

TOWN OF LANCASTER
CONSERVATION COMMISSION
Lancaster Community Center
September 27, 2016

Present: Ken Rapoza, Chair; Nathan Stevens, Vice-Chair; Tom Christopher, Peter Farmer, Ruth Anderson, Jim Lavallee and Bonnie-Mae Smith

Also Present: David Koonce, Conservation Agent

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

Continued Public Hearing – Notice of Intent, Town of Lancaster, 695 Main Street Thayer Memorial Park

Present: David LaPointe, Beals and Thomas, Inc. and Autumn Keller, Haley and Ward, Inc.

Mr. David LaPointe gave a brief overview of the project. Mr. LaPointe stated that the hearing was continued from the last meeting due to review comments sent to the Town Engineer, Haley and Ward were not reviewed in time for the meeting. Mr. LaPointe stated that Haley and Ward had sent over a response to their letter today and all items have been addressed except for a question regarding the proposed splash pad.

Ms. Autumn Keller, from Haley and Ward, Inc. stated that the question regarding the splash pad is more a concern for the Planning Board or the Department of Public Works as it is in regards to how the system will use its water.

Mr. LaPointe stated that there are two different types of systems that can be used for the splash pad one will treat and recycle the water back into the system and the other will discharge the water into the sewer and use fresh water constantly. Mr. LaPointe stated that the cost and a decision from the Water Department will need to consider before a system is designed.

Mr. David Koonce stated that there is no need for the Commission to keep the hearing open for the details on the splash pad but will need a final set of the plans when they are available.

Mr. LaPointe stated that the project will be phased and only constructed as funds become available. Mr. LaPointe stated that it is the Recreation Commissions plan to keep the project funded completely on grants and with fundraising.

At 7:14 PM Mr. Nate Stevens made a motion to close the public hearing for 695 Main Street, Thayer Memorial Park. Ms. Bonnie-Mae Smith seconded. No discussion. VOTE: 7-0-0.

At 7:15 PM Mr. Peter Farmer made a motion to issue an Order of Condition for 695 Main Street, Thayer Memorial Park with the standard special conditions. Ms. Ruth Anderson seconded. No discussion. VOTE: 7-0-0.

**Continued Public Hearing – Abbreviated Notice of Resource Area Delineation, P.J. Keating CO.,
Located off Lunenburg Road**

Mr. Koonce gave the Commission a brief update stating that the peer review of the wetland resource area delineation has not started at this time, and has asked the Commission for a continuance.

At 7:18 PM Mr. Nate Stevens made a motion to continue the hearing for P.J. Keating. Mr. Jim Lavallee seconded. No discussion. VOTE: 7-0-0.

New Business

Tim Driscoll, Cedar Grove Contracting, 59 Neck Road

Present: Tim Driscoll, Cedar Grove Contracting

Mr. Koonce stated that the owners would like to replace the existing deck with a new deck.

Mr. Tim Driscoll stated that the plans are for an enclosed room in the existing decks foot print.

Mr. Koonce asked if there would be new footings for the addition.

Mr. Driscoll stated that new footings will be needed in the exact location of the existing footings and helix piles will be used for the footings.

Mr. Koonce stated that he had been out to the site and the closest footing is located 35 feet away from the wetlands. Mr. Koonce went on to stated that he asked Mr. Driscoll to come into the meeting to see what type of filing the Commission would like to see for the project. Mr. Koonce stated that the property has a large disturbed area that he requested that hay bales be placed and the area be reseeded.

Mr. Driscoll stated that a tree fell on the property and the cleanup caused the disturbance.

Mr. Koonce stated that the only concern for the site would be the roof runoff.

Mr. Stevens asked how the site looked.

Mr. Koonce stated that the site is pretty flat with only about a 10% slope.

Mr. Jim Lavallee asked if there would be any equipment used for the construction.

Mr. Driscoll stated that with the helix pilings only a small tractor/lawn mower would be needed to drill them into place.

Mr. Stevens stated that a Request for Determination of Applicability should be filed for the project.

Discussion, Metal Detecting at Cook Conservation Area

Mr. Koonce stated that request for metal detecting at the Cook Conservation Area. Mr. Koonce stated that he received a detailed description of where and what the metal detecting will entail. Mr. Koonce

stated that part of the area that will be detected is under the Board of Selectman's ownership. Mr. Koonce informed the Commission that holes will be dug with a small shovel and not to an unnecessary level.

