

TOWN OF LANCASTER
CONSERVATION COMMISSION
Prescott Building, Nashaway Meeting Room
August 13, 2019

Members Present: Nate Stevens, Chair; Tom Christopher, Vice-Chair; Don Chaisson; Shawn Corbett; Thomas Seidenberg; Jim Lavallee; Bonnie Smith

Members Absent:

Also Present: David Koonce, Conservation Agent

List of Documents:

- Conservation Commission Agenda for August 13, 2019
- Southern New England Conference of SDA Request for Determination of Applicability
- Barkley Enterprises Notice of Intent, plans, and 08.12.19 comment letter from the Commission's peer review consultant Hayley & Ward
- Fort Pond Realty, LLC Abbreviated Notice of Resource Area Delineation and plans
- Crescent Builders, Inc. Notice of Intent and Plans
- Cichy Notice of Intent and plans

There being a quorum present, Chair Nate Stevens called the meeting to order at 7:05 PM.

Public Hearing – Request for Determination of Applicability; Southern New England Conference of SDA; 198 George Hill Road (After-the-Fact filing)

Present: Carl Hernandez, South Lancaster Academy, representing Applicant

At 7:06 PM Chair Nate Stevens read aloud a Notice of Public Hearing thereby convening a public hearing to consider the Request for Determination of Applicability: Applicant – Southern New England Conference of SDA; Address – 198 George Hill Road (After-the-Fact filing).

Conservation Agent David Koonce began by explaining that he had recently observed some unauthorized excavation in the 100-foot Buffer Zone and Riverfront Area at the western end of South Lancaster Academy's soccer field. He contacted Mr. Hernandez of South Lancaster Academy (SLA) to direct him to stop the work and file a Request for Determination of Applicability with the Conservation Commission for authorization to proceed.

Mr. Hernandez stated that ever since SLA's inception, the School has operated its own power plant to supply electricity to the campus, but will be abandoning it in order to connect to the National Grid network. He said the excavation Mr. Koonce had observed was for the trench containing the electrical cable connecting SLA to the National Grid network.

Agent Koonce stated he sees no major wetland issues with the project, but erosion control barriers should be installed. He will meet on-site with Mr. Hernandez to determine the proper location(s) of the erosion control. He recommended the Commission approve a Negative Determination of Applicability with a condition requiring the installation of the erosion control.

At 7:15 PM Tom Seidenberg made a motion to close the hearing. Shawn Corbett seconded the motion. No discussion. VOTE: 7-0-0.

At 7:16 PM Bonnie Smith made a motion to issue a Negative Determination of Applicability with a condition requiring installation of erosion control. Tom Seidenberg seconded the motion. No discussion. VOTE: 7-0-0.

Public Hearing – Notice of Intent; Barkley Enterprises, LLC; 0 Shirley Road (Assessor’s Map 5, Lot 54)

Christopher Guida, Fieldstone Land Consultants, PLLC, representing Applicant

At 7:17 PM Chair Nate Stevens read aloud a Notice of Public Hearing thereby convening a public hearing to consider the Notice of Intent: Applicant – Barkley Enterprises; Address – 0 Shirley Road (Assessor’s Map 5, Lot 54).

Mr. Guida described the project as the development of a moving and mobile storage facility, associated site access and parking, drainage infrastructure, grading, and landscaping.

Commission members had questions on stormwater management, erosion control, and construction sequencing.

Conservation Agent David Koonce said he sees no major wetland concerns impacting the viability of the project, but said the hearing needs to be continued pending the Applicant’s addressing the issues pertaining to several aspects of the project raised by the Commission’s peer review consultant Hayley & Ward in their comment letter.

Mr. Guida requested a continuance of the hearing to August 27th.

At 7:40 PM Bonnie Smith made a motion to continue the hearing to August 27, 2019 pending the Applicant’s addressing issues raised by Hayley & Ward. Jim Lavallee seconded the motion. No discussion. VOTE: 7-0-0.

Public Hearing – Abbreviated Notice of Resource Area Delineation (cont’d from 07.23.19); Fort Pond Realty, LLC; 696 Fort Pond Road

Stephen Mullaney, S. J. Mullaney Engineering, Inc., representing Applicant

Agent Koonce reported that the Applicant has requested a continuance to September 10th pending completion of his wetland consultant’s review and response to the Commission’s peer review consultant’s report on the wetland delineation submitted with the ANRAD.

At 7:43 PM Jim Lavallee made a motion to continue the hearing to September 10, 2019. Bonnie Smith seconded the motion. No discussion. VOTE: 7-0-0.

Public Hearing – Notice of Intent (cont’d from 07.23.19); Crescent Builders, Inc.; Sterling Road (Map 41, Lot 34.B)

Mark Arnold, Goddard Consulting, LLC, representing Applicant

Agent Koonce reported that on July 30th he received from Mr. Arnold a plan prepared by GLM Engineering showing a delineation by his office of the boundary of the site’s vernal pool, along with an accompanying written report on the delineation.

Mr. Koonce recommended the plan and the report be peer reviewed because the delineation omits a section of the stream where a spotted salamander egg mass is shown on the vernal pool plan produced by Comprehensive Environmental, Inc. He said he has e-mailed Requests for Proposals for peer review services to Tighe & Bond, BSC Group, and LEC Environmental

Consultants. He said he forwarded the Requests for Proposals to Mr. Arnold by e-mail on August 12th, and will forward him all responses upon receipt.

Mr. Arnold stated that he would like the vernal pool expert at the Massachusetts Natural Heritage and Endangered Species Program (NHESP) to look at the vernal pool boundary delineation on-site before the Applicant agrees to fund peer review. He said he would contact NHESP to schedule the site inspection and requested that Mr. Koonce be present at the inspection.

Commission members discussed Mr. Arnold's proposal for a site visit by NHESP; no objections were expressed.

Mr. Arnold requested the hearing be continued to August 27th pending a site visit by NHESP.

At 8:26 PM Tom Christopher made a motion to continue the hearing to August 27, 2019 pending a site visit by NHESP to review the vernal pool boundary delineation. Shawn Corbett seconded the motion. No discussion. VOTE: 7-0-0.

Public Hearing – Notice of Intent (cont'd from 07.23.19); J. Michael Cichy; 2029 Lunenburg Road

Agent Koonce reported that on August 5th he received an e-mail from the Applicant requesting the hearing be continued to August 27th because he would be out of town tonight.

At 8:29 PM Bonnie Smith made a motion to continue the hearing to August 27, 2019. Don Chaisson seconded the motion. No discussion. VOTE: 7-0-0.

Items for Approval and/or Signature

The Commission signed the Negative Determination of Applicability, Applicant Thomas Burgoyne, address 27 Langen Road, approved at the July 23rd meeting.

Adjournment

At 8:37 PM Tom Christopher made a motion to adjourn the meeting. Shawn Corbett seconded the motion. No discussion. VOTE: 7-0-0. The meeting was adjourned at 8:38 PM.

Respectfully submitted,

David Koonce
Conservation Agent