

**Town of Leicester
Conservation Commission
Meeting Minutes
January 13th, 2010**

Meeting opened at 7:30 p.m. Members present, Glenda Williamson, JoAnn Schold, John Marc-Aurele, Steve Parretti.

Notice of Intent

Applicant: Robert Jones
Location: 160 Peter Salem Road
Request: septic repair
Rep: Coyle Engineering

Mr. Coyle, Shelly Hammond presenting. Residential septic system upgrade, system was failed and in need of repair. Homeowner may have to wait until the Spring or until the ground is not frozen to do the construction, since the BOH won't allow septic repairs when the ground is frozen. Con. Comm. feels it would be better to do the construction now since the ground is stable and snow cover would act as a natural barrier. CC will take 30 days to issue OoC, rep. signed extension to issue OoC since next meeting is Feb. 10th. Applicant is to call the LCC for a site visit to review the erosion controls. No No special conditions suggested by the Board.

Certificate of Compliance DEP # 197-481

Applicant: Roxann Banks (c/o/ Paul O'Brien, att.)
Location: 188 Henshaw Street
Request: septic repair
Rep: Coyle Engineering

Glenda Williamson conducted the site visit in the Summer of 2009 and reported that everything was completed and properly stabilized. Ms. Schold motioned to grant the Certificate of Compliance for this project. Mr. Marc-Aurele seconded. Motion passed.

Vote on Conservation Restriction

Applicant: Greater Worcester Land Trust, GWLT
Location: 88 Marshall Street/Morgan Property/Southwick Pond
Request: vote to accept the Conservation Restriction
Rep: Colin Novick, GWLT

Mr. Marc-Aurele made edits to the Conservation Restriction, board agreed to the changes. Mr. Parretti would like a copy of the letter from Colin Novick requesting money from the Cons Comm sent to Town Counsel, along with the revised CR. (Town Administrator determined that the Town *will not* give the GWLT money toward the purchase of the property (per conversation on Thursday, January 27th, between Mr. Reed and Glenda Williamson, Dept. Assistant, LCC). Board voted to approve the edits to the CR and to forward the changed document to Town Counsel for review.

Discussion:

(The board discussed several projects, waiting for representatives for Boutilier Estates to attend the meeting).

Pitcarin Ave, LCC must review the septic before any work can be done, the homeowner has to come before us to review this project.

Mr. Parretti would like us to send a **mailing to all Town residents** describing the LCC and wetland bylaw rules. DA to check with other Towns for some example brochures.

Ms. Schold asked the DA to check on the **Wal-Mart renovation**. (According to the Building Inspector, Jeff Taylor, this is an inside renovation at their existing store on Route 9).

Amendment to Order of Conditions

Applicant: Mark Reil
Location: 37 South Street
Request: Transfer Orders to Fred LaFlash, new property owner
Rep: Coyle Engineering

Mr. Reil did not send us proof of mailing that he sent the Order of Conditions to the new property owner. This will be discussed/reviewed at the February 10th meeting. DA will follow up with Mr. Reil. Mr. Coyle will send LCC a request for amended Order of Conditions, abutters do not need notified of the property transfer (to Mr. LaFlash). Only amendment will be the name change on the Orders of Conditions.

Ron Tarentino

Discussion of the work Mr. Tarentino did on the back of the property, there are no boulders in the back as specified in the original orders for the house construction. No certificate of compliance has been issued, Orders of Conditions expired in 2008.

Boutilier Estates Discussion

Glen Krevosky (EBT) William Coyle, Shelly Hammond (Coyle) Kevin Quinn (Town Engineer) William Murray (Places), LCC consultant.

Mr. Coyle discussed the Planning Boards preference for the roadway entrances off of Stafford Street. The Planning Board and the Fire Department would like the entrance to go at the existing Boutilier Road easement. Sidewalk on one side only, planning will have to issue a variance on the street width. Electronic copy of the wetland delineation was sent to Conservation and Places. Review of replication locations for roadway impacts. Lots have been reconfigured based on the 25-foot no-disturb zone in the wetland bylaw. Coyle will go in front of the Planning Board on February 20th, the project will be continued until they can review the engineering reports (Quinn, Coyle) and will make comments.

Detention basin (DB) at the Henshaw St. end, property owner does not want the DB so close to his property. Solution would be to direct additional flow to DB#2. Kevin Quinn explained the east-west stormwater flow and how to compensate between the two. Mr. Coyle is concerned that too many engineers have input in regard to the stormwater plan, he wants Quinn and Planning to be the only two with stormwater design approval authority, not Places. Coyle will send the model stormwater plan to Quinn for comments. Coyle will address the comments from Places. The homeowners association will be responsible for maintaining the stormceptor at Stafford Street, these require a lot of maintenance.

Boutilier estates, con't:

Krevosky: Explanation of the delineation. Henshaw St. end (Nick Casello section done a year ago). Krevosky reviewed the original delineation. 80 percent of the delineation was done over the last several months. 20 percent was done last summer. Denial, the applicant did not submit enough information, according to Glen, the applicant is willing to provide any information Con Comm requests.

Decision to notify the abutters again by Mr. Parretti. Places would like the applicant to submit a new, revised NOI, the original submittal was fatally flawed. Reset the clock with fresh paperwork, need finalized delineation, so the wetland impacts can be determined.

Discussion of access, thru Boutilier Rd. easement, there are more wetlands that will be impacted thru the Boutilier easement, however, they are degraded areas compared to the hardwood swamp located at the proposed Fred's Way entrance. Alternatives analysis must discuss the entrance roadways and their impacts, MEPA is required as well. We should get a statement from Planning Board stating what their preference is for the location of the entrance road.

Coyle: Discussion of when and where the delineation can be reviewed now. Filing fee vs bond money discussion. Can the money be used for review by the commission.

Bill Murray: the electronic submittal of information to Bill does not work if the Con Comm does not get it before he does. Filing procedure is not being conducted correctly.

Discussion with Bill about him getting us a proposal for additional work, to help us with the Orders of Conditions. The wetland delineation will be reviewed in the Spring, in the meantime the mapping and stormwater plans will be finalized after Planning Board meetings. Con Comm will decide the process and has the choice to retain the pier reviewer. Amended NOI and abutter notification needed. Shea is the new abutter. Hearing date TBD.

Discussion between the board and Bill Murray, LCC consultant. Wetlands on the site still need reviewed, checked for potential vernal pools and streams, drainage areas and intermittent streams defined.

DEP says that the Commission must verify a delineation in the winter unless the applicant grants an extension for the review. Conservation needs a separate one page, document under our local bylaw sign-on to be filed at the registry of deeds.