

Leicester Conservation Commission
Meeting Minutes

Minutes of March 18, 2015

Members present: Stephen Parretti, Chairman; JoAnn Schold, Joshua Soojian

Members absent: James Cooper

In Attendance: Michelle Buck, Town Planner

Mr. Parretti called the meeting called to order at 6:30PM

Certificate of Compliance

401 Pine Street

Kevin Rookey and Kristi Faucher represented the request.

A letter was submitted from their engineer certifying the work described was completed in substantial compliance with the design plan and some pictures were also submitted showing the progress of the work during construction and the site cleanup after the work was completed.

After discussion and review of the evidence submitted, Mr. Parretti asked for any comments; hearing none asked for a motion.

MOTION: Mr. Soojian moved to issue a Certificate of Compliance for 401 Pine Street, Leicester, Ma.

SECONDED: Ms. Schold – Discussion: None

VOTE: All in Favor

Request for Determination of Applicability

CSX - Right of Way (5-yr. veg.maint.pl.)

Ms. Sarah Benoit represented CSX.

Ms. Benoit explained CSX was preparing a new five-year Vegetation Management Plan for the control of vegetation within the railroad Right of Way (ROW) for use in the years 2015-2019.

After some discussion, the Commission agreed to continue the RDA to the April 15th meeting to do a site walk first.

The office will contact Ms. Benoit to set up the site walk before meeting.

Request for Determination

468 Auburn Street (used car sales –Anthony Brooks)

Anthony Brooks was present.

Mr. Brooks explained looking to open a Used Car Business at this site. He would be keeping up to 15 used vehicles on the current paved area/parking lot for the purpose of purchase and sales of motor vehicles. He was also looking to trim some trees, vines and weeds along the banks of the brook.

After some discussion; the Commission agreed to continue the RDA to the April 15th meeting to do a site inspection first.

The Commission agreed to inform the Building Inspector there wasn't a concern allowing Mr. Brooks' occupancy for up to 15 used vehicles on the current paved area/parking lot for the purpose of purchase and sales of motor vehicles.

Notice of Intent

Cedar Meadow Watershed District (yearly maintenance program)

Mr. Alex Patterson represented the watershed district.

Mr. Patterson explained the District was proposing to implement an aquatic plant management program which would entail the treatment and removal of aquatic invasive plant species in the lake. The total temporary impact to the Land Under Water of the lake results in approximately 151-acres or 6,578,000-sq.ft.

The program is for controlling the nuisance exotic plant species and variable leaf milfoil. The management techniques will include herbicide treatments, hand and diver harvesting and algaecide treatments as necessary.

Mr. Patterson was asked how long the treatment process would take and if notification would be posted around the lake before the start of treatment.

Mr. Patterson explained treatment would be done in one day and that the lake usually gets posted a few days before the start of treatment.

Mr. Parretti opened discussion to the public.

Mr. David Fikucki, 4 Beech Street was concerned with what was being done because the notice received did not explain anything.

Ms. Jan Parke, 207 Greenville Street had the same concern, adding that she had a hard time trying to find any information on what type of chemicals were being proposed.

Ms. Maria Parretti, 25 Rawson Drive noted the same concerns. She asked if the same type of weed control chemicals were being used as in the past.

Mr. Patterson explained the type of chemicals proposed and the procedure. He agreed to put all the information on the District's webpage and to post his phone number, for any questions or concerns.

The Commission recommended for notice to be posted around the lake, at least 7-days before the start of treatment and that the Conservation Office also be notified 7-days before the start of treatment. When notification is received, it will also be put up on the Town's webpage.

Mr. Patterson agreed to the notifications.

Mr. Parretti asked for any further comments, or concerns; hearing none, asked for a motion.

MOTION: Mr. Soojian moved that the Commission take up to 21 days to draft the Order of Conditions and that the applicant and/or it's agent, post notice around the Cedar Meadow Watershed 7-days prior to the start of treatment and that the applicant and/or it's agent notify the Conservation Office 7-days prior to the start of treatment.

SECOND: Ms. Schold – Discussion: None

VOTE: All in Favor

Notice of Intent

Burncoat Pond Watershed District (yearly maintenance program)

Mr. Dominic Meringolo, representing the applicant was present.

Mr. Meringolo explained that the District was seeking approval to conduct a 5-year Management Program at Burncoat Pond. Burncoat Pond is a 114-acre waterbody located in Leicester and Spencer, Mass. The management program will provide safe recreational access to the pond with the use of US EPA / MA DAR registered aquatic herbicides and other Best Management Practices.

