

**TOWN OF LEICESTER  
CONSERVATION COMMISSION  
MEETING MINUTES  
May 7<sup>th</sup>, 2008**

Meeting opened at 7:35pm. Members present were Adam Menard, JoAnn Schold, Mary Ellen Brosnihan and Glenda Williamson.

**NOTICE OF INTENT continued from 1/23/08**

Applicant: Russell Yule  
Location: Lot 7 Conway Drive  
Request: single family home  
Rep: Ross Engineering Co, Inc

Mr. Mirabito, representing for Mr. Yule, gave a brief review of the project. (Plans may be viewed in the Conservation Office) The Commission met with John Richardson at the site to review the delineation. Work proposed will not alter BVW at the back of the property, as shown on plans. The commission will be placing in the orders of conditions that no additional work is to take place past the hay bale/ silt fence line, and that if at any time there is new work proposed, a new NOI or an amendment to the existing orders will be necessary. Mr. Mirabito was asked when work proposed would begin; he stated that it would be within the year due to the zoning permit only being valid for one year. There were no other comments from the board or the public. Ms. Williamson motioned to accept the NOI and take 21 days to issue Orders of Conditions; Mr. Menard seconded; motion passed.

**NOTICE OF INTENT continued from 1/23/08**

Applicant: Russell Yule  
Location: Lot 8 Conway Drive  
Request: single family home  
Rep: Ross Engineering Co, Inc

Mr. Mirabito, representing for Mr. Yule, gave a brief review of the project. (Plans may be viewed in the Conservation Office) The Commission met with John Richardson at the site to review the delineation. Both this lot and lot 7 will tie in to town sewer, but will need to dig wells for water. There was discussion for the utilization of double rows of hay bales along the driveway with silt fence entrenched. Ms. Brosnihan would like to schedule a site visit upon completion of the driveway. There will be a deed restriction stating that no work is to occur outside of what is in this application; anything new to be proposed will require the filing of a new NOI or an amendment to the Orders of Conditions. Also required will be monthly reports by an engineer with photos. No further comments from the board or the public. Ms. Brosnihan motioned to accept the NOI and take 21 days to issue Orders of Conditions; Ms. Williamson seconded; motion passed.

**NOTICE OF INTENT continued from 4/16/08**

Applicant: Neil & Lisa McDonough  
Location: 359 Rawson Street  
Request: landscaping, installation of hot tub, development of boat drive  
Rep: EBT Environmental Consultants, Inc

Mr. Krevosky was not present for the hearing, so Mr. Coyle who is the engineer for this project represented for the McDonoughs. Mr. Coyle gave a brief review of the project, and discussed the site visit with Ms. Williamson. (Plans are available to view) The applicant's intent is to loam and seed the back yard at this time to stabilize that area; and in the fall complete remaining work when the lake draws down is taking place. There was some discussion regarding the replication area in the boat ramp area. Mr. Coyle suggested that the removal of the trees there would create a greater impact to the lake than constructing a replication area. At this time we will accept the NOI as it is written and plans as they are. If an amendment is necessary for this replication, we will revisit it. The commission also suggested that because the area where the septic was installed is now stabilized, that the applicant remove the existing hay bales and silt fence in that area. When the lake draw down takes place in the fall, the applicant is required to contact the commission when remaining work will begin and to schedule another site inspection. No other comment from the commission or the public. Ms. Williamson motioned to accept the NOI and to take 21 days to draft Orders of Conditions; Ms. Brosnihan seconded; motion passed.

**NOTICE OF INTENT**

Applicant: Sandra Laflash  
Location: 16 Maighan's Way  
Request: construction on single family home, driveway, related utilities, grading and erosion control  
Rep: MacCarthy & Sullivan Engineering, Inc

Mr. Sullivan gave a brief description of the plans for a single family home within the buffer zone. No impact to the wetlands will occur. Presently there is a Cease & Desist on DEP File # 197-461, the road Sandy Circle. Because of this the commission cannot accept any NOI where there is work within the buffer zone. Mr. Laflash will need to request the Commission remove the C&D. The Commission will schedule a site visit in the coming week to view the road and

determine whether or not to lift the C&D. At this time Mr. Sullivan requested that we continue the public hearing until the C&D has been lifted. The commission will continue this until our next meeting on May 21<sup>st</sup>.

