

Conservation Commission Meeting Minutes

Minutes of October 11, 2017

Members present: Steve Parretti, Chair; John Marc Aurele, JoAnn Schold.

Jim Cooper & Joshua Soojian arriving at 6:35PM

Meeting called to order at 6:30PM

Certificate of Compliance

408 (1) Stafford Street Solar Farm (National Grid, DEP#197-0578)

No one present to represent this request.

Mr. Parretti read a memo from Town Planner recommending the Commission postpone action on this request, because the applicant did not install required riprap in the detention basins. The riprap was scheduled to be installed by October 13th.

MOTION: Mr. Marc Aurele moved to defer action on this request to the next Conservation Commission's meeting on Wednesday, November 15th.

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

Request for Determination

Lilystrom Grove Road (single-family home)

Peter Engle, Bertin Engineering, & Matt Poce, property owner in attendance.

Mr. Parretti read the notice in the record and opened the hearing to discussion.

Mr. Cooper and Mr. Soojian arrived at this point.

This is to construct a single-family home, garage, pool and septic system. Slight grading from the septic system installation will fall within the 100-foot buffer. The limit of clearing and grading will be approximately 85-feet from the Resource Area.

Ms. Carol Joncas, 10 Lake Shore Drive didn't have concern, only interested to hear the proposal.

Ms. Lori Carr and Mr. Benjamin Carr, 2 Lake Shore Drive concern was with runoff entering the pond and onto surrounding properties.

Mr. Roderick O'Connor, 18 Lake Shore Drive was concerned with protecting the swampland areas and wanted to make sure the proper procedures were being followed.

Mr. James Brandt, 21 Lake Shore Drive was concerned with silt runoff entering the lake and onto neighboring properties.

The plans reviewed/discussed with abutters.

Hay bales, instead of wattles, will be the method used to control runoff to the lake and abutting lots.

The Commissioners recommended installing a silt fence, in addition to hay bales, for erosion control. Mr. Poce agreed.

Hearing no further comments or questions, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to recommend a Negative #3 Determination, "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, subject to the following conditions: 1) hay bales be used instead of wattles, in addition, a silt fence be installed for erosion control; 2) notify the Commission when erosion control is in place for an inspection before start of work; 3) Commissioners will make periodic inspections during construction.”

SECONDED: Mr. Soojian – Discussion: Instructions given on the appeal process

VOTE: All in Favor

Notice of Intent

Pine Street, Leicester/Spencer CONT (replication area for single family home)

Ms. Schold recused herself due to a conflict of interest.

Brian MacEwen, Graz Engineering and Matt Schold, developer, in attendance.

The public hearing was continued from September 13th, because they are also before the Conservation Commission in Spencer and all the construction for this particular project takes place in in Spencer. The alteration of the resource area is located in Spencer and the replication area will be in the Town of Leicester.

This is for construction of a new single-family dwelling and associated site improvements where a portion of the Bordering Vegetated Wetlands is in the Town of Spencer.

The replication area is located in Leicester and construction of the home is located in Spencer.

Mr. MacEwen informed the Commission Spencer continued their last meeting, to wait for Leicester’s decision. They were hoping for a decision from Leicester tonight to bring to a positive note to the Spencer Conservation to help move the process.

He then submitted copies of a modified alteration to the replication area.

The modifications show alteration to the Bank at 20-linear feet & increase the size of proposed alteration to the Bordering Vegetated Wetland to 997-square feet, from 936-feet, and proposed replacement of 1500-square feet, from 1416-square feet.

Mr. Scott Rowland, 596 Pine Street felt the lot did not have enough room to place a house it was too narrow. He also didn’t feel it necessary to fill in a wetland just to make a new one. He was concerned about the losing the stream that runs through the area.

Mr. Louis Coracchioli, 238 Greenville Street, Spencer had concern about the wetlands and the amount of land being disturbed. He asked what effect construction will have on the area.

Mr. John Vanhazinga, 600 Pine Street was concerned losing his well and water quality.

