

**Town of Leicester Conservation Commission
Meeting Minutes
September 12, 2018**

MEMBERS PRESENT: Stephan Parretti, Chair; John Marc-Aurele, JoAnn Schold, James Cooper

MEMBERS ABSENT: None

IN ATTENDANCE: Michelle Buck, Town Planner

MEETING TIME: 6:30 PM

AGENDA:

1. Certificate of Compliance

- a) 85 Waite Street (197-0608)

2. Notice of Intent (NOI)

- a) 101 Huntoon Highway, Continued (addition to existing building), 197-0632
- b) Mulberry Street Solar III, Continued (Solar Farm), 197-0636
- c) Worcester Regional Airport (sediment removal), 197-0637

3. Extension Request

- a) 39 Burncoat Lane (197-0441)

4. Board Discussion/Miscellaneous

- a) Emergency Certificate update: 2 Patrick's Drive
- b) Emergency Certificate update: 4 Patrick's Drive
- c) 315 River Street update (197-0633)
- d) Oakridge update
- e) Complaint: Auburn Solar/390 Auburn Street (197-0546)
- f) Sign Performance Agreement for 445 Pine (197-0635)
- g) Applicants for Commission Vacancy
- h) Miscellaneous Project Updates/Site Inspection Updates

Certificate of Compliance: 85 Waite Street (DEP#197-0608)

Mr. Paretti noted he had visited the site and had no issues. A motion was made by John Marc-Aurele and seconded by JoAnn Schold to approve the certificate of compliance for 85 Waite Street. The motion carried 3:0:0.

Notice of Intent: 101 Huntoon Highway, Continued (addition to existing building, DEP#197-0632)

Ms. Buck read a letter from B.C. Engineering & Survey which requested a continuance of the public hearing for this item until the next Conservation Commission meeting in order to address comments from Quinn Engineering. This item was continued to the October 17, 2018 meeting.

Worcester Regional Airport (sediment removal/DEP#197-0637)

Mr. Paretti read the public hearing notice. Jim Stolecki, project manager with Worcester Regional Airport and Meredith Avery with VHB were in attendance to discuss the filed NOI relative to a construction project for an instrument landing system and jug handle taxiway to make the airport more attractive to airlines. Mr. Stolecki discussed the significant runoff due to a 5" rain event that created sediment in the north and south wetland areas of the property. Sandbags were added to the embankment after the rain event to help control the water and a treatment system to pump water was installed to address the issue. DEP approved removal of

this sediment from the property. Mr. Stolecki noted this is only an issue due to construction, not a permanent issue.

Ms. Avery discussed the NOI to obtain permission to go into the wetland to remove sediment via shovel on the north side. VHB will be back before the Conservation Commission for a certificate compliance as the remediation is outside the limits of construction under original NOI. Remediation is finishing up across the street and includes some wetland plantings. Mr. Marc-Aurele believes this project is exempt from bonding for this project but this must be researched.

A motion was made by Mr. Marc-Aurele and seconded Ms. Schold to approve the NOI for Worcester Regional Airport contingent on potential bonding. The motion carried 3:0:0.

Extension Request for 39 Burncoat Lane (DEP#197-0441)

Peter Dolan, contractor, requested additional time to complete the single-family home at 39 Burncoat Lane. The project involves a tear-down of the existing house, new septic and a new well. This would be the third extension requested and the plans remain unchanged. Ms. Buck noted that it had previously been extended by the Permit Extension Act. Note: Mr. Cooper arrived at 7:09 PM. A motion was made by Mr. Marc-Aurele and seconded by Ms. Schold to approve a 3-year permit extension for 39 Burncoat Lane. The motion carried 3:0:1 with Mr. Cooper abstaining.

Notice of Intent: Mulberry Street Solar III, Continued (Solar Farm/DEP#197-0636)

Mr. Marc-Aurele stepped off the Commission for this item. Peter Engle, Bertin Engineering, discussed the proposed solar farm on Mulberry Street. The erosion control has changed from wattles to hay bales and a silt fence and Mr. Engle proposed an impervious barrier under basins 1, 2 and 3 to prevent groundwater seepage. Responses to DEP's comments have not yet been sent. Ms. Schold noted there is an existing NOI on the property that has been filed and recorded and has an order of conditions. Keith Akers with Syncarpha stated he was not aware of the existing NOI on the property from the previous developer. The Commission asked the owners to officially respond to DEP and address the existing NOI. This item was continued to the October 17th meeting.

207 Main Street (DEP#197-0603)

The property owner presented new plans for the property based on Fire Department comments. A motion was made by James Cooper and seconded by John Marc-Aurele to deem the changes to the plans as having a negligible impact on the NOI and the NOI does not need to be amended. The motion carried 4:0:0.

Emergency Certificate update: 2 Patrick Drive & 4 Patrick's Drive

Both properties will be on the October 17, 2018 agenda.

315 River Street Update (DEP#197-0633)

Ms. Schold had noted problems with the erosion control and a letter was sent out. Ms. Schold will revisit the property this weekend.

Oakridge Update

This item was passed over.

Complaint: Auburn Solar/390 Auburn Street (DEP#197-0308)

Ms. Buck noted an abutter asked that the washout of their driveway be brought up at a Commission meeting. The site needs to be cleaned up and re-stabilized. There is major siltation coming off the property and there is sediment in the brooks across the street which is a cold trout habitat. The Commission asked that a letter be sent to the property owner notifying them that the property must be stabilized immediately and they are to come before the Commission at their next meeting on October 17th to discuss the remediation and what must be done to prevent future recurrence.

445 Pine Street (DEP#197-0635)

The Commission signed a duplicate copy of the NOI issued 7/11/2018. (The Applicant provided an incorrect mailing address and the original was lost in the mail). Members noted that the Applicant needs to cease & desist all work until she files the Order at the Registry and puts up her DEP#. Signing of the Performance Agreement was passed over.

Applicants for Commission Vacancy

Mr. Marc-Aurele noted there is an opening on the Board and an application has been received from Daniel George. It was noted that they don't need to act on an application until they are making a recommendation for appointment. The Commission asked Ms. Buck find out about Mr. George's availability for Wednesday meetings.

Miscellaneous Project Update/Site Inspection Updates

Ms. Buck asked the Commission to sign the certificate of compliance for 5 Hemlock Street. Next meeting October 17th.

A motion to adjourn was made by Ms. Schold at 7:35pm. The motion carried 4:0:0.

Minutes prepared by Kristen Forsberg, Assistant to the Town Administrator**Documents included in meeting packet:**

- Agenda
- Letter to Commission from Bertin Engineering dated 9/6/18 (Mulberry Street Solar) and Bertin Engineering dated 8/21/18 (Mulberry Solar 3) requesting Certificate of Compliance and supporting documents
- Public Hearing regarding Worcester Regional Airport and supporting documents
- Notice of Intent – WPA Form 3 Massachusetts Wetlands Protection Act
- Notice of Wetland Fee Transmittal Form
- Notice of Intent- Sediment Removal & Restoration Plan
- Letter from Peter and Rose Dolan dated 8/30/18 requesting an Extension Permit for Orders of Condition DEP FILE 197-441
- Meeting notes dated 7/22/15 regarding Dolan extension
- Town of Leicester Citizen Volunteer Form

Documents submitted at meeting:

- Pictures of the airport