

Conservation Commission Meeting Minutes

Minutes of July 12, 2017

Members present Jim Cooper, JoAnn Schold, and Joshua Soojian arriving 6:42pm

Mr. Soojian, acting Chair, called the meeting to order at 6:43PM

Notice of Intent

408 Stafford Street Solar Project, National Grid, CONT

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

Mr. Ryan Hale of Amec foster wheeler, Inc; Mr. Peter Esselstyn of Ameresco, Inc. and Mr. Tyler Krupa of National Grid in attendance.

The meeting was continued because a DEP number had not been issued. A number has since been issued.

The wetlands are located to the northeast. Approximately 4.7-acres will be cleared. An access road will be built adjacent to an existing access road to an existing solar array system.

This project is also under review by the Planning Board through a Special Permit/Site Plan Review application. As a result, from comments received from the Planning Office, revisions were made to the Stormwater Management Plan. Copies of the revised Stormwater plan submitted.

There will be no grading, the arrays will be constructed in the upland and within certain areas, will be within the 100-foot buffer, but there will not no work within the 25-foot No Disturb. An Erosion barrier and chain-linked fence will be around the array and outside the 25-foot No Disturb.

The applicant did not provide written comments addressing DEP concerns and Town Engineer did not have opportunity to review updated Stormwater Report.

Hearing continued to the next meeting on August 16, 2017.

Board Discussion

- 690 Stafford Street complaint

Mr. Bill Wolfe of 692 Stafford Street had concern the property owner at 690 Stafford Street was possibly filling in wetlands and making a parking lot in the back adjacent to the wetlands. Mr. Wolfe had concern his property flooding as a result from that.

The Commission agreed to do a site visit. Mr. Wolfe gave permission for the Commission to inspect from his property.

- Stiles Reservoir Dam

A couple of written comments received regarding recent shut-off the dam. Ms. Schold read the comments into the record received from EBT Environmental Consultants.

The concern was with the method in which the reservoir was being refilled following completion of the dam repair.

Two representatives of the Stiles Lake Water District, Mr. Fran Kamenouis and Mr. Jay Lussier in attendance.

There is a refill plan filed with DEP. The Stiles District was moving forward with DEP and Dam Safety on monitoring conditions of the dam, which is close to completion.

Control of the dam and waterway was given back to the Stiles Water District Commissioners, with a series of things needing to be monitored as the concrete builds.

The Stiles Commissioners are required to measure the internals of the dam to see where the water levels are, to make sure the work done was proper. Due to the dam repair plan, they were required to lower the lake 828 feet above sea level, which is 13-feet below where it normally would be. That occurred in October 2016.

They were under orders by the State to leave their mid-level outlet gate wide opened for the last three years, which meant they had no means to control water out of the structure. It was to stay that way until the dam was fixed. They are now near completion.

The water fed out of the dam was to maintain its level for the safety of the construction workers, in the lower level outlet area, to fix the dam. They did not stop water flow until the end of April, beginning of May, 2017.

Mr. Marc Aurele attended a Wednesday weekly meeting and at that time, pumping had stopped. They were pumping to keep the work zone at a safe level. There were two siphons that were ready to be stopped and at that point, the project engineer agreed the wetlands downstream were saturated and Leicester was all set with shutting the dam off.

That was the way it remained until two weeks ago when they received a phone call from their project engineer regarding a complaint about the dam shut down and the gate was re-opened at that time.

After the second complaint, they went over to check what was going on.

There is a serious weed problem going on, because as the lake rises, it's uprooting the existing plant life. They found heavy blockage created from the driftwood and weeds that stopped the water flow. It has since been cleaned out and as of this morning (7/12/2017), the water is flowing again.

The dam was opened at an agreed measurement, between their project engineer and Mr. Marc Aurele, at 100-gallons per-minute.

DEP, Dam Safety, Pare' Engineering & Stiles Commission agreed instead of using the mid-level outlet, using the low-level outlet, which is 20-feet below the surface of the water, to minimize weed blockage. It will remain that way until the end of the summer or until the drawdown.

- 298 Clark Street

Christine Tretheway, 300 Clark Street in attendance.

Ms. Tretheway had concern her property flooding as a result from 298 Clark Street removal of trees, possible fill of wetlands and possible improper installation of a drainage pipe. The Conservation Office emailed DEP regarding a site inspection to determine if an area was illegally filled and advice on how to handle that. Have not heard back yet, will send a follow up to DEP.

- CoC's vs Subdivision compliance

An attorney representing a buyer contacted the Conservation Office regarding information on getting a Certificate of Compliance for 60 Virginia Drive. This property was part of a senior housing project called Oakridge Estates.

After some research, 3 Order of Conditions were found to be issued on this development, but not directly tied to that lot, they were all issued on construction of the road.

The attorney needs to find out which book number and page number was associated to that property and not the road. The Commissioners agreed a partial Certificate could be issued, as long as there's an engineer's letter stating the lot did not involve wetlands.

- Sargent Pond – DEP#197-463

A request by Solitude Lake Management made back in February 2017, asked to extend the Order of Conditions for another 3 years. The Commission had some concern extending an 11-year old Order and asked for the engineer to provide a detailed report on all activities conducted to the pond. In addition, also provide DEP's opinion on extending an 11-year old Order. In June 22, 2017 a detailed management report was received from Solitude Management.

The Conservation Commission received opinion from DEP regarding extending an 11-year old Order. It was of their opinion not to extend an 11-year old Order. They recommended to require a new NOI be filed, due to new technology, new techniques and new chemicals now available. A letter will be sent to Solitude Lake Management.

- Membership

Ms. Buck explained Special Legislation being required for Alternate Membership to the Conservation Commission.

MOTION: Ms. Schold moved to proceed and initiate the process to seek special legislation for alternate membership, up to 2 alternate positions, to the Conservation Commission.

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

- Miscellaneous Projects/Site Inspections/Reports & Updates

63 Fairview Drive Appeal to DEP's superseding approval.

An Adjudicatory Hearing request filed by Corey L.H. Lee of 61 Fairview Drive regarding the Superseding Order of Conditions issued by DEP regarding an Order of Conditions issued by LCC for proposed relation of a retaining/stonewall at 63 Fairview Drive.

A property site conference will be scheduled sometime in August. The Office will contact DEP asking if the LCC was required to attend the site conference.

Worcester Airport Update

After reviewing the Extension Act and checking the dates on the Order of Conditions, DEP #197-0533 qualifies under the Act to be extended to 1/6/2018.

Reorganization of the Board

MOTION: Ms. Schold moved to keep the Conservation Commission as it currently sits

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

Approval of Minutes

- 5/17/2017

MOTION: Mr. Cooper moved to approve May 17, 2017 minutes

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

- 4/12/2017

MOTION: Mr. Cooper moved to approve April 12, 2017 minutes

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

Remainder of minutes to approve tabled until full board present.

Hearing no further questions or comments, Mr. Soojian asked for a motion to adjourn.

MOTION: Mr. Cooper moved to adjourn meeting

SECONDED: Ms. Schold – Discussion: None – VOTE: All in Favor

Meeting adjourned at 7:55PM

Respectfully submitted:

Barbara Knox

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