

**Town of Leicester Conservation Commission
Meeting Minutes
January 13, 2021**

[Note: This meeting was held remotely using GoToMeeting]

MEMBERS PRESENT: Chair: Stephen Parretti, JoAnn Schold, Dawn Marttila, Ashlyn Coyle

MEMBERS ABSENT: James Cooper

STAFF PRESENT: Michelle Buck, Town Planner; Brooke Hammond, Department Assistant

MEETING TIME: 6:30 pm

AGENDA:

1	Certificate of Compliance a) 88 Huntoon Memorial Highway (DEP # 197-0395), Applicant: ECO Holdings, sewer line and replication
2	Request for Determination of Applicability (RDA) a) 148 Henshaw Street (RDA 2020-20) Applicant: Cherry Valley and Rochdale Water District, Restoration of Grindstone Well and Clearwell
3	Notice of Intent (NOI)
4	Approval of Minutes a) December 16, 2020
5	Board Discussion/Miscellaneous a) Forestry Plan Paxton Street, Central Land Development b) Follow Up (82 Baldwin, 83 Charlton, 57 Fairview, 1039 Stafford, 0 & 31 Chapel, 59 Burncoat, Oak Bluff Subdivision) c) Burncoat Park grant support letter request d) Applicant for Conservation Commission e) Miscellaneous Project Updates/Site Inspection Updates f) Correspondence/ Other New Business

Certificate of Compliance

88 Huntoon Memorial Highway (DEP # 197-0395)

Continued per applicant request to February 10, 2021 meeting. Applicant has not received the required statement from an engineer but will have it by next meeting.

Request for Determination of Applicability (RDA)

148 Henshaw St (RDA 2020-20)

Yogesh Jitoo, project engineer from Tata & Howard and Ben Morris, Superintendent from Cherry Valley Water District are present. Mr. Morris says the project will reactivate the Grindstone well & Clearwell tank as a cost-saving measure to the residents of Cherry Valley water district. Excavate and install a water line from the existing feed main on the Cherry Valley side to bring into the Clearwell, to offset the flow demand in the Rochdale section. An old garage will be knocked down to put valving in ground, small building near waters edge to be knocked down for safety reasons. A site inspection was conducted sometime in the past, but no previous RDA was granted to remove the structures. JoAnn Schold asks the applicants to clarify that the proposed permanent underground structure will not disturb the wetland and/or buffer zone. Mr. Jitoo confirms there will be no new permanent impacts in the area. Dawn Marttila asks if a site visit will be necessary. Mr. Morris says the surface is already disturbed so it does not affect the wetlands. Mr. Parretti asks the timeframe of the project. Mr. Jitoo says construction should start by spring 2021. Mr. Parretti clarifies that this is construction of a new pipe, not the existing culvert they have worked on before.

Motion: Ms. Schold moves to approve the RDA for 148 Henshaw St. with a Negative 3 determination

Second: Ms. Marttila

Discussion: Mr. Parretti asks that the applicants inform the Board when they start construction.

Roll Call Vote: (4-0-0)

[Note: There were no NOI applications this month]

Approval of Minutes

December 16, 2020

Mr. Parretti states the approval of the December 16, 2020 minutes will be continued to the next meeting on February 10, 2021, as Ms. Schold was not at the previous meeting and has not listened to the recording.

Board Discussion/Miscellaneous

Forestry Plan, Paxton Street, Central Land Development

Ms. Schold recuses herself, as her son Matt Schold is part owner of Central Land Development. Ms. Marttila asks if the project has started. Michelle Buck states that the project should start by January 21, 2021, per the application. Mr. Parretti notes that this notice is a courtesy notice to the Board. Ms. Marttila asks if this piece of land abuts Sergeant Pond, which Ms. Buck confirms, and states that tree cutting is scheduled to start January 21, 2021. Mr. Schold states they are just thinning out the trees on the parcel to survey the land better.

82 Baldwin

Property owner is working with Art Allen of EcoTec, Inc. Ms. Schold states that the landowner should be given more time to remediate the issue and suggests continuing this discussion at the March Conservation Commission meeting. Mr. Parretti states the site is stable and agrees to come back to the issue at the March meeting.

83 Charlton

Ms. Buck explains the landowner built a pool enclosure and small roadway that is impacting nearby stream. Property owner is working with EcoTec, Inc. Mr. Parretti requests correspondence with Art Allen for a project update.

59 Burncoat

Applicant hired Art Allen and was granted a one month extension by the Board.