It was explained the majority of site work will take place in Spencer, because that is where the house would be built. Leicester’s application was only for the replication area. All construction concerns should be addressed to Spencer Conservation.

The Commission noted an 18-inche pipe going under the road and asked if that pipe will remain and if the stream mentioned was part of replication.

Mr. MacEwen said the pipe will remain and there were no intermittent streams within the replication area. EcoTec Consultants chose the replication area based on the hydrology and topography of the lot.

Mr. Marc Aurele would like to see the bank hug the shore a little bit more and extend out, making less of a grade. The plan shows the grade going into the right-of-way and if work extends beyond the property onto Town land, permission would be required from the Town.

Mr. Marc Aurele recommended to reduce the amount of cut in the bank and take the sharpness of the slope further away from the road. In addition, all work should remain within property boundaries.

Hearing no further comments or questions, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to approve, contingent upon the Town of Spencer Conservation Commission's approval, the application of Matt Schold, Schold Development, LLC for the purpose of a Wetland Replication Area to be located in the Town of Leicester, for the construction of a new single-family dwelling to be located in the Town of Spencer, on property located on Pine Street, Leicester, MA (map 41; parcel C2.3); as presented with modifications: "Alteration to the Bank at 20-linear feet & increase the size of proposed alteration to the Bordering Vegetated Wetland to 997-square feet, from 936-feet, and proposed replacement of 1500-square feet, from 1416-square feet."

With the following conditions:

1) Eliminate all grading within the right-of-way; 2) Configuration of replication area to be revised to follow lower contours and extend further along the existing bank; 3) Approval subject to the ruling of the Spencer Conservation Commission; 3) Any changes made by the Spencer Conservation Commission, will require additional review by the Leicester Conservation Commission; 4) Upon approval by Spencer Conservation Commission, a revised plan to be submitted showing the changes to the replication area and any changes required by SCC; 5) Commencement of work is contingent upon submittal of a Replication Bond, to the Town of Leicester, prior the start of work

SECONDED: Mr. Soojian – Discussion: Instructions given on the appeal process and the filing of this Order with the Registry of Deeds – VOTE: All in favor

Ms. Schold reseated back on the Commission.

Request for Determination

Whittemore Street & Peter Salem Road Snowmobile Trail (replace decking on wooden snowmobile bridges)

Mr. John True, Leicester Snowmobile Club in attendance

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

This is to replace decking on wooden crossings along the Whittemore Street & Peter Salem Road Snowmobile Trail, as well as removal of decking at 231 Pine Street.

The rotted decking will be removed by hand and new decking placed, creating very little disturbance.

Hearing no further comments or questions, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to recommend a Negative #2 Determination; “The work described in the Request is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.”

With the following condition: “keep all debris out of waterways and streams.”

SECONDED: Mr. Soojian – Discussion: instructions given on the appeal process

VOTE: All in Favor

Request for Determination

875 Pleasant Street (tree removal at Brookside Package Store)

Johnathan Bonin of J Bonin Tree Service & Mr. He Parth, property owner in attendance.

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

The work will consist of trimming 1 Oak tree away from service wires and remove 6 Maple trees from the lot, using chain saws and bucket truck to get down tree without any parts entering water areas. Debris will be loaded into a dumpster, hauled off-site and chipped, stumps will remain.

Hearing no further comments or questions, Mr. Parretti asked for a motion.

MOTION: Mr. Marc Aurele moved to recommend a Negative #3 Determination: “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, subject to the following conditions: “Trees cut to the stump, stumps are not to be ground or excavated out. Approval is only good for work done on 875 Pleasant Street Site.”

SECONDED: Mr. Soojian - Discussion: Instruction given on the appeal process

VOTE: All in Favor

Notice of Intent

31 Fairview Drive (septic repair)

Mr. Glenn Krevosky, EBT Environmental Consultants & Mr. John Ajemian property owner in attendance.

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

This is for a repair to an existing septic system with new system and a repair to the stone & railroad tie retaining wall with a concrete wall. General Project Description part of record.

