

## **Conservation Commission Meeting Minutes**

Minutes of April 18, 2018

Members present: John Marc Aurele, Vice Chair, Joshua Soojian, JoAnn Schold, Jim Cooper

Not present: Steve Parretti

Meeting called to order at 6:30PM

### **DCR Service Forester**

Chris Capone, new DCR Service Forester for Leicester, introduced himself to the Commissioners.

### **Notice of Intent**

#### **241 Pine Street (septic repair)**

Mr. Marc Aurele read the notice into the record and opened the meeting to the applicant.

Jason Dubois, DC Engineering in attendance.

This is a request to install a new septic system to replace an existing failed system within the 100ft buffer zone of a BVW and within the Riparian Zone of a Perennial Stream.

The property was flagged and the entire site sits within the flood zone and buffer zone.

The new septic tank will be put in same location as old tank. The edge of silt fence will be 5ft off edge of bank at the closest point. The flood plain elevation, shown between the leach field and septic tank is 817, therefore, approximately 100cf of fill will be required to grade the system up.

DEP did not issue any comments.

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

MOTION: Ms. Schold moved to approve the NOI application for a septic repair with plans in place, located at 241 Pine Street, Leicester, MA with the following conditions: 1) silt control in place according to approved plan; 2) notify Conservation prior to start of work for an EC inspection.

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

*At this point, Ms. Schold recused herself as voting member.*

### **Request for Determination**

#### **222 Baldwin Street (single-family home)**

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

Mr. Brian MacEwen of Graz Engineering, representing applicant, in attendance.

This is a request to construct a new single family dwelling with attached garage and associated septic system, well, driveway and site grading.

This is undeveloped land subdivided by the Leicester/Spencer Town Line. All construction and improvements will be performed in the Town of Leicester.

There are two wetlands associated within the locus of this site. One is approximately 120ft to the north, a finger of wetland that runs all along Baldwin Street coming down to this lot. The second area is located on the south side opposite this lot.

Erosion control installed along the south base of the developed area and along the north side of Baldwin Street, so not to create an adverse effect to the wetland across Baldwin Street.

Mr. Dick Russo, 7 Wilson Ave Ext, Spencer concern was with construction runoff entering Stiles Reservoir.

Mr. MacEwen explained Lake Ave fell between this lot development and Stiles Reservoir.

Mr. Russo asked the requirements for protection to the Pond.

Mr. Marc Aurele explained the Commission would inspect the site before start of work to make sure the lot was secured from sediment leaving the site.

Mr. Kevin Kane, 38 Lake Ave, Spencer asked several questions on how the lot drainage, the concern on number of homes proposed, runoff from the lots and protecting the pond.

Mr. MacEwen explained procedures taken to protect abutting property and Stiles Reservoir.

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

MOTION: Mr. Soojian moved to recommend a Negative #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, subject to the following conditions: 1) Erosion control placed according to approved plan; 2) notify Conservation prior to start of work for an EC inspection.

SECONDED: Mr. Cooper – Discussion: None – VOTE: 3-in favor

### **Notice of Intent**

#### **220 Baldwin Street (single family home)**

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

Mr. Brian MacEwen of Graz Engineering, representing the applicant, in attendance.

The request is to construct a new single family dwelling with attached garage and associated septic system, well, driveway and site grading which are located in the Buffer Zone to a BVW.

This lot is adjacent to 222 Baldwin Street and sits easterly on Baldwin Street, on the north side.

They are within the 100ft buffer on the backside of the road that continues onto the south side.

The development grading will be outside of the 25ft No Disturb area; 40,000sf of disturbance, 4000sf of impervious with the house and driveway, and 14,000sf of buffer zone work.

This is an ANR lot endorsed by the Planning Board.

Mr. Kevin Kane, 38 Lake Ave, Spencer asked several questions on location of the lot.

Mr. Marc Aurele asked about erosion control on the northern side where it looks like of the lot.

Mr. MacEwen explained they would be cutting into the hill.

No DEP number issued.

Hearing no further questions or comments, Mr. Marc Aurele continued the hearing to May16, 2018.

### **Notice of Intent**

#### **218 Baldwin Street (single family home)**

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

Mr. Brian MacEwen of Graz Engineering, representing the applicant, in attendance.

The request is to construct a new single family dwelling with attached garage and associated septic system, well, driveway and site grading which are located in the Buffer Zone to a BVW.

The wetlands come down through the southwesterly corner of the property at Baldwin Street.

There is just enough to get a 10ft wide driveway, short retaining wall up against the wetland line and allows for a 10ft buffer to left at the property line between 220 & 218 Baldwin Street.

