

MINUTES: MCO Cottages Site Visit

Date: January 21, 2023

In Attendance: Tom Christopher, Chairman; Tom Seidenberg, Vice-Chairman; Bruce McGregor, Commission Member, Victoria Petracca, LAFHB, Mark O'Hagan, Developer; Chris Cosentino, Abutter.

The site visit was called to order at 10:05 by Mr. Christopher at which time he went over the ground rules for the visit, cautioning Commission members to only ask questions from the applicant, and that no discussions or deliberations between each other were to occur. He further instructed Ms. Petracca and Mr. Cosentino to hold any questions they may have of Commission members or Mr. O'Hagan until the public hearing is opened at a regular Commission meeting.

Mr. O'Hagan provided the history of the project and a general overview of the permitting process through the ZBA. He also identified some of the changes and upgrades in his plan that were different from the original Jones Crossing plan of ten years ago. Mr. O'Hagan stated that his plan would be for freestanding rental homes that would include either two or three bedrooms in a bungalow style that would vary from 1,150 to 1,400 square feet.

Mr. Christopher brought up the issue of plan peer review and Mr. O'Hagan stated the plans had been reviewed by Fred Hamway during the ZBA review, however Mr. Christopher stated that it did not include the concerns of the Commission.

Mr. Seidenberg stated that he would like to see a copy of the new 40B permit issued by the ZBA.

Mr. O'Hagan indicated that there would be two Presby Systems and that he had submitted a "Notice of Intent" for twelve of the 3-bedroom homes. An additional installed system for twenty-four homes was in the process of approval by the Lancaster Board of Health. The center septic system services seven of those homes.

The discussion shifted to the DEP "Superseding Order of Conditions". Mr. Seidenberg requested the Commission be provided a copy of that Order. Mr. Christopher asked if there had been a DEP fine attached to the Order and Mr. O'Hagan stated that he was not aware of any. He further stated that he had ongoing discussions with DEP staff regarding an upgrade and re-installation of the culvert for the intermittent stream flowing through the property, and future DEP requirements would be in the form of a "Consent Order".

Mr. McGregor asked how many homes would be constructed on slabs and Mr. O'Hagan replied that number would be twenty-three homes and the balance would have full foundations.

Mr. O'Hagan showed several "reduced-size" version of plan upgrades that indicated the impervious area to the site was being reduced. Mr. Seidenberg wanted to know which trees would be removed from where we were standing in the cul-de-sac? He also asked if the homes with foundations had basements and walkout exits?

Mr. Seidenberg requested that more notations be added to the plan and that he had a concern about the large number of structures within the 100-foot buffer zone. Mr. O'Hagan stated that he

intended to install all the buffer zone foundations a one time and that would limit the impact and the only task left would be grading.

Mr. Christopher noted that he recognized this was an important project for Lancaster but nonetheless, the Commission still had to uphold the regulations of the WPA and that he could not recall a project that would permit so many structures covered by a single NOI. He further commented that if the Commission were to permit this, they would undoubtedly need weekly peer site review during the construction period. Mr. O'Hagan stated that he would be amenable to some project oversight as long as it was not an extended, open-ended expense to the project.

Mr. Christopher enquired if a project contractor had been selected and Mr. O'Hagan identified Mr. Ernie Merrill of Acton.

Mr. Seidenberg requested the Commission also be supplied with a copy of the original "Notice of Intent" as well as the ZBA permit.

At the end of these discussions Mr. Christopher had to leave and Mr. O'Hagan took Mr. Seidenberg and Mr. McGregor into the field to observe the wetland delineation re-certified by Mr. Charles Caron.

The following details are from the wetland line inspection by Mr. Seidenberg and Mr. McGregor.

An intermittent stream was observed that drains the GBE project and flows through the B-series BVW, from the culvert. It had a well -defined channel and a sandy bottom. The stream was several feet across and had a large flow.

Mr. Seidenberg noted the wetland area A18-A26 appeared to be man-made and seemed like an excavated depression. He asked Mr. O'Hagan about it, but he was unsure, and thought there might have been a replication as part of the prior plans.

It was noted that several areas with significant pools of water lay along the A series flags, in the area identified as A31-A40. Mr. Seidenberg asked Mr. O'Hagan when the wetlands were reflagged; but he was not sure of the date.

Mr. O'Hagan mentioned a parcel in the original subdivision plan that would have been designated as open space, perhaps 4.5 acres, which was rolled back into the single lot. He stated that he would be open to considering some form of conservation restriction of that portion, although he also mentioned that he doesn't like to do CRs in general because of complications.