DEP number not yet issued, requested continuance to November 15.

Notice of Intent

26 Lake Shore Drive (addition/patio & deck w/in 100-ft buffer)

Mr. Glenn Krevosky, EBT Environmental Consultants in attendance

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

This is to add addition to existing house, remove deck and construct a 20 x 25-foot pavers patio on lakeside of house within 100-foot butter and reconstruct dock at current location.

General Project Description part of record.

Ms. Teresa Brandt, 21 Lake Shore Drive asked about the property flagging.

DEP number not yet issued, requested continuance to November 15.

Board Discussion

Burncoat Park Snowmobile Trail

John True, Leicester Snowmobile Club in attendance.

He asked the Commission about installing a second gate to allow restricted access to the pond, in place of the boulders that are there now. He said the cost of this gate would be less than \$200 and the snowmobile club would provide the labor to install it.

He explained a second gate, instead of boulders, would allow snowmobilers to use the trail to the pond in the winter when the main gate remained closed.

He also asked if any new telephone poles were put in that they not obstruct the existing snowmobile trails.

Russ Anderson, Burncoat Park Committee, in attendance said the Committee had discussed consideration for a second gate at their meetings this spring and summer. The Committee agreed with a second gate that would also allow access to the pond for special events and still give highway access to trash containers in the former beach area.

The Commissioners agreed to check into available funding.

690 Stafford Street (Enforcement Order)

Mr. Glenn Krevosky, EBT Environmental Consultants in attendance.

Mr. Krevosky, representing the property owner, Mr. Erich Berantuo, submitted a letter requesting an extension from the Commissions' Enforcement Order to file a NOI and restoration plan on 690 Stafford Street property by 10/11/2017.

He explained more time was needed in order to prepare the plan as required & stated in the Enforcement Order.

The Commissioners agreed the Enforcement Order still stands, as well as the original fine of \$100. The remainder of fines will not continue, as long as Mr. Berantuo's continues working with the Commission to resolve this violation.

MOTION: Mr. Marc Aurele moved to approve the request of Glenn Krevosky of EBT Environmental Consultants for Mr. Erich Berantuo of 690 Stafford Street, Rochdale, MA to extend the Enforcement Order by 30 days to 11/15/2017.

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

At this point, Ms. Schold excused herself from the meeting.

Miscellaneous Projects

Rochdale Pond (Complaint)

Maryanne & Paul Hammond, 885 Pleasant Street in attendance

They had concern with decreasing water levels at Rochdale Pond.

Conservation Office will call DEP regarding the pond's decreasing water level and Mr. Marc Aurele agreed to contact DEP dam safety.

Burncoat Park (Request)

Russ Anderson, Burncoat Park Committee in attendance.

He was following up from the Commissions' last meeting, where he discussed a grant for a Forest Management Plan, paid for by DCR.

He had forwarded the Commissioners information regarding the Grant for their review.

Unfortunately, none of the Commissioners had time to review the materials he forwarded them, therefore agreed they would look into it and take it up again at next month's meeting.

298 Clark Street (Enforcement Order)

Mr. Marc Aurele attended a site inspection with the property owner, Mr. Michael Cintra Valle.

They were able to locate the outlet and the inlet was across the street. They were connected when the tree was removed.

They found an inlet on the upstream side of the driveway that was completely blocked.

Mr. Valle was advised to clean out the pipe to restore the flow. If flow could not be restored, replacing the pipe would be needed to restore the flow.

Mr. Valle agreed to fix the blocked pipe and contact the office at completion of work for an inspection.

General Discussion

Some discussion requiring detailed scope of work with every NOI and RDA application.

Approval of Minutes

9/13/2017

MOTION: Mr. Cooper moved to approve the minutes of September 13, 2017

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

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

MOTION: Mr. Marc Aurele moved to adjourn meeting

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

Meeting adjourned at 8:30PM

Respectfully submitted:

Barbara Knox

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