They are requesting waivers for work within the 25ft No Disturb area, approximately 1730sf of work. A retaining wall also installed to minimize impact, with a wetland crossing.

No DEP number issued.

Hearing no further questions or comments, Mr. Marc Aurele continued the hearing to May16, 2018.

*At this point, Ms. Schold returned to her seat as voting member*

### **Notice of Intent**

#### **29 Rawson Drive (addition)**

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

Mr. Jeremy Wooden, property owner and Mr. Vin Dagostino, contractor in attendance.

This request is to construct an addition onto existing home.

Portion of the house will be demolished, removing & replacing the cross wall and constructing an addition. Silt fence and hay bales will be installed as shown on the plan.

DEP did not issue any comments.

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

MOTION: Ms. Schold moved to approve the NOI application for 29 Rawson Drive, Leicester, MA with the following conditions: Erosion control placed as shown on approved plan; notify Conservation before start of work for EC inspection; when drilling new well, make sure tailings from the drill are contained; and replace & maintain hay bales/silt fence around stonewall as needed

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

## **Notice of Intent**

### Waite Pond Dam Repair CONT (general improvements & repair to dam)

Another request from Shawn King, Project Engineer of Fuss & O'Neil to continue the public hearing until the May meeting. They are still working on stability analyses & footing design in response to MADCR comments, and clarifying DEP's comments with Fisheries.

Continued to May 16, 2018.

## **Board Discussion**

### 1749 Main Street Curtis Self Storage (project change)

Mr. Marc Curtis, property owner, in attendance and presented project amendment.

In the second phase of units, instead of having the small units, they are going with one big building, using the same footprint and will be climate controlled.

Upon review, the following motion made:

MOTION: Ms. Schold moved the Conservation Commission determined the project changed, as presented, a Minor Amendment to the project located at 1749 Main Street, Curtis Self Storage.

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

### Burncoat Pond Weed Control Program (complaint)

Mr. Dominic Meringolo, Solitude Lake Management in attendance.

Complaint stated fish had disappeared from the lake.

Mr. Meringolo explained the program as ongoing since 2016. All chemicals used are in accordance to EPA & DEP requirements. There was no evidence of a fish kill and they have not received complaints from any other residents on the pond. They received reports the fishing was ongoing and fine. Records are kept and written reports are submitted to DEP annually.

The Commissioners requested copies of the written reports and water samples, as taken.

Mr. Vic Russo of 13 Chickering Drive, Ashland owns property on Stiles had concern with types of chemicals used and Stiles being a recreational lake, the possible effect it could have on adults and children exposed to these chemicals.

Upon discussion and review, the Conservation Commission determined that Solitude Lake Management was working in accordance with the approved Order of Conditions and acting under the supervision of DEP & EPA with their approved process. Therefore, this Commission has no authority to do anything at this point.

### Burncoat Park Forestry plan (review/accept)

Upon review of the Draft Forestry Plan, the following motion made:

MOTION: Mr. Soojian moved to accept the Forestry Plan as proposed

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

#### 298 Clark Street (progress report)

Property owner at 300 Clark Street contacted the Conservation Office concerned with her property flooding due to the recent rains and whether the underground drain had been cleared between her property and 298 Clark Street.

298 Clark Street property owner was contacted and he stated the pipe was located, work will start soon to clear pipe and will notify the Office when completed.

#### Mayflower/Holcomb Preliminary Subdivision OSRD

After review of plans, all agreed approval of final plans was subject to review and NOI filing with Conservation.

### **Miscellaneous Project updates**

#### Church Street Bridge Project

Contact DEP & request additional information stating; the Commissioners received an informational work packet regarding replacement of Church Street Bridge over Kettle Brook located in the Cherry Valley section of Leicester and questioned whether additional information and/or a filing with Conservation should be considered. Geoffrey McGuirk, Project Manager of WSP working with MassDOT on this project, sent the packet.

#### 2 Patricks Drive – Emergency Cert

Mr. Tyler Lussier, property owner, requested an Emergency Certificate to repair broken water pipe from house to edge of street.

Ms. Schold noted inspecting the site and advised homeowner to place additional hay bales to protect brook.

#### Parker Street Preliminary Subdivision

After review of plans, all agreed there was insufficient information submitted to complete a review.

### **Approval of Minutes**

3/14/2018

Tabled

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

MOTION: Mr. Soojian moved to adjourn meeting

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

Meeting adjourned at 7:55PM

Respectfully submitted:

*Barbara Knox*

Barbara Knox