

**TOWN OF LEICESTER
CONSERVATION COMMISSION
MEETING minutes
November 5th , 2008**

NOTICE OF INTENT

Applicant: Johnson Family Irrevocable Trust
Location: 140 Whittemore Street
Request: single family home, driveway, septic, & well
Rep: EBT Environmental Consultants Inc, Glenn Krevosky

Mr. Krevosky representing. Brief discussion of location, stream stats and proximity to the wetlands. Stream has been filmed the past three years; 3 yrs back it was filmed dry for 4 days out of the year; 2 yrs ago it was not dry; last yr again dry for 4 days. Does not have to be 4 consecutive days. Stream stats show that it is intermittent. The commission has some concerns with flagging and close proximity to the wetlands. Vegetation was used to determine delineation, Mr. Krevosky explained that vegetative indicators are prime considerations over soils in determining wetland lines. This is a small, tight lot for a single family home, but all setback requirements have been met for well, septic, etc. Hay bale fence will be placed all around site for erosion control. Due to concerns mentioned the commission would like to walk the site before making decision, time and date to be determined. Mr. Krevosky agreed to continue hearing until November 19th, 2008.

NOTICE OF INTENT

Applicant: PG Landscaping, Inc
Location: 32 Lake Ave
Request: wall work, landscaping w/in buffer zone
Rep: EBT Environmental Consultants Inc, Glenn Krevosky

Mr. Krevosky representing PG Landscaping, also present were the owners Mr. & Mrs. Layden. The applicant proposes to rebuild a rock wall along the shore line during the draw down. Water will be back at least 10', hay bales will be put in for erosion control. The new wall will be in exact location as original wall, there will be no flood plain loss. No other questions or concerns from board or public. Ms. Williamson motioned to accept NOI and to take 21 days to draft OofC, Mr. Menard seconded. Motion passed. Mr. Krevosky also mentioned that the rare mussel that was once listed as rare species has been removed from the protected list.

Discussion with MASSPort for Worcester Airport

Mr. Stolecki from Mass Port requested discussion with ConCom regarding an Emergency Cert for tree cutting at Worcester Airport. We had already issued one Emergency Cert back in July, and the FAA has informed the airport that additional cutting needs to be done to clear planes of airspace for planes to land safely. They are in process of developing a Vegetation Management Plan (VMP) which once completed, a copy will be given to LCC along with an NOI to take care of any future cutting that may need to occur. Basically, trees that are growing in path of light towers are obstructions to the air space. Plans were presented showing trees marked by GPS that will need to be removed. There will be no ground disturbance, trees flailed and chipped. Plan does show on left side that there is NHESP protected habitat of grasshopper sparrow. No work is proposed in this area. Commission agreed to grant Emergency Certification with the understanding that they will expect a NOI to be filed for any additional work and that a copy of the VMP be forwarded as soon as complete before the end of this year. Date and time for a site visit will be determined.

Discussions

Cease & Desist 35 South Street

Mr. Krevosky discussed with board C&D at 35 South St, owner Mark Riel. Mr. Riel has two lots here, one in question is #37, and he is ready to close on it. He has placed erosion control to prevent any further problems with siltation and dug a trench for water to be re-routed. Once he is ready to build on #35, he will file an NOI. Cease & Desist lifted.

Rte 9/ Rawson Street

Mass Highway cleaned out area on Rte 9 and made improvements to area discussed at previous hearing. Mr. Krevosky overlooked work and was satisfied that work done there will improve situation, a slurry was dug to monitor the road sand that flows into delta; and multiple truck loads of road sand were removed from site. Mass Highway will continue to monitor.

Hammond Street performance agreement

Mr. Taylor would like to adjust the amount of bond the commission is asking for by 75% due to fact that that much work to the replication area has already occurred. He is not planning on completing this until the next spring season. The board will take this into consideration along with looking to requiring insurance company issued bonds as opposed to certified bank checks for performance agreements.

Cease & Desist 10 Hemlock St

A Cease and Desist was sent to the owners of 10 Hemlock Street. We will give them one week to respond or will issue another C&D.

December meeting schedule

Briefly discussed meeting dates for December and January, will determine at next meeting November 19, 2008.

Bonds vs certified checks

Discussed under Hammond St discussion.

Mileage

Dept Asst reminded board members to keep track of mileage used for site visits and gave logs to board members.

Board accepted resignation of Mary Ellen Brosnihan. Ms. Williamson made motion to accept; Mr. Menard seconded, motion passed.

Meeting closed at 9:00pm.