

TOWN OF LANCASTER  
CONSERVATION COMMISSION  
Prescott Building, Nashaway Meeting Room  
August 27, 2019

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

Members Absent: Nate Stevens, Chair

Also Present: David Koonce, Conservation Agent

List of Documents:

- Conservation Commission Agenda for August 27, 2019
- Barkley Enterprises Notice of Intent and plans
- Cichy Notice of Intent, plans, and 08.23.19 letter from John D. Sargent, P.E.
- Crescent Builders, Inc.:
  - Notice of Intent and plans
  - Proposals from Tighe & Bond, BSC Group, and LEC Environmental Consulting for peer review services for vernal pool boundary delineation

There being a quorum present, Vice-Chair Tom Christopher called the meeting to order at 7:03 PM.

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

Conservation Agent David Koonce reported that while all of the engineering aspects of the proposed project have been addressed to the peer reviewer's satisfaction, DEP noticed that the Notice of Intent was not signed and so has not issued a file number and comments. The Applicant, through his representative, has requested a continuance of the hearing to September 10<sup>th</sup> pending submittal of the signed Notice of Intent to DEP, followed by the latter's issuance of a file number and comments.

**At 7:09 PM Bonnie Smith made a motion to continue the hearing to September 10, 2019 pending DEP's assigning a file number and issuing comments. Jim Lavallee seconded the motion. No discussion. VOTE: 6-0-0.**

Public Hearing – Notice of Intent (cont'd from 08.13.19); J. Michael Cichy; 2029 Lunenburg Road Present: John Sargent, Foresite Engineering, representing Applicant

Mr. Sargent presented a plan revision which shifts more of the house into the 100-foot Buffer Zone in order to reduce the number of trees required to be removed, a concern expressed by the Commission at the last meeting. The original proposal would reduce the existing structure's 1590 square feet (sf) in the Buffer Zone to 900 sf and increase the closest point of the structure to the lake from 59 feet to 90 feet. The new proposal increases the area of the existing building footprint in the Buffer Zone by 170 sf to 1760 sf, with a closest distance of 63 feet to the lake,

but prevents the removal of 15 trees ranging in size from a 6" cherry to a 24" oak. Mr. Sargent went on to say that upon further consideration, the 170 sf increase in Buffer Zone encroachment could be eliminated by keeping the proposed garage outside the Buffer Zone.

**At 7:40 PM Don Chaisson moved that the Commission accept the proposed plan shifting more of the proposed house into the 100-foot Buffer Zone, but request that Mr. Sargent further revise the plan to remove the garage from the Buffer Zone. Bonnie Smith seconded the motion. Discussion: Shawn Corbett reminded everyone that nearly all of the trees saved by this plan are located outside the 100-foot Buffer Zone and so could therefore be removed without permission from the Conservation Commission. VOTE: 5-1-0.**

**At 7:42 PM Jim Lavallee made a motion to continue the hearing to September 10, 2019 pending preparation of the accepted plan revised to keep the garage outside the 100-foot Buffer Zone. Tom Seidenberg seconded the motion. No discussion. VOTE: 5-0-1.**

Public Hearing – Notice of Intent (cont'd from 08.13.19); Crescent Builders, Inc.; Sterling Road (Map 41, Lot 34.B)

*Present: Mark Arnold, Goddard Consulting, LLC, representing Applicant*

Agent Koonce reported that he has received proposals for peer review of the vernal pool boundary delineation from Tighe & Bond, BSC Group, and LEC Environmental Consultants. He said he forwarded all three proposals to Mr. Arnold by e-mail yesterday (August 26<sup>th</sup>.)

Mr. Koonce recommended the Commission accept the Tighe & Bond proposal, saying that, in his opinion, of the three proposals, Tighe & Bond's best responded to the specifics of the request, in particular by providing for the possibility of a more engineering-based analysis of the vernal pool boundary if field observations proved inconclusive.

Mr. Arnold requested that the Commission accept the proposal submitted by LEC Environmental Consultants as it was the least expensive of the three.

**At 8:08 PM Don Chaisson made a motion to accept the Tighe & Bond proposal for peer review of the vernal pool boundary. Shawn Corbett seconded the motion. No discussion. VOTE: 6-0-0.**

Agent Koonce stated that he expects to have, for the Commission's vote at the next meeting, proposals for peer review services for compliance of the project with the MassDEP Stormwater Standards.

Mr. Arnold requested the hearing be continued to September 10<sup>th</sup>.

**At 8:11 PM Jim Lavallee made a motion to continue the hearing to September 10, 2019 pending Tighe & Bond's review of the vernal pool boundary delineation and receipt of proposals for peer review of compliance with the Stormwater Standards. Bonnie Smith seconded the motion. No discussion. VOTE: 6-0-0.**

#### **Items for Approval and/or Signature**

- Minutes of May 28, 2019

**At 8:15 PM Don Chaisson made a motion to approve the minutes of May 28, 2019. Jim Lavallee seconded the motion. VOTE: 6-0-0.**

- Determination of Applicability; Southern New England Conference of SDA; 198 George Hill Road  
The Commission signed the Negative Determination of Applicability approved at the August 13<sup>th</sup> meeting.

**Adjournment**

**At 8:16 PM Jim Lavallee made a motion to adjourn the meeting. Tom Seidenberg seconded the motion. No discussion. VOTE: 6-0-0. The meeting was adjourned at 8:17 PM.**

Respectfully submitted,  
David Koonce  
Conservation Agent