#### **NOTICE OF INTENT**

Applicant : Sandra Laflash  
Location: 6 Sandy Circle  
Request: construction on single family home, driveway, related utilities, grading and erosion control  
Rep: MacCarthy & Sullivan Engineering, Inc

For the same reasons as listed above for 16 Maighan's Way, we will continue this hearing until May 21<sup>st</sup>, 2008.

#### **NOTICE OF INTENT**

Applicant : John & Marjorie Lavallee  
Location: 20 Sabina Circle  
Request: addition to existing single family home  
Rep: Scott Jordan, Ecotec

Mr. Scott Jordan representing for the Lavalles. Mr. Jordan gave a brief description of the project. The wetlands were flagged in March. The addition will be roughly 39' from the wetlands with a 7' area for the equipment; 32'. Addition will be one level with a foundation down to the existing grade. The commission would like a double row of hay bales with silt fence entrenched 4". No other comments from the commission or the public. Ms. Bronihan motioned to accept the NOI and to take 21 days to draft Orders of Conditions; Mr. Menard seconded; motion passed.

#### **DISCUSSIONS/OPENFORUM/COMPLAINTS**

##### Soden-retaining wall

Mr. Coyle submitted a Notice of Non-Significance for 165 Rawson Street. There is an existing Order of Conditions for this project, DEP# 197-455. The original application showed a retaining wall to be built at back of property behind an above ground pool. The applicant then amended the Orders to move the septic system to the back of the house, and no longer build a pool. The property has since been revisited; and there is an existing stone wall along the back of the property between the project and the wetlands. The owner would like to forego the retaining wall due to the fact there is already a stone wall there. Hay bales and silt fence will be placed along the existing hay bales, and at this time there is little to no sediment getting through, with nothing getting to the wetlands. If at some time the applicant would like to work on the existing stone wall, it will have to be by hand; no machinery is to be used in that area. We will set up site visit to inspect erosion control. Ms. Williamson motioned to approve the Notice; Mr. Menard seconded; motion passed.

##### Opake 2 Shelter Ridge Rd

The office received a phone call from a neighbor of the Opakes inquiring of what can be done within the wetlands, stating that Mr. Opake planned to install a pipe that would drain a swamp on his property. A letter was sent to Mr. Opake along with a wetlands packet, asking him to meet with conservation regarding his plans. Ms. Brosnihan walked the property with Mrs. Opake. They would like to fill in the wetland and install a pipe in an easement that the Town Highway Dept utilizes. Mr. Opake was present at the meeting and it was explained to him that he would not be able to do any work that he is proposing without obtaining a permit from Conservation.

##### 160 Peter Salem Rd.

Mr. Jones, the owner, has a septic system in failure and dug up his yard to fix it. The Board of Health is now working with him and contacted Conservation b/c of wetlands on the property. A site visit was made and Mr. Jones was asked to install erosion control measures, and to clean out the wetlands which had been filled in. Once the erosion is in place and fill is removed, they can fill in the trench. When the septic system is repaired/replaced, the owner will file with Conservation.

##### 249 Pine Street, DEP# 197-466

Ms. Brosnihan did a site visit and would like something placed in the orders about not using salt or sand with salt on the driveway. There are also 2 rusty, old cars on the property that should be removed. There are concerns about when the replication area will be started, as well as final grading of the entire site. The commission would like to set up a site visit with Mr. McNeil, along with Mr. Krevosky.

##### Mass Highway

Rte 9 near Rawson Street, sediment in the wetlands from Mass Highway cleaning out drains along Rte 9; as well as flooding issues in that area, and non-functioning detention basin. Still waiting on recommendations from Mr. Krevosky before we contact Mass Highway.

#### **CERTIFICATE OF COMPLIANCE**

Hemlock Street DEP# 197-348

A certificate of compliance was signed and will be issued for Hemlock Street.

Mail was reviewed.

A motion was made by Ms. Williamson to approve Mr. Parretti as Chairperson for another year; Ms. Brosnihan seconded. Motion passed.

Summer meeting schedule and hours were voted on. Ms. Williamson motioned to meet one Wed each month for June, July, August and September; and the office hours will be T,W,Th 9:00am-12:00pm. Ms. Brosnihan seconded; motion passed.

Mr. Menard motioned to close the public hearing at 9:30pm, Ms Williamson seconded. Motion passed. Meeting closed at 9:30pm.