Chair Rapoza asked if the letter detailed what specifically they are looking for.

Mr. Koonce stated that the gentleman requesting to use the land is named Kyle Shelton and he is looking for historical artifacts.

Mr. Thomas Christopher stated that Mr. Shelton should make sure he does not cross over onto Town Forest land.

Mr. Koonce stated that he informed Mr. Shelton to keep track of where he is to ensure he does not go onto Town Forest land.

Chair Rapoza stated that he would like a list of what is found and anything of historical significance should be given over to the town.

Mr. Christopher stated that the Commission should be notified on the days that Mr. Shelton plans on going out to metal detect.

At 7:35 PM Mr. Nathan Stevens made a motion to allow Mr. Kyle Shelton permission to metal detect on the Cook Conservation area with the understanding that only a hand shovel will be used, holes will not be dug to unnecessary levels, a list of items found will be sent to the Commission and anything found of significance will be given to the town and the Commission will receive notice prior to go out to the area.

Old Business

Status update, Eagle Ridge footbridge

Chair Rapoza stated that there was nothing new to report to the Commission regarding the foot bridge.

Update, Violations 220 Fort Pond Road and 424 Langen Road

Mr. Koonce stated that at the last meeting the Commission voted to move forward and send Enforcement Orders and issue fines for both 220 Fort Pond Road and 424 Langen Road. Mr. Koonce stated that the Constable had delivered the Enforcement Orders to both property owners. Mr. Koonce stated that he has not heard from Mr. Pearlman at 220 Fort Pond Road and could possibly go to court.

Mr. Koonce stated that Mr. Calabrese from 424 Langen Road has filed a Request for Determination of Applicability and has hired a wetland scientist to reflag the wetlands. Mr. Koonce stated reflagged wetlands and the plans submitted for the house do not match showing the driveway constructed inside the river front area.

Mr. Christopher stated that a set of updated plans will be needed.

Mr. Koonce stated that reflagging the property is about \$1500 and new plans for the Certificate of Compliance will be at least that. For the Request of Determination the reflagging will be enough.

Mr. Christopher stated that he would rather see updated plans for the property then a fine paid to the town.

Mr. Koonce stated that the Request for Determination will be heard at the next meeting and the Commission can discuss the issue at that time.

Items for Approval and/or Signature

Request for Certificate of Compliance, DEP File Numbers 193-0463 and 193-0517, 204 Fire Road 3

Mr. Koonce stated that Mr. John Laflamme has completed all the work on his property including a retaining wall (193-0463) and a patio that was an after the fact filing (193-0517).

At 7:59 PM Mr. Nathan Stevens made a motion to issue a Certificates of Compliance for DEP file numbers 193-0463 and 193-0517, 204 Fire Road 3. Mr. Jim Lavallee seconded. No discussion. VOTE: 7-0-0.

Request for Certificate of Compliance, DEP File Number 193-0405, Devonshire Way

Mr. Koonce stated that he was out to the site a few weeks ago to look at the replication area. Mr. Koonce stated that the replication area is fine but there is still the issue of erosion near the shared driveway.

Mr. Koonce stated that he can hold the Certificate till the erosion is fixed.

At 8:06 PM Mr. Nathan Stevens made a motion to issue a Certificate of Compliance for DEP file number 193-0405, Devonshire Way and hold till erosion issues are resolved. Ms. Ruth Anderson seconded. No discussion. VOTE: 7-0-0.

Minutes August 23, 2016

At 8:09 PM Mr. Peter Farmer made a motion to approve the minutes of August 23, 2016 as written. Mr. Jim Lavallee seconded. No discussion. VOTE:5-0-2 Mr. Nathan Stevens and Bonnie Mae Smith abstained.

Executive Session

At 8:10 PM Vice-Chair Nate Stevens 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; Ms. Ruth Anderson, Aye; Mr. Thomas Christopher, Aye; Mr. Ken Rapoza, Aye; Mr. Jim Lavallee, Aye; Ms. Bonnie Mae Smith, Aye; and Vice-Chair Nathan Stevens, Aye.

Adjourn

There being no further business to discuss, the public meeting adjourned at 8:10 PM.

Respectfully submitted,

Heather Hampson
Office Manager