

Leicester Conservation Commission

June 16, 2021

Members Present: Stephan Parretti (Chair), JoAnn Schold (Vice Chair), Dawn Marttila, James Cooper

Members Absent: Ashlyn Coyle

Staff Present: Michelle Buck, Town Planner; Brooke Hultgren, Department Assistant.

ORDER OF BUSINESS

1.	Request for Certificate of Compliance a) Mulberry Solar (DEP# 197-0636), Applicant: Devin Howe.
2.	Request for Determination of Applicability a) 1 & 3 Paxton (RDA2021-05), <i>Minor Plan Change</i> , Applicant: Town of Leicester. b) 57 Fairview Drive (RDA2021-07), Applicant: Raymond Gaulin. (yard and driveway improvements) c) Marshall St/Paxton St Intersection (RDA2021-08), Applicant: Leicester Highway Department. (intersection improvements) d) Craig Street (RDA2021-09), Applicant: Leicester Highway Department. (catch basin replacement) e) 209 Greenville St (RDA2021-10), Applicant: Samantha Butkiewicks. (10x20 gazebo construction on waterfront.) f) 67 Lakeview Dr (RDA2021-11) Applicant: Jeffrey Gervais. (shallow well replacement)
3.	Notice of Intent a) 31 Chapel Street Continued (DEP# TBD), Applicant: Armory Street LLC. (warehouse with associated driveway & stormwater structures) b) 0 Chapel Street Continued (DEP# TBD), Applicant: Armory Street LLC. (office building with associated driveway & stormwater structures in a riverfront area) c) 208 Rawson St (DEP# 197-0664), Applicant: Sparhawk Realty LLC. (single-family home construction and associated site work) d) 25 Auburn St/Kettle Brook (DEP# TBD), Applicant: Common Ground Land Trust. (invasive plant management) e) River St/Greenville Pond (DEP# TBD), Applicant: Common Ground Land Trust. (invasive plant management) f) 59 Burncoat Lane (DEP# TBD), Applicant: Richard Gorman Sr., (waterfront restoration plan)
4.	Board Discussion/Miscellaneous a) Environmental Notification Form, 1603-1605 Main Street (gas station, fast-food restaurant, convenience store) b) Forestry Plan, Parker St. Applicant: Schold Development LLC. c) Follow Up (1039 Stafford, 15 Bond, 83 Charlton, 82 Baldwin, 385 Main St, 93 Paxton, 453 Rawson) d) Approval of Minutes <ul style="list-style-type: none">April 14, 2021May 12, 2021 e) Miscellaneous Project Updates/Site Inspection Updates f) Correspondence/Other New Business g) Future Meeting Dates

Mr. Parretti opens the meeting at 6:36 pm.

1. **Request for Certificate of Compliance:** Mulberry Solar (DEP# 197-0636), Applicant: Devin Howe

Mr. Howe displays a plan showing where field stabilization is needed. The Commission agrees to continue the request until the site work is completed. Mr. Howe should contact the Commission when said site work is finished.

2. **Request for Determination of Applicability**

- a) **1 & 3 Paxton (RDA2021-05), *Minor Plan Change*, Applicant: Town of Leicester.**

Mr. Boucher explains the plan modifications include moving the water discharge point and removal of the previously proposed sump pump. The plan was previously approved with a Negative 3 determination on April 14, 2021.

Motion: Ms. Schold moves to approve the minor plan changes to 1 & 3 Paxton St as proposed.

Second: Ms. Marttila

Discussion: None

Vote: (3-0-1)

[Note: Mr. Cooper abstained from voting.]

- b) **57 Fairview Drive (RDA2021-07), Applicant: Raymond Gaulin. (yard and driveway improvements)**

Mr. Gaulin filed the RDA as a formality per the Commissions request following a complaint about work being done on his property.

Motion: Ms. Schold moves to approve the RDA at 67 Lakeview Dr with a Negative 3 determination.

