

Conservation Commission Meeting Minutes

Minutes of December 14, 2016

Members present: Steve Parretti, Chair; John Marc-Aurele, Joshua Soojian, JoAnn Schold;
(6:33PM)

Meeting called to order at 6:30PM

Certificate of Compliance

- 18 Peter Salem Road

Mr. Antero Viveiros in attendance

A letter from Jason Dubois, DC Engineering attached stating the work was complete and the site was stable in accordance to the Wetlands Protection Act.

MOTION: Mr. Marc-Aurele moved to approve the Certificate of Compliance for 18 Peter Salem Road, Leicester, MA, DEP#197-0589

SECONDED: Mr. Soojian - Discussion: None – VOTE: All in Favor

- 10 Sabina Circle

Certificate previously approved in March 2003

Request for Determination of Applicability (RDA)

- Town of Spencer Water Department; (demo existing shed at Shaw Pond)

Mr. Parretti read the Public Notice into the record and opened discussion to the applicant.

At this time, applicant had not arrived.

Item tabled to allow time for applicant to arrive.

Ms. Scholds arrived at this point.

Notice of Intent

- 84 Lake Ave CONT; George Pataky, rebuild retaining wall)

Mr. George Pataky in attendance.

A DEP number was issued

This is for replacing an existing retaining wall bordering Lake Sargent. The length will be approximately 72' long x 2.5' high above ground. The wall will be built by hand, no machines needed. A 12x12x72 trench will be dug either by hand or by mini excavator. Existing wall will be removed and hauled away. Erosion control will be in place 6' from construction.

The Commission advised all work to be done when water is low.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc-Aurele to approve the NOI for George Pataky of 84 Lake Ave, Leicester, MA with condition that work is to be done in the dry when the water is low; to call the office for pre-construction erosion control inspection before the start of any work.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Request for Determination of Applicability (discussion reopened)

- Town of Spencer Water Department; (demo existing shed at Shaw Pond)

At this point, the applicant arrived. Mr. Parretti reopened discussion.

Mr. Steven Tyler, Superintendent of Spencer Water District, in attendance.

The work will consist of demolition of the existing 18'x14' wooden tool house building.

The demo debris will be cleaned up and removed from the site. There will be no earth disturbance and the existing foundation will be left in place.

The shed is located on the Shaw Pond property and dam. Nothing planned to be rebuilt in its place at this time.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc-Aurele moved to recommend a Negative Determination #3 "The work described in the Request is within the Buffer Zone, as defined in the regulations, but will not alter an Area subject to protection under the Act. Therefore, said work does not require the filing of a notice of Intent." No conditions noted.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Notice of Intent

- Felix Street (Lot 1); single-family home

Mr. Parretti read the notice into the record and opened the discussion to the applicant

Mr. Bob Frigon in attendance.

The work will consist of the construction of a single-family home, with a two-car garage underneath, a driveway, retaining wall, well and grading.

Ms. Alissa Jackson, 5 Felix Street concern was where her lot was located in regards to this property and asked if there was going to be any blasting. Mr. Frigon said no blasting will be done.

Ms. Melanie-Dawn Fisher, 43 Lake Ave was concerned with the protection of the wetlands located on both sides of the street and the culvert on the property that needed a lot of attention.

Mr. Parretti noted any work done within wetlands, required hay bales and silt fence, to make sure nothing will leave that property and enter into the wetlands.

A note will be sent to the Highway Department about the culvert concern and ask them to take a look.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc-Aurele moved to approve the NOI for Bob & Shari Frigon, Felix Street (Lot 1), Leicester, MA with the condition; prior to the start of any work, notification to the Conservation Commission is required for a pre-construction erosion control inspection.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

- 207 Main Street, (renovate bldg. & construct driveway/parking lot)

Mr. Parretti read the notice into the record and opened discussion to the applicant.

Mr. Arthur Allen, EcoTech Environmental Consulting Services in attendance.

The work will consist of renovating an existing commercial/residential structure within the footprint of existing structure; construct a driveway and parking area. A pervious paver system proposed for the parking lot and driveway.

Nearly the entire project area falls within the Riverfront associated with Kettle Brook. A portion of the proposed parking area falls within the 100-foot buffer zone to Bordering Vegetated Wetland. No work proposed within the 25-foot buffer zone.

Hearing no further discussion, Mr. Parretti asked for a motion.

MOTION: Mr. Marc-Aurele moved to approve the NOI for May DeJesus, 207 Main Street, Cherry Valley, MA with the following conditions:

The stormwater system is to be in place before the start of work; any changes made to the plan will require review by the Conservation Commission before start of work; and notification to the office is required for a pre-construction erosion control inspection.

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Board Discussion

Kate Marquis – DCR Forestry

Discussion/review was on Chapter 132 Regulations and the difference between DCR and DEP jurisdictions; how sites were inspected for plan approval; and how violations were handled.

Ms. Marquis submitted informational material on the Service Forestry Program; Forestry Management Practices; Chapter 61 Programs; Keeping Woodland Healthy; Relationship of the Forest Cutting Practices and the Wetlands Protection Acts; and Pocket Manual on Forest Trees of Massachusetts. She agreed sending a pdf copy to the Office with all the informational materials submitted, to put on the Town's website.

She noted using Mass GIS Oliver to locate forestry parcels submitted for approval.

Any complaints received should be directed to her.

She advised when a forestry application was received, check for an opened Order of Conditions. If Conservation receives an approved forestry application before receiving an application from the logger, contact DCR. All forestry operations are required to notify Conservation before the start of any work.

Kate Marquis, DCR Service Forester (413-992-8734) 355 West Boylston Street, Clinton, 01510

Snowmobile trail maintenance update

Mr. John True in attendance.

Mr. True finished work removing the dead wood from the snowmobile path. During the process, the pipe he said wouldn't be touched, ended up being completely removed because it was rotted and fell apart. He showed pictures of the cleanup.

The bridge all fixed and in place.

The Commissioners agreed because Burncoat Park was under Conservation jurisdiction, a note be sent to the Highway Department asking for a key to the gate

Approval of Minutes

- 10/12/2016

MOTION: Mr. Marc-Aurele moved to approve the minutes of October 12, 2016

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Worcester Airport - Taxiway Project update

DEP sent Notice of Enforcement to J.F. White Contracting Company. DEP has determined they were not in compliance with one or more laws, regulations, orders, licenses, permits or approvals enforced by DEP. An enforcement conference was scheduled for Tuesday, December 20th at 10AM.

Monitoring Reports

1. Progress Meeting #s11, 12, 13 Minutes – (Stiles Reservoir Dam Reconstruction)
2. Stafford Street/Wilson Street (November Progress Report)
3. National Grid herbicide application notification
4. Forestry applications (DCR) – 500 Moose Hill Rd; August St; Route 56)
- 5.

Library expansion

Inquiry made whether Conservation would require Pier Review for this project.

The Commission agreed Pier Review cannot be decided until after the plans have been reviewed.

Rawson Street Bridge Replacement Project

MassDOT submitted an application for Water Quality Certification for the replacement of the bridge over Cedar Meadow.

Project application submitted for the Commission's review, from Susan McArthur, Wetlands Unit Supervisor, MassDOT, Highway Division.

MOTION: Mr. Marc-Aurele moved to adjourn meeting

SECONDED: Mr. Soojian – Discussion: None – VOTE: All in Favor

Meeting adjourned at 8pm