

Town of Leicester

Conservation Commission
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Conservation Commission

Stephen Parretti, Chair
James Cooper, Vice-Chair
JoAnn Schold, Member
Ashlyn Coyle, Member

Conservation Commission Meeting Minutes

Date: March 23, 2022

Time: 6:30PM

Location: Leicester Town Hall, Meeting Room 3

Commissioners Present: James Cooper, Stephen Parretti, Joann Schold, Ashlyn Coyle

Others Present: Alaa Abusalah, Director of Inspectional Services/ Town Planner, Brook Hultgren, DIS Assistant

ORDER OF BUSINESS:

1. Request for Certificate of Compliance

- A. Mulberry Solar 3 (DEP# 197-1636) Applicant: CS Energy LLC
- B. 182 Chapel Street (DEP# 197-0356) Applicant: David Delollis

2. Request for Determination of Applicability

- A. 38 Burncoat Lane (RDA2022-01), Applicant: Benjamin & Kelsey Brigham. (SFH addition)
- B. 89 Parker Street (RDA2022-02), Applicant: YWCA of Worcester (removing rocks and creating parking at two locations on Stiles Lake)
- C. 65 Lakeview Drive (RDA2022-03), Applicant: Denisse Valentine (backyard improvements on lakefront)

3. Notice of Intent (NOI)

- A. 0 Chapel Street (DEP# 197-0670) **Continued;** Applicant: Armory Street LLC, Office building with associated driveway & stormwater structures in a riverfront area
- B. 31 Chapel Street (DEP# 197-0669). **Continued;** Applicant: Armory Street LLC, Office building with associated driveway & stormwater structures in a riverfront area
- C. 90-92 Huntoon Memorial Highway (DEP# 197-0683) **Continued:** Applicant: JMC/TBG Leicester LLC. (Industrial warehouse)
- D. Parker St (Lot 1) (DEP# 197-0684), Applicant: Schold Development LLC (SFH)
- E. 408 Stafford Street (DEP# 197-0685), Applicant: New England Power Company, 115 KV substation.

4. Board Discussion/Miscellaneous

- A. Ch. 61 request, Pine Street (Map 41, Parcel A11)
- B. Composting, 11 Hankey St./ The WorcShop
- C. Miscellaneous project updates/site inspection updates
- D. Correspondence/other new business

Mr. Parretti called the meeting to order.

1. Request for Certificate of Compliance

- A. 182 Chapel Street (DEP# 197-0356) Applicant: David Delollis. The Conservation Commission has a letter on file stating that all work has been completed.

Mr. Parretti requested comments or questions from the public. The homeowner was instructed to contact the office to get a copy of the Certificate of Compliance.

Mr. Parretti made a motion to approve the Certificate of Compliance.

Motion: Mr. Cooper made a motion to approve the Certificate of Compliance for 182 Chapel Street DEP# 197-0356

Second: Ms. Schold

Discussion: None

Vote: 4-0-0

B. Mulberry Solar 3 (DEP# 197-1636) Applicant: CS Energy LLC.

The bond is in place and the Conservation Commission has looked around at the site. The Planning Board has signed off but may want to take another look at an eroded area due to storm runoff concerns. Thirty-six trees will be planted over the next two weeks.

Mr. Parretti requested comments or questions from the public; there were none.

Mr. Parretti entertained a motion to grant a conditional Certificate of Compliance.

Motion: Mr. Cooper made a motion to grant a conditional Certificate of Compliance

Second: Ms. Schold

Discussion: None

Vote: 4-0-0

2. Request for Determination of Applicability (RDA)

a. 38 Burncoat Lane (RDA2022-01), Applicant: Benjamin & Kelsey Brigham.

The applicants are planning an addition to their single-family home; it will approach no closer than 15' to wetlands. The applicant presented the plan to the Conservation Commission for review. Wetlands are not on the applicant's property. Silt fence, straw wattles, and hay bales are planned. Pierre Brouard will be doing the digging.

Mr. Parretti requested comments or questions from the public; there were none.

Mr. Parretti entertained a motion to grant the RDA.

Motion: Ms. Schold recommended approving an RDA with a negative 3 determination in accordance with DEP regulations, and with the specification that the Conservation Commission be notified when siltation measures are up.

Second: Ms. Coyle

Discussion: None

Vote: 4-0-0

b. 89 Parker Street (RDA2022-02), Applicant: YWCA of Worcester

The project includes

a) removing boulders from the swimming area on Stiles Lake, and

b) creating two parking areas and associated grading at two locations. Silt fencing will be used. The Conservation Commission has visited the site - the location for the parking areas is flat and not very close to wetlands. As water levels are now being raised, the boulder removal might need to wait until the next drawdown.

Mr. Parretti requested comments or questions from the public; there were none.

Mr. Parretti entertained a motion to grant the RDA.

Motion: Ms. Schold recommended approving an RDA with a negative 3 determination in accordance with DEP regulations, specifying that the boulders be removed during a drawdown period.

Second: Ms. Coyle

Discussion: None

Vote: 4-0-0

- c. 65 Lakeview Drive (RDA2022-03), Applicant: Denisse Valentine

Ms. Valentine reviewed the proposal for improvements on her lakefront property. The Conservation Commission will reach out to the applicant to conduct a site to get a broader understanding of the plans. The Conservation Commission may request that the applicant complete an NOI.

This request is continued until the next meeting.