Second: Ms. Marttila

Discussion: None

Vote: (4-0-0)

- c) **Marshall St/Paxton St Intersection (RDA2021-08), Applicant: Leicester Highway Department. (intersection improvements)**

Dennis Griffin, Highway Superintendent, explains the RDA application is to make needed improvements to the intersection which include adding 12' of pavement, adding a catch basin and removing four dead trees. The site will be lined with wattles to protect the Kettle Brook Reservoir. All the work is projected to be finished this year.

Motion: Ms. Schold moves to approve the project with a negative 3 determination with wattles lining the site as noted in the meeting.

Second: Ms. Marttila

Discussion: None

Vote: (4-0-0)

- d) **Craig Street (RDA2021-09), Applicant: Leicester Highway Department. (catch basin replacement)**

Mr. Griffin plans to replace two failing catch basins and the connected pipes across the street from each other on Craig Street.

[Note: At 7:00 PM Mr. Cooper arrived in person at the meeting; he was previously participating remotely]

Motion: Mr. Cooper moves to approve the RDA with a negative 3 determination.

Second: Ms. Marttila

Discussion: None

Vote: (4-0-0)

e) 209 Greenville St (RDA2021-10), Applicant: Samantha Butkiewicks. (10x20 gazebo construction on waterfront.)

Ms. Butkiewicks plans to build a 10'x20' gazebo within 20' of the water. Ms. Schold visited the site and recommended that Ms. Butkiewicks file an RDA because the area was previously disturbed.

Motion: Ms. Schold moves to approve the RDA at 209 Greenville St with a Negative 3 determination.

Second: Mr. Cooper

Discussion: Ms. Butkiewicks is to let the Commission know when work starts so the Commission can recommend where wattles should be placed.

Vote: (4-0-0)

3. Notice of Intent

[Note: 0 Chapel St and 31 Chapel St were continued to the next meeting because DEP has not yet issued DEP numbers.]

208 Rawson St (DEP# 197-0664), Applicant: Sparhawk Realty LLC. (single-family home construction and associated site work)

Scott Morrison with EcoTec says the house previously on this site was torn down and the applicant is proposing a new single-family home and septic system. There are bordering vegetated wetlands to the north and northeast, but straw wattles will be placed and serve as the limit of work. The area between the deck and the 25' buffer is previously disturbed. The proposed new septic system will be at the front of the property.

Maureen Doyle of 210 Rawson St asks if all the brush will be cleared off the property. Mr. Morrison will ask the owner to clear the brush along the property lines.

Motion: Ms. Schold moves to approve the NOI at 208 Rawson St with the hay bale wattle line as shown on the plan.

Second: Mr. Cooper

Discussion: The applicant should notify the Commission when work starts and post the DEP number on site within 48 hours.

Vote: (4-0-0)

[Note: 25 Auburn St/Kettle Brook, River St/Greenville Pond, 59 Burncoat Lane were continued to the next meeting because DEP has not yet issued DEP numbers.]

[Note: The applicant for 67 Lakeview Dr RDA arrived late to the meeting.]

67 Lakeview Dr (RDA2021-11) Applicant: Jeffrey Gervais. (shallow well replacement)

This RDA was heard at the May 12 meeting, but the Commission noted there was a well replacement on the plan that wasn't on the WPA form 1. The Commission asked the applicant to return with a revised project description in order to approve the well replacement.

Motion: Ms. Schold moves to approve the RDA at 67 Lakeview Dr with a Negative 3 determination.

Second: Mr. Cooper

Discussion: None

Vote: (4-0-0)

4. Board Discussion/Miscellaneous

- a) Environmental Notification Form, 1603-1605 Main Street (gas station, fast-food restaurant, convenience store)

This project exceeds certain thresholds so the applicants must file an ENF prior to filing individual permits with Leicester's Conservation and Planning Boards.

- b) Forestry Plan, Parker St. Applicant: Schold Development LLC.

The Forestry Plan on Parker St was approved by DCR prior to this meeting. The Commission asks Ms. Buck to make DCR aware of the Definitive Subdivision Plan proposed for Parker St, as Forestry Plans cannot be approved if there are active applications for the same site. Ms. Schold (who recused herself as a Commission member on this topic but is speaking as a Leicester resident) says the forest cutting is taking place across the street from the proposed Definitive Subdivision Plan.

- c) Follow Up

1039 Stafford

Ms. Schold and Ms. Coyle met with the wetland scientist on site. The Commission asks the owner to file an RDA.

83 Charlton

Ms. Hultgren will reach out to schedule a site visit.

82 Baldwin

Ms. Hultgren will request a definitive plan before next meeting.

93 Paxton St

Complaint dropped due to insufficient evidence that leaves were blocking the stream behind neighbor's house.

453 Rawson

No update. A Commission member will try to visit the site ASAP.

d) Approval of Minutes

Motion: Ms. Schold moves to accept the minutes from April 14, 2021 and May 12, 2021.

Second: Ms. Marttila

Discussion: None

Vote: (4-0-0)

e) Miscellaneous Project Updates

488 Stafford St Site Plan Review will be heard at the July 6, 2021 Planning Board meeting.

Parker St Definitive Subdivision Plan and Smuggler's Cove Special Permit Amendment will be heard at the July 20, 2021 Planning Board meeting.

Adjourn

Motion: Ms. Schold

Second: Mr. Cooper

Discussion: None

Vote: (4-0-0)

The meeting was adjourned at 8:52 pm.

Respectfully Submitted,

Brooke Hultgren, Department Assistant

Documents included in the meeting packet:

- Agenda
- Town Planner Memo
- Mulberry Solar – Request for Certificate of Compliance
- Mulberry Solar – As-built plans
- VHB memo: Fire/EMS Station Minor Plan Change dated 5/14/2021
- Email from Luke Boucher dated 5/14/2021
- Revised Fire/EMS Station dated 5/5/2021
- 57 Fairview:
 - Hearing notice
 - WPA Form 1
 - Plans
- Marshall St/Paxton St Intersection
 - Hearing notice

- WPA Form 1
 - Site photos/plans
 - Abutters list
- Craig St
 - Hearing notice
 - WPA Form 1
 - Site photo
- 209 Greenville St
 - Hearing notice
 - WPA Form 1
 - GIS map
 - Gazebo specs
- 67 Lakeview Drive
 - Hearing notice
 - WPA Form 1
 - Survey plan dated 3/9/2021
- 31 Chapel St NOI Application (WPA Form 3)
 - Abutters list
 - Site plan dated 4/12/2021
- 0 Chapel St NOI Application (Same application materials as 31 Chapel St)
- 208 Rawson St NOI
 - Hearing notice
 - EcoTec memo dated 5/4/2021 to Leicester Conservation Commission
 - WPA Form 3
 - EcoTec memo dated 5/4/2021 to applicant Sparhawk Realty
 - BWV Delineation Field Data Form
 - Site Plan dated 12/18/15
- 25 Auburn St/Kettle Brook NOI Application
 - Hearing notice
 - WPA Form 3
 - Land Stewardship Inc. project narrative
- River St/Greenville Pond NOI Application
 - Hearing notice
 - WPA Form 3
 - Land Stewardship Inc. project narrative
- 59 Burncoat Ln NOI Application
 - Hearing notice
 - EcoTec, Inc. memo to Leicester Conservation Commission dated 6/1/2021
 - WPA Form 3
 - EcoTec, Inc. memo dated 4/25/2021 to applicant Richard Gorman
 - Site Plan 5/19/2021
- Parker St Forest Cutting Plan & Certificate

- Conservation complaint database
- Meeting minutes
 - April 14, 2021
 - May 12, 2021
- Carrie Panepinto email – Smugglers Cove/Paxton St dated 6/10/2021