

TOWN OF LANCASTER
CONSERVATION COMMISSION
Lancaster Community Center
August 23, 2016

Present: Ken Rapoza, Chair; Jim Lavallee, Peter Farmer and Ruth Anderson

Absent: Nathan Stevens, Vice-Chair; and Tom Christopher

Also Present: David Koonce, Conservation Agent

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

Public Hearing – Amended Order of Conditions DEP file number 193-0504, North Lancaster LLC

Present: Larry Sabeen, Hannigan Engineering, Representing North Lancaster, LLC and Christopher McClure, McClure Engineering

At 7:02 Chair Rapoza read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering an Amendment to the Order of Conditions 193-0504 filed by applicant North Lancaster, LLC. The requested amendment pertains to the development of two additional water supply wells on the subject property.

Mr. Larry Sabeen stated that the requested amendment is to an existing Order of Conditions for a gas station and well. The amendment is requesting that 3 additional well be drilled on the property, including testing, drilling and creation of gravel access roads to the additional wells.

Mr. Jim Lavallee asked how many of the wells would be used on the property.

Ms. Sabeen stated that all the wells would be used.

Mr. Christopher McClure stated that DEP limits the water withdraws amount for wells located in a Zone A area to three to four gallons a minute.

Mr. David Koonce asked what the status of the original proposed well was at this time.

Mr. McClure stated that the well was approved in 2010 and tested at 3,000 gallons a day but will be limited to 1250 gallons a day.

Mr. Koonce asked if the well test was done just for the yield of the existing well.

Mr. McClure stated that a test had to be done for yield since the well had been inactive for so long.

Mr. Koonce asked if the new wells will be permitted through DEP.

Mr. McClure stated that the new wells will be permitted through DEP and a pump test for each well will be conducted.

Mr. Koonce asked if all three wells will be tested at the same time.

Mr. McClure stated that one well be tested at a time and the others will be monitored.

Mr. Koonce asked if there were any plans to monitor McGovern Brook during the well tests.

Mr. McClure stated that the proposed wells are bedrock wells and will not affect the brook. Mr. McClure stated that the ground water will not be test as it will not be impacted by the wells.

Mr. Peter Farmer asked how the new wells will be accessed.

Mr. Sabeen stated that as part of the amendment there is some tree clearing that will need to be done in order to create a gravel roadway to access the proposed well locations for testing.

Mr. Koonce asked if there would be permanent access to the proposed wells as the work is within the river front and is concerned with the percentage to disturbance and the need to file with MEPA.

Mr. Sabeen stated that he will look into the percentage and see if an additional filing is needed.

The Commission had a brief discussion regarding the access roads for the proposed wells.

Chair Rapoza stated that he had not been out to the site for a number of years and would like to see the location of the proposed wells.

At 7:33 PM Mr. Jim Lavalley made a motion continue the public hearing for the Amended Order of Conditions for DEP file number 193-0504 to the next Conservation Commission meeting on August 13th. Ms. Ruth Anderson seconded. No discussion. VOTE: 4-0-0.

Continued Public Hearing – Request for Determination of Applicability National Grid, Seven Bridge Road.

Mr. Koonce stated that National Grid sent a letter to the Commission office withdrawing their application.

Chair Rapoza read the letter from National Grid into the record.

At 7:35 PM Mr. Peter Farmer made a motion to accept National Grid's letter for withdrawing the application. Ms. Ruth Anderson seconded. No discussion. VOTE: 4-0-0.

New Business

Discussion, Michael Cichy, Camp Claire property

Present: Mr. Michael Cichy, owner

Mr. Michael Cichy stated that he was the new owner of the Camp Claire property located on Fort Pond. Mr. Cichy stated that he owns two parcels of land at the property one smaller lot that he intends on selling and keep the larger lot as his retirement home.

Mr. Cichy went on to stated that he would like to do some maintenance to both properties including cleaning up some trees that have fallen into the water and cut down some of beaver damaged trees along the shore.

Mr. Koonce informed that Commission that he spoke to Mr. Cichy regarding the proposed work on the property and thought a Request for Determination would be fine for the work since most of it is maintenance of the property.

Chair Rapoza stated that a Request for Determination for all the proposed work will be fine. Chair Rapoza stated that the application should list all the work that Mr. Cichy intends on doing on the property.

Discussion, Andrew Calabrese, 424 Langen Road

Present: Mr. Andrew Calabrese

Chair Rapoza stated that he received a call from a neighboring property on Langen Road regarding a possible violation at 424 Langen Road. Chair Rapoza stated that he asked Mr. Koonce to go out to the property to investigate any violation.

Mr. Andrew Calabrese stated that he did not cut any trees on the property. Mr. Calabrese stated that he did contact Natural Heritage in regards to installing the fence it are of the fence was not located in their jurisdictional area. Mr. Calabrese stated that he cleaned up some limbs and brush in the area.

Chair Rapoza stated that the Commission has watch the construction of the house very closely as the lot is very tight. Chair Rapoza stated that work is allowed on the property up to the 200 foot river front buffer then all work must be approved by the Commission.

Chair Rapoza went on to state that the wetland line needs to be reflagged on the property so it is clearly defined along with a stake showing the 200 foot mark.

Mr. Koonce stated that the 25 foot no disturb zone needs to be defined on the property as well. Mr. Koonce stated that the more immediate issue on the property is having the wetlands line delineated so it can be used for future for the as built plan which needs to be filed with the Commission.

Mr. Calabrese stated he worked with what was existing on the property, and tried to clean up the yard to make it useable.

Items for Approval and/or Signature

Items for Signature

Order of Conditions DEP file number 193-0533, South Lancaster Academy, 180-198 George Hill Road

The Commission signed the Order of Condition for DEP file number 193-0533 that was approved at the last meeting on August 9, 2016.

Certificates of Compliance DEP file numbers 193-0481, 193-0482, and 193-0483 (Devonshire Way)

Mr. Koonce stated the filings for Devonshire way are only for the road construction and shared driveway. Mr. Koonce went on to state that all the work has been completed and the Planning Board has also signed off on the as built plans for the road way.

At 8:20 PM Ms. Ruth Anderson made a motion to issue the Certificates of Compliance DEP file numbers 193-0481, 193-0482, and 193-0483 as requested. Mr. Jim Lavalley seconded. No discussion.

Minutes from July 26, 2016 Meeting

Mr. Jim Lavalley had some minor corrections to the minutes of July 26, 2016.

At 8:21 PM Mr. Jim Lavalley made a motion to approve the minutes of June 28, 2016 as amended. Chair Ken Rapoza seconded. No discussion. VOTE: 4-0-1 Mr. Thomas Christopher abstained.

VOTE: 4-0-0.

Executive Session

At 8:36 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 seconded the motion.

Roll Call Vote: Mr. Peter Farmer, Aye; Mr. Jim Lavalley, Aye; Ms. Ruth Anderson, Aye and Chair Mr. Ken Rapoza, Aye.

Adjourn

There being no further business to discuss, the public meeting adjourned at 8:36 PM.

Respectfully submitted,

Heather Hampson
Office Manager