

## **Conservation Commission Meeting Minutes**

Minutes of March 14, 2018

Members present: Steve Parretti, Chair; John Marc Aurele, Joshua Soojian

Not Present: JoAnn Schold, Jim Cooper

Meeting called to order at 6:30PM

### **Request for Determination of Applicability**

219 Main Street CONT (remove trees at edge of stream)

Amber & William Letourneau in attendance.

The applicants request removal of two small single stem elm trees. No mechanical equipment used in work area and stumps will remain.

Mr. Marc Aurele visited the site, determined the trees located along the Kettle Brook were damaged, hanging over the house and needed to be removed for public safety.

He asked the stumps remain in place and tree removal done by hand.

Hearing no further discussion, 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: stumps remain in place and all tree removal be done by hand.

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

### **Notice of Intent**

- Waite Pond Dam Cont

Applicant requested another continuance; they need additional time to address MADCR comments.

Commissioners agreed to continue to the April 11, 2018 meeting.

- Lot F3, Auburn Street

Mr. Parretti read the public notice into record and opened discussion to the applicant to present their request.

Mr. Julian Votruba of New England Environmental Design in attendance for the applicant, Fox Hill Builders.

The project proposes construction of a single-family home and associated grading as shown on submitted plan. The lot is 1.15 acre, relatively flat, with wetlands on the northern side. Work is outside the 25ft No Disturb zone, and septic system approved by the Board of Health.

A drive-under garage, with a driveway on the north side. Erosion control proposed as shown on plan.

The existing conditions currently consist of a cleared parcel, previously used as a landing area for logging and construction of a solar farm located behind the lot.

Ms. Carol Cormier's concern was protecting the stream that went through the lot.

Mr. Votruba explained the lot with the stream was located further up the street, which was next on the agenda for discussion.

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

MOTION: Mr. Marc Aurele moved to approve the NOI application for Steven Gallo of Fox Hill Builders for project located at Lot F3, Auburn Street, Cherry Valley, with the following condition: contact LCC office for siltation control inspection prior to starting work.

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

- Lot 79R, Auburn Street

Mr. Parretti read the notice into the record and then opened discussion to the applicant to present their request.

Mr. Julian Votruba New England Environmental Design in attendance for the applicant, Fox Hill Builders

The project proposes construction of a single-family home and associated grading. The site is relatively flat and won't create any adverse effect towards the wetlands. Septic system approved by Board of Health and they were able to stay 50ft away from the wetland associated with the intermittent stream. The stream splits the land and to avoid crossing the stream, they stayed on the upside of the lot.

It's an odd shape lot with a lot of constraints, but they were able to stay outside the 25ft No Disturb, except in one area where they are seeking relief from the 25ft No Disturb.

Erosion control is proposed along the entire wetland and 25ft No Disturb that surrounds the intermittent stream.

Existing conditions consist of a forested parcel, proposed grading designed to avoid any point discharge areas and avoid any steep slopes.

Ms. Carol Cormier asked about the protection of the stream.

Mr. Votruba said they were not going near the stream.

Upon discussion, the Commissioners agreed requiring a condition that large boulders be placed every 10-feet along the No Disturb line, to prevent any further encroachment into the 25ft No Disturb then what was approved & shown on submitted plan.

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

MOTION: Mr. Marc Aurele moved to the NOI application for Steven Gallo of Fox Hill Builders for project located at Lot79F, Auburn Street, Cherry Valley with the following conditions: large

boulders be placed every 10ft along 25ft No Disturb line and to notify LCC office for an erosion control inspection prior to start of work

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

- 875 Pleasant Street

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

Mr. Elliot Paturzo of A.S. Elliott & Assoc. in attendance for applicant, Sanjay Patel, applicant & owner of Brookside Pkg. Store also in attendance.

The project proposes to expand the existing structure and add a one-story 2,441sf building to accommodate a 751sf dry storage & cold storage addition. This will also require a variance from Zoning. The 25ft No Disturb is already a disturb area, currently having a storage trailer, pavement, concrete pad, diesel tank and a portion of the existing building.

The configuration of the parking lot will not change, and the addition will be built on existing pavement behind the existing building. There will be no change to impervious area.

The bank of the existing stream runs along the northwest property line.

Mr. Paul Hammond of 885 Pleasant Street noted many concerns.

One concern was the proposed addition being 9.8ft from his property line. He owned the property in back and said the lot was all wet where the proposed addition will be placed & will be very close to the stream that fed Rochdale Pond.

He pointed out there would be 800sf less on the property after the addition was built and had concern with additional delivery truck traffic.

In addition, snow was plowed right into his driveway, it has damage & broken his fence numerous times. Trash, such as bottles, cans, nips & hypodermic needles, he continuously cleans from his property.

Upon discussion, the Commissioners agreed these concerns should be brought before the Zoning Board when Mr. Patel applies for a variance on the rear setbacks.

However, Conservation approval can be conditional upon approval from the Zoning Board.

The Commission noted the complaints were a civil matter and not Conservation issues and advised to speak with the Building Inspector/Zoning Enforcement Officer.

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

MOTION: Mr. Marc Aurele moved to approve the NOI application for Sanjay Patel for property located at 875 Pleasant Street, Rochdale with the following condition: receiving approvals from the required Town Boards; and to contact the LCC office for an erosion control inspection prior to start of work.

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

## **Board Discussion:**

- Burncoat Pond Weed Control Program (complaint)

Robert Dirsa & Peter Fischer of the Burncoat Pond Association in attendance.

At the last meeting, a complaint received regarded the weed control program making the fish disappear from the pond.

Mr. Dirsa was contacted and asked to attend discussion at this meeting.

Mr. Dirsa asked the Commissioners to table discussion, to next meeting, in order to allow Solitude, the weed management company, to be present.

All agreed to table discussion to April 11 meeting.

- Proposed work at Burncoat Park (Dennis Griffin)

Ms. Buck explained the Highway Superintendent was looking to do work at the Burncoat Park Beach front and inquired whether he would need to get approval from Conservation.

All agreed no work allowed on the beach until discussed with the Commissioners.

- Burncoat Park Forestry Stewardship Grant

A Landowner Goal questioner sheet received as part of the Stewardship program. The goals reflect the importance & the sheet prioritizes work at Burncoat Park.

Commissioners reviewed & completed.

- Felix Street (demo/rebuild)

No one attended for discussion.

## **Approval of Minutes**

2/14/2018

MOTION: Mr. Marc Aurele moved to approve the minutes of February 14, 2018

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

12/13/2017

MOTION: Mr. Soojian moved to approve the minutes of December 13, 2017

SECONDED: Mr. Marc Aurele – Discussion: None – VOTE: 2 in favor/1 abstained (Mr. Parretti)

## **Miscellaneous**

- Curtis storage, 1749 Main Street requesting an amendment before Planning – put discussion on April agenda and invite Mr. Curtis to attend.
- Metal detecting on Conservation property – need further research on restricted & prohibited activity on conservation land.
- Concern received regarding Highway Dept. throwing brush around stream located at Community Field – office will check with Highway.
- Building Permits & Occupancy Permits issued in February 2018

- DCR Forestry cutting plan for Green Street, Leicester; property owner Kurt Gursky

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

MOTION: Mr. Soojian moved to adjourn meeting

SECONDED: Mr. Marc Aurele – Discussion: None – VOTE: All in favor

Meeting adjourned at 7:45PM

Respectfully submitted:

*Barbara Knox*

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