

TOWN OF LANCASTER
CONSERVATION COMMISSION
Lancaster Community Center
July 12, 2016

Present: Ken Rapoza, Chair; Nathan Stevens, Vice-Chair; Jim Lavallee; Tom Christopher and Ruth Anderson

Absent: Peter Farmer

Also Present: David Koonce, Conservation Agent

There being a quorum present, Chair Rapoza called the meeting to order at 7:00 PM.

Public Hearing – Request for Determination of Applicability, W.P. Spratt, 290 and 156 Langen Road

Present: Bill & Betsy Spratt, owners

Chair Rapoza gave a brief history on the property

Mr. Koonce handed the Commission members a map of the two properties that showed the wetlands, and the location of the fence and land that will be cleared.

Chair Rapoza asked if the fence would go across the abutting property.

Mr. Bill Spratt told the Commission that the fence will continue onto the neighbor's property, they have asked if they could extend it to the neighboring property.

Mr. Koonce stated that Kevin Bartlett, Superintendent Department of Public Works, had drafted a letter to the Commission regarding his favorable opinion on the project.

Chair Rapoza read the letter into the record.

Mr. Koonce asked if there would be any fill brought on the site.

Mr. Spratt told Mr. Koonce that there will be some fill brought on to the site.

Mr. Koonce stated that he has the Determination of Applicability ready for the Commission to sign with the standard conditions. Mr. Koonce went on to state that before any fill is brought onto the site that he come out and review the erosion controls.

At 7:07 PM Mr. Thomas Christopher made a motion to close the public hearing for 290 and 156 Langen Road. Mr. Jim Lavallee seconded. No discussion. VOTE: 5-0-0.

At 7:08 PM Mr. Jim Lavallee made a motion is issue a Negative Determination of Applicability for 209 and 156 Langen Road. Ms. Ruth Anderson seconded. No discussion. VOTE: 5-0-0.

New Business

Discussion, Lancaster Recreation Commission

Mr. Koonce stated that he received a request from Mr. Win Clark, member Lancaster Recreation Commission, is looking to pump water out of the nearby stream to fill the skating rink at the Thayer Memorial Field this winter. Mr. Koonce went on to state that they would withdraw about 8,000 to 10,000 gallons to fill the rink.

Mr. Nate Stevens stated that Mr. Clark asked the question to DEP and they referred him to the local Conservation Commission.

Chair Rapoza stated that he had no issue with it stating that the Town has a local bylaw for water withdraw permits but that pertains more to landscaping companies. Chair Rapoza went on to state that since it will not be too much water and only once or twice a year and drained back towards the stream he does not see an issue with it.

Mr. Koonce suggested that a Request for Determination of Applicability to be filed for the pumping to keep a file on project.

Public Hearing – Notice of Intent; Paquette Builders; 19 (Lot 23) Jones Crossing

Present: Edward Paquette, Paquette Builders

At 7:14 PM Chair Ken Rapoza read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a Notice of Intent filed by Paquette Builders on behalf of property owner Paskks, LLC for proposed work within the 100-foot Buffer Zone to a Bordering Vegetated Wetlands at 19 (Lot 23) Jones Crossing, further identified as Assessor's Map 40, Lot 12.M. The project entails construction of a single-family house, associated septic system, grading, and landscaping.

Mr. Koonce stated that he had a minor correction to the public hearing notice, that project is part of an approved 40B project; therefore it is exempt from local bylaw requirements.

Mr. Edward Paquette went over the details of the project, which include a house and septic system. Mr. Paquette went on to state that only the septic system is within the wetland buffer.

Mr. Koonce stated that the house has already been built.

Mr. Paquette stated that the house was constructed in 2008

Chair Rapoza had some questions and concerns regarding the water line installation and the Superseding Order of Conditions that was issued for the subdivision.

Mr. Koonce stated that the Superseding Order of Conditions is for the actual road work and other items for the subdivision, the Notice of Intent before the Commission at this time is for an individual house lot and is very standard.

At 7:30 PM Mr. Jim Lavalley made a motion to close the public hearing for 19 (lot 23) Jones Crossing. Mr. Thomas Christopher seconded. No discussion. VOTE: 5-0-0.

At 7:31 PM Mr. Thomas Christopher made a motion to issue an Order of Conditions for 19 (lot 23) Jones Crossing. Mr. Jim Lavalley seconded. No discussion. VOTE: 5-0-0.

Public Hearing – Request for Determination of Applicability; Rachel Dyer; 362 Mill Street Extension

Present: Rachel Dyer and Matt Dyer, Owners

At 7:33 PM Chair Ken Rapoza read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a Request for Determination of Applicability filed by property owner Rachel Dyer for proposed work in the 100-foot Buffer Zone to Bordering Vegetated Wetland's at 362 Mill Street Extension, further identified as Assessor's Map 42, Lot 128. The project entails the construction of a 12'X20' pressure treated deck on concrete diamond piers, a 4'X14' walkway and a 9'X5' staircase.

At 7:43 PM Mr. Thomas Christopher made a motion to close the public hearing for 362 Mill Street Extension. Ms. Ruth Anderson seconded. No discussion. VOTE: 5-0-0.

At 7:44 PM Mr. Jim Lavalley made a motion to issue a Negative Determination of Applicability with standard conditions. Ms. Ruth Anderson seconded. No discussion. VOTE: 5-0-0.

Public Hearing – Notice of Intent, South Lancaster Academy, 180-198 George Hill Road

Mr. David Koonce stated that the applicant has requested a continuance to the next Conservation meeting on July 26th.

At 7:50 PM Mr. Jim Lavalley made a motion to continue the public hearing for 180-198 George Hill Road. Mr. Thomas Christopher seconded. No discussion. VOTE: 5-0-0.

New Business

Vote on whether to waive Chapter 61A right-of-refusal on Lot 8, George Hill Road

Mr. Koonce stated that the Commission needs to vote on whether or not to exercise their right of first refusal for Lot 8 George Hill Road.

At 7:51 PM Mr. Jim Lavalley made a motion to waive the Commission right of first refusal. Ms. Ruth Anderson seconded. No discussion. VOTE: 5-0-0.

Discussion, MACC - Declaration of drought

Chair Rapoza stated that the Massachusetts Association of Conservation Commission sent out an email last week stating that the DEP has declared a serve drought for the Central Massachusetts meaning that dry stream conditions for determining if a stream is intermittent cannot be used, effective July 1st.

Discussion, New Commission member

Chair Rapoza stated that Ms. Bonnie-Mae Smith has submitted her letter of interest to the Board of Selectman for appointment to the Conservation Commission.

Items for Approval and/or Signature

Minutes from May 24, 2016 Meeting

Mr. Nate Stevens had some minor corrections to the minutes.

At 8:14 PM Mr. Nate Stevens made a motion to approve the minutes as amended. Mr. Thomas Christopher seconded. No discussion. VOTE: 5-0-0.

At 8:15 PM Chair Rapoza made a motion to close the public meeting of the Lancaster Conservation Commission and enter into Executive Session for the purpose of discussing strategy with respect to litigation, and not return to public meeting. Ms. Ruth Anderson.

Roll Call Vote: Mr. Nate Stevens, Aye; Ms. Ruth Anderson, Aye; Mr. Thomas Christopher, Aye; Mr. Jim Lavallee, Aye; and Chair Mr. Ken Rapoza, Aye.

Adjourn

There being no further business to discuss, the public meeting adjourned at 8:14 PM.

Respectfully submitted,

Heather Hampson
Office Manager