

**TOWN OF LEICESTER
CONSERVATION COMMISSION
Minutes
July 16th, 2008**

Meeting opened at 7:45pm. Members present Stephan Parretti, JoAnn Schold, Glenda Williamson and MaryEllen Brosnihan. Members absent, Adam Menard.

NOTICE OF INTENT continued from 6/18/08

Applicant: Victor Taylor
Location: Lot 1 Hammond Street
Request: construction single family home
Rep: EBT Environmental Consultants, Inc

Mr. Coyle filling in for EBT. Originally filed in 2000, a superceding OofC was issued, then appealed by an abutter to DEP who issued superceding Orders which have since expired. All work relative to the wetlands has been done. The replication still needs to be completed, the elevation needs to be lowered. Discussion. The plan is essentially the same, the wetland line has changed slightly and therefore some restoration will have to occur. Discussion regarding the amount of replication; old plan had 4385 square feet and area now is over 4992. House plans and septic plans are the same. No comments from the public. In orders of condition the commission will ask that the replication area be done first, and a performance security agreement will be drawn up for the replication. No other questions or comments. Ms. Schold motioned to accept the NOI and to take 21+days to draft Orders of Conditions, Ms. Brosnihan seconded. Motion passed.

NOTICE OF INTENT continued from 6/18/08

Applicant: Frederick & Sandra Laflash
Location: 7 Sandy Circle Lot 12
Request: construction single family home & grading w/in buffer zone
Rep: EBT Environmental Consultants, Inc

Mr. Coyle filling in for EBT. Continued from our last hearing, Mr. Coyle gave brief description of plan. There was some discussion as to whether or not the house plan had changed from a 3 to a 4 bedroom house, the applicant stated that nothing had changed. It was reiterated to the applicant that once Orders are received they are to be recorded; a copy of the recording forwarded to LCC; and a call to LCC for site visit and approval prior to any work or construction to the site. No other questions or comments. Ms Brosnihan motioned to accept the NOI and to take 21+days to draft Orders of Conditions, Ms, Schold seconded. Motion passed.

NOTICE OF INTENT

Applicant : Marc Vandal
Location: 593 Pleasant Street
Request: construction of a replicated wetland; grading w/in the buffer zone
Rep: EBT Environmental Consultants, Inc

Mr. Vandall presented his plans, would like to do some grading and filling in the buffer zone, as well as complete a replication plan that was not completed under another filing. Discussion. Due to the fact that LCC has not received a DEP file number at this point, the hearing can be opened, but will need to be continued until we receive file number and a site visit is done. Mr. Vandall agreed to the continuance.

REQUEST FOR DETERMINATION

Applicant: James & Wendy Day
Location: 312 Henshaw Street
Request: repair existing failed septic
Rep: Coyle Engineering

Mr. Coyle representing. Plans reviewed and discussed, this work is just within the buffer zone. The septic system was installed by another company, but has since failed. The site was perced again with no issues. Mr. Coyle explained the reason for the failure was due to the use of bad sand. The tank and chamber are fine. Hay bales and silt fence will be installed. No other questions or comments from the public or board. Ms. Schold motioned to make a -3 determination with conditions, (erosion control and site visit) Ms. Brosnihan seconded. Motion passed.

NOTICE OF INTENT

Applicant: Mike Dupuis
Location: 5 Rawson Drive
Request: repair existing septic
Rep: Coyle Engineering

Mr. Coyle representing. Plans were reviewed and discussed, would like to install a presby system. Double hay bales and silt fence will be installed as shown on plans, soft boom will be placed in water. Applicant is to call LCC for site visit and approval prior to construction. No other questions or comments from the public or the board. Ms. Brosnihan motioned to accept the NOI and to take 21+ days to draft Orders. Ms. Williamson seconded, motion passed.

NOTICE OF INTENT

Applicant: Joseph Hyland
Location: Camelot Drive
Request: subdivision roadway
Rep: EBT Environmental Consultants, Inc

Mr. Krevosky representing. Discussed plans for 8 house subdivision. The plans are in full compliance with new storm water regulations. Discussion of bank impacts and replication area, the crossing will be at the narrowest point available. No additional extension of roadway per Planning Board w/o any additional access. The pond contains a rare species, (muscle) but there will be no impact to the pond. A site visit will be set up, and we will continue due to fact that a DEP file number has not been issued yet. Applicant agreed to continue until 8/13 hearing. At time the Orders for this are issued a performance bond for replication will be made along with restrictive covenant.

NOTICE OF INTENT

Applicant: Frederick & Sandra Laflash
Location: 2 Sandy Circle Lot 31
Request: construction of single family home & grading w/in the buffer zone
Rep: EBT Environmental Consultants, Inc

NOTICE OF INTENT

Applicant: Frederick & Sandra Laflash
Location: 1 Sandy Circle Lot 9
Request: construction of single family home & grading w/in the buffer zone
Rep: EBT Environmental Consultants, Inc

Both of these hearings were opened, but due to fact that there is not a DEP file number for either NOI they will have to be continued until August meeting. Mr. Coyle asked if it would be possible to draft the Orders of Conditions at that hearing. The commission's position on this is that we cannot do this for one applicant without setting precedence for future applicants. Orders will be issued the following hearing based on whether or not the NOI is approved.

REQUEST FOR DETERMINATION

Applicant: Bob Opaki
Location: 2 Shelter Ridge Rd
Request: remove dead trees in the buffer zone

Applicant has run ad, no other issues. Ms. Schold motioned to make a -3 determination with conditions to call LCC prior to work and to check hay bales fence. Only felled trees to be removed. Ms. Brosnihan seconded. Motion passed.

Discussion/Open Forum/Complaints

249 Pine Street

Mark Riel the owner of this property would like all requests regarding this site made directly to him. He is no longer using representation. Issues with the erosion and the replication area. Mr. Krevosky recommends that the replication area be done within the first year. Mr. Riel stated that he has every intention of completing the replication area prior to the rainy season. Commission is still requiring monthly reports per Orders of Conditions. We will call Mr. Riel for site visits and any issues that may present in the future and in turn he will assign professional of his choosing to address the issues. At this time the commission would like the erosion issued addressed and we will expect to receive an update prior to our September hearing.

Emergency Certification**Worcester Airport**

Documentation reviewed, the commission would like to make a site visit and discuss this project with representation prior to granting emergency certification.

Certificate of Compliance

237 Pine Street DEP# 197-436

Mr. Coyle representing the applicant. A shed was added that was not shown on plans. Shed was expanded prior to issuance of Orders of Conditions. The shed is not within the 100 year flood plain. Everything appears to be in substantial

compliance. Ms. Schold motioned to issue a Certificate of Compliance for 237 Pine Street, Ms. Brosnihan seconded. Motion passed.

Ms. Schold motioned to accept minutes from May. Ms Williamson seconded, motion passed.

Mail was reviewed and orders of conditions were signed for DEP# 197-491 Congregation Melech Yisrae, DEP# 197-490 17 Maighan's Way, and DEP# 197-489 15 Maighan's Way.

Ms. Brosnihan made a motion to appoint Mr. Parretti as Chairperson and Ms. Schold as Vice Chairperson. Ms. Williamson seconded, motion passed.

Ms. Williamson motioned to close the public hearing at 9:50pm. Ms. Schold seconded, motion passed. Meeting closed at 9:50pm.