1039 Stafford

Property owner Christopher Cote cut down trees within 100' of a stream/river without a permit. Mr. Cote requests a site visit by the Board. Ms. Schold asks the Mr. Cote to confirm that he is working with a wetland specialist. Mr. Cote confirms he has wetland specialist who was suggested to him by his lawyer. Mr. Parretti requests the wetland specialist be present for a site visit. Ms. Schold requests Mr. Cote get in touch with the wetland specialist within 10 days and report findings to the Board.

57 Fairview

Ms. Schold states the property owner has failed to respond to anything sent to them, including the cease and desist letter. Ms. Buck states an enforcement order was sent sometime in November 2020, and a restoration plan was supposed to be submitted by December 16, 2020. Mr. Parretti suggests an email be sent requiring the property owner to attend the next meeting, otherwise they will face fines.

0 & 31 Chapel

Ms. Schold stated Glenn Krevosky of EBT Inc. has been working on the project, but in March 2021 it will have been a year since the initial complaint was filed. Mr. Parretti displays an email he received directly from the applicant in which the applicant requests an extension, ensuring the Board an NOI application will be submitted in time to be included in the February meeting. Mr. Parretti states he will grant one last extension, but failure to show at the next meeting by the applicant will result in sanctions from the Board.

Oak Bluff Subdivision

A compliant was filed with DEP. Quinn Engineering visited the site in late 2020. Mr. Parretti states he saw minimal environmental disturbances during a previous site visit. Mr. Parretti requests the initial report from Quinn Engineering because reasoning for the complaint is unclear. Mr. Schold states no work has been done since the last time Quinn Engineering visited the site aside from some interior work on one of the houses. There was discussion of payment for additional site visits (concern with cost multiple site visits for unsubstantiated complaints). Mr. Parretti asks Ms. Marttila and Ms. Coyle if they would be willing to do a site visit to see if anything has changed since Quinn's last memo dated October 29, 2020. A site visit was scheduled for January 18, 2021 at 10 am with Mr. Parretti, Ms. Coyle, and Ms. Marttila.

565 Pine

[Note: This complaint was not included on the original agenda]

Ms. Buck states the complaint is about improper work along the beach area. Mr. Parretti adds this location to the site visit set for January 18, 2021.

Burncoat Park Grant Letter Support Request

Ms. Marttila explains the Burncoat Park Sports Planning Committee is applying for a trail improvement grant focusing on funding for cutting trees, putting up signage, a trail kiosk, ADA parking and pathways into the park. Ms. Marttila requested letters of support for the grant. The Board is in full support of any improvements to the park.

Motion: Ms. Schold moves to draft a letter in support to be signed by the Chair.

Second: Ms. Coyle

Discussion: None

Roll Call Vote: (4-0-0)

Miscellaneous:

7 Felix St

The board issued a Certificate of Compliance for 7 Felix Street at the December meeting for which the applicant requested release of the \$500 replication bond. Mr. Parretti approves this request because the applicant complied with all appropriate processes.

Vice-Chair

Ms. Buck states that a Vice-Chair had not been officially appointed since the resignation of John Marc-Aurele; Ms. Schold has been informally fulfilling the Vice-Chair duties.

Motion: Ms. Marrtila motions to make Ms. Schold Vice-Chair of the Commission.

Second: Ms. Coyle

Discussion: None

Roll Call Vote: (4-0-0)

Citizen Application

Applicant Valerie Kokernak was not in attendance.

Documents included in meeting packet:

- Agenda
- Request for Certificate of Compliance for 88 Huntoon Memorial Highway (DEP # 197-0395)
- Site plan for 88 Huntoon Memorial Highway
- Order of Conditions for 88 Huntoon Memorial Highway
- Letter to the Commission from Tata & Howard, Inc. dated 12/28/2020 for 148 Henshaw Street
- RDA Application and plans for 148 Henshaw St, Grindstone Well and Clearwater Reactivation
- Photos of Cherry Valley and Rochdale Water District 100,00 Underground Concrete Tank Conditions – Inspected 06/19/2020 (148 Henshaw St)
- Memorandum dated 09/29/2020 – Wetland Flagging from EcoTec, Inc. for 148 Henshaw St
- Meeting minutes for 12/16/2020
- Forest Cutting Plan for Paxton St
- Oak Bluff Complaint dated 01/02/2021
- Email dated 1/8/2021 From Michelle Buck, Oak Bluff Complaint photos
- Email dated 12/21/2020 from Proctor Law Office, Re: 1039 Stafford Street
- Cease & Desist from Town of Leicester Conservation Commission dated 07/23/2020 for Christopher & Charlene Cote
- Enforcement Order for Christopher & Charlene Cote, 1039 Stafford Street
- Burncoat Park scope of work
- Town of Leicester Citizen Volunteer Form: Valerie A. Kokernak