3. Notice of Intent (NOI)

- a. 0 Chapel Street (DEP# 197-0670) and 31 Chapel Street (DEP# 197-0669).

Applicant: Armory Street LLC, Office building with associated driveway & stormwater structures in a riverfront area. Glenn Krevosky presented for the Applicant. These are merged commercial lots that were bought from the town at auction. Japanese knotweed has been killed off using tarps, and the area will be re-loamed and replanted to match what is native to the area. DEP comments are pending.

This request is continued pending DEP comments.

- b. 90-92 Huntoon Memorial Highway (DEP# 197-0683)

Jack Brennan and colleagues presented for the applicant, JMC/TBG Leicester LLC. The project is an industrial warehouse. Initial presentation to the Conservation Commission took place at the Jan 12 meeting. There have been minor changes to the initial plan which were filed a couple of weeks ago. Parking moved from the west side to the south side, and the building has been narrowed. Work remains 25' outside the No Work zone, and land disturbance has been decreased.

Mr. Parretti solicited questions from the public. <Janice Pott, 207 Greenville Street Worcester> requested that, when replacing landscape plantings, the Applicant consult the list of native plants. The applicant is happy to incorporate recommended plantings. The Conservation Commission will send over the list of native species.

Mr. Parretti entertained a motion to grant the NOI.

Motion: Ms. Schold made a motion to approve the ROI, specifying that the Conservation Commission be notified when siltation devices are in place, and that the list of native plants is sent to the applicant.

Second: Ms. Coyle

Discussion: None

Vote: 4-0-0

- c. Parker St (Lot 1) (DEP# 197-0684), Applicant: Schold Development LLC (SFH)

Ms. Schold absented herself from the meeting. Brian spoke for the applicant.

The lot is a single-family home with a detached garage. They want to create a small beach area and boat access from the roadway. The engineering plan calls for grass swale and erosion controls around the perimeter. No DEP comments have been received.

Ms. Stratis visited the site. The planned beachfront is within DEP percentages; it will be 28.5' of beachfront.

Mr. Parretti entertained a motion to grant the NOI with the siltation measures specified on the plan and the beachfront remaining within DEP allowances.

Motion: Ms. Coyle

Second: Mr. Cooper

Discussion: None

Vote: 4-0-0

d. 408 Stafford Street (DEP# 197-0685)

Dan Herzlinger presented on behalf of New England Power Company. The project is a proposed 115 KV substation. The NOI request is for upgrading the towers.

<The presentation by the applicant was over zoom and not understandable on the recording.>

Ms. Schold reviewed the DEP comments that have come in. Conservation Commission will review the wetland crossings on site with the applicant. Continued until the next meeting pending during which time the site meeting with the Conservation Commission will take place.

Mr. Parretti requested comments or questions from the public. Nancy McCue 402 Stafford Street requested details about the location of her house in relation to the right of way. There is an issue with the access road to the substation (not the topic of this NOI), where Ms. McHugh is having to shovel gravel that is coming over onto her driveway due to runoff. The substation project will have separate plans.

Mr. Parretti indicated that both Conservation Commission and Planning Board will be reviewing the substation project in the future and every effort will be made to minimize noise and impact on the environment.

Mike Maturos owns the property 466 Stafford Street that the right of way crosses. The stone wall that marks his property line was taken apart and reassembled last year in coordination with the Applicant, and Mr. Maturos is asking them to reach out and coordinate in a similar way for this project. Mr. Parretti indicated that the easement agreement addresses this issue (rather than conservation).

4. Board Discussion/Miscellaneous

a. Chapter 61 request, right of first refusal, Pine Street (Map 41, Parcel A11)

The price asked online is \$400,000. Janice Park, member of the public, 207 Greenville Street spoke. The Land Trust has walked the property and searched unsuccessfully for grants. Half of the shoreline of Bouchard Pond is on this property. Ms. Park provided a history and overview of the property.

Mr. Parretti indicated that the Conservation Commission is ready and willing to respond to requests for information from the Select Board if needed as the Select Board considers the issue.

Mr. Parretti entertained a motion to concur with the Select Board.

Motion: Ms. Schold

Second: Mr. Cooper

Discussion: None

Vote: 4-0-0

b. Composting, 11 Hankey St./ The Worcester Shop

Ms. Coyle explained that the applicant is on the French River. They want to do composting in the back of the property, abutting the French River. She sent the request over to DEP and asked the Conservation Commission if they want the Applicant to apply for a permit.

The Conservation Commission indicated that a permit is required. The Conservation Commission's recommendation is that the applicant draw up a plan and submit it to the Conservation Commission.

c. Miscellaneous project updates/site inspection updates

Ms. Coyle spoke with the town council and confirmed that the Conservation Commission has the right to fine the properties in violation. This matter is continued to the next meeting.

d. Correspondence/other new business

Skyview Estates - planning board has changed the plan significantly from what was approved last November. They will be refile with the Conservation Commission.

Ms. Coyle is leaving the Conservation Commission; this is her last meeting. The Conservation Commission thanked her for her work.

Mr. Parretti requested additional questions or comments from the public; there were none.

Mr. Parretti entertained a motion to close the public hearing.

Motion: Ms. Schold

Second: Mr. Cooper

Discussion: None

Vote: 4-0-0

Meeting Minutes Respectfully Submitted by:
Donna K. Main, DIS Assistant
Date Approved: March 10, 2023