

TOWN OF LANCASTER  
CONSERVATION COMMISSION  
Lancaster Community Center  
June 27, 2017

Present: Chair Ken Rapoza, Thomas Christopher, Jim Lavallee and Bonnie-Mae Smith

Absent: Ruth Anderson, Peter Farmer and Nathan Stevens, Vice-Chair

Also Present: David Koonce, Conservation Agent

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

**Public Hearing ,Notice of Intent, Frank Thissell, 331 Bolton Station Road**

*Present: Jack Maloney, Ducharme and Dillis Design Group, Inc.*

**At 7:01 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 Frank Thissell on behalf of property owners Eric and Jacqueline Thissell for proposed work within 100-foot Buffer Zone to Bordering Vegetated Wetlands at 331 Bolton Station Road, further identified as Assessor's Map 38, Lot 104A. The project entails installation of a new septic system to replace an existing system serving a four-bedroom house in order to comply with requirements of Title 5.**

Mr. Jack Maloney stated that the septic system on site has failed a Title 5 Inspection and needs to be upgraded. Mr. Maloney stated that they have pulled the system as far from the wetlands, all the work is outside the 50 foot and only fill and grading are within the 50-100 foot area.

Mr. David Koonce stated that he walked the site this afternoon and his only suggestion is to have hay bales along with silt fence due to the grading on the property.

**At 7:05 PM Mr. Jim Lavallee made a motion to close the public hearing for 331 Bolton Station Road. Ms. Bonnie Mae Smith seconded. No discussion. VOTE: 4-0-0.**

**At 7:06 PM Mr. Jim Lavallee made a motion to issue an Order of Condition with standard conditions for 331 Bolton Station Road. Mr. Thomas Christopher seconded. No discussion. VOTE: 4-0-0.**

**Continued Public Hearing, Notice of Intent, Robert Redmond dba Benters/FC Stars, 70 McGovern Boulevard**

*Present: Bill Hannigan, Hannigan Engineering*

Mr. Bill Hannigan stated that since the last meeting the project has changed from two full size soccer fields to one full field and a smaller 9 x9 practice field. As part of another filing an additional parking lot will need to be added to the property for the fields along with Stormwater calculations. The changes in the plans are to address the Commissions concerns with the amount of work within the River Front

Area. The new plans will eliminate work within the 100-foot River Front Area and shrink the work within the 200-foot Area.

Mr. Hannigan stated that he has submitted a new Notice of Intent to the Commission outlining the changes to the proposed fields, which will still include restoration of the disturbed areas. Mr. Hannigan stated that he has not done the drainage calculations for the new proposed fields at this time and will need to continue the hearing so those can be completed.

Mr. Hannigan stated that he had added the construction sequence for the restoration areas as requested at the last meeting to the plans.

Mr. Koonce stated that since the disturbed areas have been grass lands for the past few years he feels that it is best that they are not restored to a woodland state stay a grass land.

Mr. Christopher stated that he was still not happy with the proposed due to the impact from the previous projects that have accorded on the property and the lack of restoration work that has been completed. Mr. Christopher suggested that before work is allowed to start on the new fields all restoration new and old must be completed. Mr. Christopher also suggested that there be a 3 to 1 restoration not a 2 to 1 restoration completed stating that the Commission can request more than the state requires, and with the nature of the project more restoration would be better.

Mr. Koonce stated that when he was on site with Mr. Hannigan he mentioned having all the restoration be completed at once.

Mr. Hannigan stated that in order to get to a 3 to 1 restoration another 10,000 square feet will need to be added to the plans. Mr. Hannigan stated that if the Commission requests a 3 to 1 restoration it is possible to do off site along the North side of McGovern Boulevard.

Mr. Christopher stated that the additional restoration will eliminate the fragmentation that has occurred on the site due to incomplete projects.

Mr. Koonce stated that the more restoration the better for the site.

Mr. Koonce stated that DEP did send comments on the Notice of Intent filing and they are suggesting an alternative analysis.

Mr. Hannigan stated that he still feels that an alternative analysis is not needed and will speak to DEP regarding their comments.

Mr. Hannigan stated that due to some items still outstanding regarding the changes to the project a continuance to the hearing is requested.

**At 7:36 PM Mr. Thomas Christopher made a motion to continue the hearing to the next meeting on July 11, 2017. Mr. Jim Lavalley seconded. No discussion. VOTE: 4-0-0.**

### **New Business**

### **Discussion, Cheryl Anderson, 160 Fire Road 12**

*Present: Cheryl Anderson, Potential Buyer*

Ms. Cheryl Anderson stated that she has a signed Purchase and Sale agreement for 160 Fire Road 12 and as part of her attorney's research on the property found that there is an open Order of Conditions for the property.

Ms. Anderson stated that she wanted to come before the Commission to find out what her options were for getting the Order of Conditions removed from the deed.

Chair Rapoza stated that a Certificate of Compliance would need to be requested stating that all the work is complete then the Commission would go to the site to inspect and discuss the request at a meeting before issues a Certificate of Compliance that would then be recorded on the deed.

Mr. Koonce stated that the owner of the property Mr. Spinelli requested a Certificate of Compliance several months ago. Mr. Koonce stated the Notice of Intent included a detailed plantings layout for the property that will need at least one growing season before a Certificate can be issued.

Mr. Christopher stated that Mr. Spinelli has had a rocky relationship with the Commission in the past which resulted in court order fines. Mr. Christopher suggested that Ms. Anderson hold off on the purchase of the home till the Certificate of Compliance is issued otherwise the details in the Order of Conditions will become her responsibility.

Chair Rapoza suggested having money set aside in an escrow account for the plantings in case they need to be replaced and not hold up the purchase of the property.

#### **Discussion, 2027 Lunenburg Road**

Mr. Koonce stated that he spoke to Mr. David Lagossi and he had a few questions regarding building a house on Fort Pond. Mr. Koonce stated that Mr. Lagossi is not present so he is not sure if he has decided to change his plans for the house at this time.

#### **Discussion, McGovern Boulevard Enforcement Order**

Mr. Koonce stated that he went out to the site and noticed some improvements that have been made. Mr. Koonce also stated that the monies have been received to have Haley and Ward, Inc. begin their inspections of the site as well.

#### **Items for Approval and Signature**

#### **Minutes May 23, 2017**

The Commission reviewed the minutes from the June 13, 2017 meeting.

**At 8:07 PM Ms. Bonnie Mae Smith made a motion to approve the minutes of June 13, 2017 as written. Mr. Thomas Christopher seconded. No discussion. VOTE: 5-0-0.**

#### **Adjourn**

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

Respectfully submitted,

Heather Hampson  
Office Manager