Mr. Parretti reviewed comments received from the Mass Audubon and the Town of Spencer Conservation Agent.

Mass Audubon owns land along the western shore of Burncoat Pond and they do not authorize any work, including but not limited to application of herbicides, on its property outside of any areas where the District may have authority. They understand the concern regarding non-native invasive aquatic weeds, but feel additional information and analysis is needed before this request can be approved.

Spencer Conservation Agent, Margaret Washburn noted in her letter that Spencer has been working closely with Mass Audubon to permanently protect the open space abutting Burncoat Pond in Spencer. All the property abutting the pond in Spencer is owned by Mass Audubon, while Spencer Conservation Commission holds the Conservation Restrictions on the properties.

Mary McLaughlin and Dana Reed, members of the Spencer Conservation Commission were in attendance and invited the members of Leicester's Commission to their NOI public hearing on this, March 25th at 7:15PM. They informed the Board their hearing will be continued in order to conduct a boat tour of Burncoat Pond, as a form of a site inspection.

Mr. Meringolo was asked when the treatment would start and if it would affect the program Cedar Meadow would be implementing.

Mr. Meringolo explained that both ponds would be treated on the same day and completed in one day and that the chemicals will be pretty much gone by the time the water flow reaches Cedar Meadow.

Mr. Parretti opened discussion to the public.

Jan Parke had concern that the gate to the pond on Town Beach Road, not being posted No Trespassing. She noted kids and animals are always wondering around the pond and she was concerned with the area not being posted before the lake being treated.

Mr. Robert Dirs, District Chairman said the chemicals dissipate rather quickly and he agreed to look into a No Trespassing sign for Town Beach Road.

The Commission recommended for notice to be posted around the lake, at least 7-days before the start of treatment and that the Conservation Office also be notified 7-days before the start of treatment. When notification is received, it will be put up on the Town's webpage.

Mr. Meringolo agreed to the notifications.

Mr. Parretti asked for any further comments or concerns; hearing none, asked for a motion.

MOTION: Mr. Soojian moved that the Commission take up to 21 days to draft the Order of Conditions and that the applicant and/or it's agent, post notice around the Burncoat Pond Watershed 7-days prior to the start of treatment and that the applicant and/or it's agent notify the Conservation Office 7-days prior to the start of treatment.

SECOND: Ms. Schold – Discussion: None

VOTE: All in Favor

Notice of Intent Cont.

Worcester Airport Taxiway project (Steward Dalzell)

A request was received to continue the NOI for the Worcester Airport Taxiway Project to the next Conservation meeting on April 15th. By that date, the applicant plans to submit a revised erosion control plan and if weather conditions permit, a snow-free field review of the project site can be done.

MOTION: Ms. Schold moved to accept the request to continue the NOI for Worcester Airport Taxiway Project to April 15th.

SECONDED: Mr. Soojian – Discussion: None

VOTE: All in Favor

Board Discussion

Stafford Street Solar Farm (insufficient filing fees)

The filing fees have been received and the Board felt further review was needed on the calculation. The secretary was asked to look into what Auburn Street Solar submitted for an application fee.

Forest Cutting Plan - 430 Rochdale Street, Auburn/Leicester

A copy of a Notice of Intent State Forest Cutting Plan received located at 430 Rochdale Street, Auburn / Leicester. The majority of the cutting will take place in Auburn with a small percentage being in Leicester.

Snow Dump – Route 56

Email memo received from the Police Chief regarding a snow dump operating on Route 56 across from Fort Knox Storage. He was inquiring if this was or was not permissible.

DEP will be contacted to see if there is anything regulating snow dump or farm operations.

Approval of Minutes

2/11/2015

MOTION: Mr. Soojian moved to approve the minutes of 2/11/2015

SECONDED: Ms. Schold – Discussion: None

VOTE: All in Favor

New Business

Mail

- A copy of the 2014 Aquatic Vegetative Survey concerning Stiles Lake
- Building & Occupancy Permits issued month of February 2015

Miscellaneous Project Updates

- 81 Waite Street preparing to submit an NOI for the demolition and rebuild of a single family home
- 71 Burncoat Lane preparing to submit an NOI for the construction of a new addition and tree removal
- State approval received for Rod and Gun Forest Cutting Plan
- State approval received for Leicester's 2015 Open Space Plan

MOTION: Ms. Schold moved to adjourn meeting

SECONDED: Mr. Soojian – Discussion: None

VOTE: All in Favor

Meeting adjourned at 8:15PM

Respectfully submitted:

Barbara Knox

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