has approved the plan. Ms. Schold said erosion control is right in front of the lake. Ms. DiPinto said it will be in front of the wall. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the NOI for 48 Lake Drive with condition that Commission be notified when erosion controls are in.

Second: Ms. Lopez

Discussion: None

Record of Vote:

| | |
|------------------|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |

Four (4) in Favor. None (0) Opposed. One (1) Absent.

Approved 4 to 0

5. 43 Fairview Drive – Notice of Intent for replacement of failed septic system (DEP #197-0700)

Jason Dubois, P.E. with DC Engineering, Inc. was present. Mr. Dubois said it was a failed septic system on the lake side and the new system has been placed as far away from the water and the wells as possible. Ms. Schold conducted a site visit and has no concerns. Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the NOI for 43 Fairview Drive with condition that Commission be notified when erosion controls are in.

Second: Mr. Cooper

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

6. 778 Main Street – Notice of Intent for three multi-family buildings and associated parking, stormwater, and utilities (DEP #197-0696)

Mr. James Bernadino with CMG Engineering was present. Mr. Bernadino explained the revisions made to the plan per the Zoning Board of Appeals about work withing the Water Resource Protection District (WRPD). ZBA issued a denial so they revised the plans to reduce the plan from 25 units to 13 units. Resulted in limiting impervious area in WRPD. Graves Engineering peer reviewed the plan and ZBA approved the Special Permit. Project is scheduled for next week with the Planning Board and Mr. Bernadino expects the hearing to be closed next week. There is BVW near Waite Pond and 15,300 s.f. of buffer zone impacts (about 1/3 acre) which is 10,000 s.f. less than original plan. Mr. Bernadino said the FEMA flood elevation shown on plan has been evaluated and he has no concern. Mr. Bernadino described the placement and type of erosion and stormwater controls.

Mr. Parretti asked if there were any comments from the public and there were none.

Ms. Schold asked if MassDEP had any comments. Mr. Bernadino said MassDEP had comments on the original submission which have been addressed and that CMG submitted the revised plans to MassDEP and have not gotten any comments back yet. Ms. Schold wants to reach out to Mia McDonald at MassDEP about the revised plans.

Motion: Ms. Schold made a motion for conditional approval of the NOI with the understanding that they have to come back to the Commission if MassDEP comes back with comments and that there are no major Planning Board changes.

Second: Mr. Cooper

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

7. 65 Lakeview Drive – Notice of Intent for back yard improvements on the lake front (DEP #197-0703)

Applicant Denisse Valentine said they want to reduce the grade by building several levels on the slope not more than 13” high each so they have a gradual slope from the house to the lake. Building steps will help stop the erosion as the water currently runs down the hill. Paul Morris is the contractor. Mr. Parretti asked how close the deck is from the water. Ms. Valentine said the deck will be outside the 50’ buffer. Ms. Schold said the last terrace step is within the 25’ buffer.

Motion: Ms. Schold made a motion to approve of the NOI for 65 Lakeview Drive as stated with the conditions that the Applicant provides a construction detail.

Second: Mr. Cooper

Discussion: None

Record of Vote:

| | |
|------------------|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |

**Four (4) in Favor. None (0) Opposed. One
(1) Absent.**

Approved 4 to 0

8. 120 White Birch Street – Notice of Intent for construction of a single family home and associated utilities (DEP #197-0701)

Peter Engle, P.E. with McClure Engineering was present on behalf of the Applicant, Paul Blanchard. There are two intermittent streams on the property and one riverfront on the side. All wetlands have been flagged. Board of Health (BOH) wants new perk tests so McClure is proposing a temporary stream crossings for the testing and if perk tests are good, they will proceed with finalizing and submitting the septic plan to the BOH. Mr. Engle is also proposing wetland replication. Mr. Parretti asked if Mr. Engle had seen MassDEP comments. Mr. Engle said they had and provided MassDEP with a letter from Art Allen at EcoTec.

Ms. Schold said a bond would be required for the wetland replication areas to be put down before construction begins on the building. Mr. Parretti asked if we had set amounts in the bylaw on a per s.f. basis. Mr. Cooper asks if they were asking for approval of the temporary stream crossing or the whole project. Mr. Engle asked if the Commission would grant approval for temporary and permanent stream crossings contingent upon successful perk testing.

Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the NOI for 120 White Birch Street with a replication bond in place at the time, be notified of start of construction for erosion control inspection, and be informed of results of soil testing.

Second: Mr. Cooper

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

9. 69 Burncoat Lane – Notice of Intent to construct an addition to an existing home (DEP #197-0702)

Jason Kirtz, Architect of Record on behalf of the client. Client wants to put on an addition and has already gotten approval from BOH. Ms. Schold asked if they had to go to Zoning for that. Mr. Kirtz said yes as it is a non-conforming lot and smaller than it is allowed. Mr. Parretti asked if there were any MassDEP comments and Ms. Main said no comments.

Mr. Parretti asked if there were any comments from the public and there were none.

Motion: Ms. Schold made a motion to approve the NOI for 69 Burncoat Lane with the condition that they call for erosion control inspection.

Second: Ms. Schold

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

10. Miscellaneous/Board Updates

- Jan Parke asked if there had been any complaints on 102 River St. as she received a video of discharge going into the pond. Ms. Main said she had gotten no calls. Mr. Parretti said it is the one they approved and he will look at the video and do a site visit.
- Ms. Schold asked the status of Baldwin St. because court asked them to keep on top of it.
- Ms. Schold asked about the status of Bond St. Mr. Parretti asked owner to come to next meeting with an update.
- Ms. Schold said there was a situation at Pine St. and she called DEP and it is all set for now.
- Ms. Schold - 38 Manville St. – she conducted a site visit and gave ok to remove some of the silt fence.
- Ms. Schold - 28 Salminen Drive complaint from neighbor that she has heard noise. Ms. Main reached out to Building Commissioner, Town Administrator, and BOH.

- Ms. Schold said Ms. Lopez went to a Planning Board reconstruction meeting and they are going to hire a planner with no planning experience. Ms. Main said they interviewed a new applicant for Town Planner with experience and they plan to hire a part time Conservation Agent.
- Mr. Cooper went to Pleasant St/Route 56 and said three houses were built behind the houses. Mr. Cooper does not think it's within 200' of any wetlands. Ms. Schold said they had a letter from EcoTec saying they weren't in the wetlands. There may be siltation issues.
- Ms. Main said a man from Pine St. will be coming in to have some trees removed.

11. Appointment of Commissioners:

Mr. Parretti nominates Ms. Schold as Chair and Vice Chair. Ms. Schold declines and nominates Mr. Parretti as Chair and Mr. Cooper as Vice Chair.

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

Motion: Ms. Schold made a motion to adjourn.

Second: Ms. Lopez

Discussion: None

Record of Vote:

| | |
|---|--------|
| Stephan Parretti | Aye |
| James Cooper | Aye |
| JoAnn Schold | Aye |
| Vanessa Lopez | Aye |
| Ashlyn Coyle | Absent |
| Four (4) in Favor. None (0) Opposed. One (1) Absent. | |
| Approved 4 to 0 | |

Meeting adjourned at 7:41 p.m.

Respectfully Submitted by:
Lisa Westwell, Administrative Assistant
to the Planning Department

Date Approved: 12/13/2023

Conservation Commission Board Signatures

A black ink signature, appearing to be 'Stephan Parretti', written over a horizontal line.

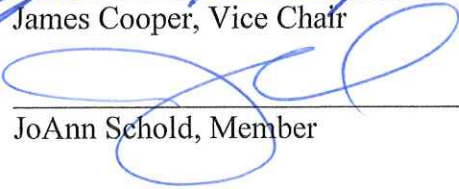
Stephan Parretti, Chair

A blue ink signature, appearing to be 'Vanessa Lopez', written over a horizontal line.

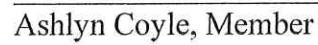
Vanessa Lopez, Member

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James Cooper, Vice Chair

A blue ink signature, appearing to be 'JoAnn Schold', written over a horizontal line.

JoAnn Schold, Member

A blue ink signature, appearing to be 'Ashlyn Coyle', written over a horizontal line.

Ashlyn Coyle, Member