

**TOWN OF LANCASTER  
CONSERVATION COMMISSION  
Meeting Minutes  
April 26th, 2022**

Members Present: Chair Tom Christopher, Vice-Chair Tom Seidenberg, James Lavallee, Bruce McGregor, Greg Jackson.  
Donald Chaisson checked in at 7:07 PM.

Also Present: Jasmin Farinacci (Town Planner)

List of documents presented:

- **(Cont. Public Hearing from 3/22/22) - Michael & Elaine Jewett - 748 Old Union Tpke. (Assessor's Map 88, Lot 6) - McCarty Engineering**
- **(Cont. Public Hearing from 3/22/22) - Laurie Kincaid, 206 Fire Rd. #3. (Assessors Map 10, Lot 7-B-7.A). McCarty Engineering**
- **(Cont. Public Hearing from 2/28/22) - Brenda Baer – 303.5 Deershorn Road**
- **201 Hilltop Road – Request to Burn Brush**
- **Discussion – beach nourishment**
- **YMCA – Pending DOA**
- **Minutes from July 13, 2021**
- **Minutes from September 14, 2021**

**Mr. Christopher called the meeting to order at 7:00PM**

**(Cont. Public Hearing from 3/22/22) - 748 Old Union Tpke**

*Present: Lars Greene, McCarty Engineering (representing applicant)*

1. Mr. Christopher read the public hearing notice to the commission. He said that Mr. Seidenberg and Mr. Jackson visited the site on Little Spec Pond. There was a request to remove trees and construct a patio area and possible beach nourishment. He said he has had the opportunity to meet with Mr. Green and to visit the site.
2. Ms. Farinacci shared her screen with the site plan. Mr. Greene gave an overview of the plan detailing the slope and location of the existing home. He showed where the erosion flow path is. He said goals are to improve runoff entering the lake and improve the existing firepit area. He said the proposed patio was right up against the 25-foot no disturb zone and also to remove some trees. He said they have since moved the development further away from the 25-foot no build zone, and to remove 6 pine trees. He said the erosion control would involve micro-grading, collecting the runoff into a stone trench, and direct it toward a drywall and get the runoff into the ground. He said they are proposing to replace the removed trees at a 2:1 ratio.
3. Mr. Christopher said the plan is a significant improvement from the original plans they submitted. The commission echoed this statement.
4. Mr. Jackson said that the patio is still within the 50-foot buffer zone. He said he does not see a need for it to be in this location. He said it is not clear how the proposed plan improves the drainage/ runoff along the shoreline.
5. Mr. Greene said the reason they are not proposing regrading on the beach is because the swale starts behind the house and flows right on to the beach. He said they want to stop the flow

upstream before it even gets to the beach.

6. Mr. Christopher said around 60 percent of the proposed patio is within the 50-foot buffer.
7. Mr. Jackson said there was some discussion about beach nourishment.
8. Mr. Greene said some clean sand will be added and the beach re-graded to address the swale issue.
9. Mr. Chaisson said it looks like the patio is more 80% in the buffer zone. He asked how the water on the patio will drain.
10. Mr. Green said they are using pervious pavers for the water to infiltrate.
11. Mr. Chaisson asked if there is an elevation view of the project from the pond side to show the topography of the area.
12. Mr. Greene described the topography and existing grade of the area. He said he can provide a grading plan if necessary.
13. Mr. Chaisson asked if there is anything preventing the patio from being moved outside of the 50-foot buffer.
14. Mr. Greene said they wanted to keep the limit of work in one area. Discussion ensued.
15. Mr. Christopher said that the commission tries to be mindful of the bylaw, but also accommodate applicants that try to achieve the goals the commission is looking for.
16. Mr. Chaisson said he would like to have a solid reason for the location of the patio (within the 50-foot).
17. Mr. Christopher asked if the amount of fill necessary will be within the 10-yard range to which Mr. Greene confirmed.
18. Mr. Greene said the patio is located in this area so the homeowners can safely watch their kids swimming.
19. Mr. Chaisson said this was a very satisfactory reason.
20. Mr. McGregor made the motion to close the hearing and it was seconded by Mr. Jackson. There was no further discussion.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

21. Mr. Lavallee made a motion to issue a standard order of conditions with an amendment by Mr. Christopher to include an as-built plan when the certificate of compliance is requested. The motion was seconded by Mr. Seidenberg.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

**(Cont. Public Hearing from 3/22/22) - 206 Fire Rd. 3**

*Present: Lars Greene, McCarty Engineering (representing applicant); Laurie Kincaid*

1. Mr. Greene gave an overview of the site plans. He said there was discussions about addressing runoff on the property. They are proposing to re-grade the driveway and install an infiltration trench to treat any runoff flowing off this driveway. He said this is the main modification to the plan.
2. Mr. Christopher said the applicant wanted to add stoning to the driveway, then the driveway would be re-graded and the appropriate size stone be spread out.
3. Mr. Chaisson asked if the Fire Road is currently maintained.
4. Mr. Christopher said the entire area has been landscaped.
5. Mr. Jackson said he is concerned that there is a garage being built on a steep slope. He said he would like to see a larger view of what is going on in the area around the garage, including a list of plants specifying the number and variety of trees/shrubs.
6. Mr. Christopher asked how far the work is from the buffer zone.

7. Mr. Greene said the buffer zone is less than halfway through the garage and this was marked on the plan.
8. Mr. Christopher said he sent a tree form to Mr. Greene for another project and that it would be a good idea for him to either ask for a continuance or have Mr. Greene put together a tree list prior the issuance of an order of conditions.
9. Mr. Greene said he would be happy to provide a plan with proposed gradience, a list of proposed plantings near the garage, and the tree removal form.
10. Mr. Jackson made the motion to close the hearing. It was seconded by Mr. McGregor.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

11. Mr. Jackson made a motion to issue an order of conditions with the condition to add a view port of the plans and a current report of the trees to be removed, and what plantings will be added. Mr. McGregor seconded the motion and there was no further discussion.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

#### **(Cont. Public Hearing from 2/28/22)– 303.5 Deershorn Road**

1. Ms. Farinacci confirmed that the applicants had contacted her requesting a continuance to May 24<sup>th</sup>, 2022.
2. