

Conservation Commission Meeting Minutes

Minutes of January 14, 2015

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

Members absent: James Cooper, John Marc-Aurele

In Attendance: Michelle Buck, Town Planner

Meeting called to order at 6:40PM

Certificate of Compliance

2 Sherri Lane (Fred LaFlash)

An Engineer's letter was received stating the site was stable. Ms. Schold noted she did a site visit and found the site to be stable and saw no issues.

MOTION: Ms. Schold moved to recommend approval of the Certificate of Compliance for 2 Sherri Lane, Leicester, Ma.

SECONDED: Mr. Soojian – Discussion: None

VOTE: All in favor

397 Mulberry Street

Mr. Glenn Krevosky, Wetland Consultant, representing the applicant, made the presentation.

Mr. Krevosky asked for the Certificate of Compliance to be put on hold because the project was not complete. They are proposing to file a Request for Determination of Applicability to allow completion of 1500-feet of wetland replication within the buffer zone.

The RDA will be scheduled for the next meeting on February 11th.

The Certificate of Compliance request was tabled.

Board Discussion:

Building Inspector Reports

Wetland Guide Brochures received from the Towns of Ayer, Framingham and Peterborough all showed mechanisms being in place where other Boards were being brought in for comment when someone applies for a permit.

The concern was with building permits being issued for work near wetlands without any notification to Conservation; it puts the Commission in the middle of enforcing the bylaw after the fact.

It was agreed that further discussion was needed on how to work towards the best solution.

At present, the only mechanism in place was keeping check on the monthly lists received from the Building Department on the building permits issued.

11 Chapel Street

A Cease & Desist Order was issued on the property owner back in November for not meeting with the Conservation Commission before constructing a shed adjacent to the Kettle Brook Stream.

The Board agreed to lift the Cease & Desist at their last meeting contingent upon the property owner filing Request for Determination of Applicability on the removal of trees and to show that the current construction done on the property did not affect the adjacent wetlands.

To date, the application has not been received; therefore the Board agreed another Cease & Desist Order needs to be issued stating that the property owner was now in violation of what was discussed at the last Meeting on December 10, 2014 and the owner has until January 26, 2015 to file a Request for Determination of Applicability or face a \$100 a week fine until the application request is received.

Mr. Parretti noted 11 Chapel Street as an example of putting the Commission in the middle of enforcing the bylaw after the fact.

Budget Update

No new information to report, current budget will be level funded.

Ms. Buck will research what percentage of NOI funds are used for employees' hours.

1 Lakeview Drive

A complaint was filed with the Board of Selectmen regarding 1 Lakeview Drive. Ms. Buck asked about the previous complaints filed with Conservation at that site and whether they felt the previous complaints were rectified.

The Commission noted there was some Conservation concern, but the main complaint was to do with a property dispute. They felt the Conservation issues were resolved at that time.

Annual Report

A draft report was given to the Board for review.

Mulberry Street

Notice of Intent to sell forestlands on Mulberry Street, owned by David DeLollis was received. The Commission reviewed the Notice and had no objection to the sale or change in use of this property.

Approval of Minutes

10/8/2014

MOTION: Mr. Soojian moved to approve the minutes of October 8, 2014

SECONDED: Ms. Schold – Discussion: None

VOTE: All in Favor

11/12/2014

MOTION: Mr. Soojian moved to approve the minutes of November 12, 2014

SECONDED: Ms. Schold – Discussion: None;

VOTE: All in Favor

12/10/2014

MOTION: Mr. Soojian moved to approve the minutes of December 10, 2014

SECONDED: Ms. Schold – Discussion: None

VOTE: 2-In Favor / 1 Abstained (Ms. Schold)

New Business:

Next meetings

The next five monthly meetings will be scheduled on:

February 11th; March 11th; April 15th; May 13th and June 10th

Wetland Bylaw Fees

Ms. Buck submitted for review, the recommended amendments to the Wetland Bylaw, Section IV. Applications and Fees.

She is recommending removing the fees from the Bylaw and putting them in the Rules and Regulations. This amendment will be presented at the Annual Town Meeting in May.

Hearing no further discussion; Mr. Parretti asked for a motion to adjourn.

MOTION: Ms. Schold moved to adjourn meeting

SECONDED: Mr. Soojian – Discussion: None

VOTE: All in Favor

Meeting adjourned at 8:05PM

Respectfully submitted:

Barbara Knox

Barbara Knox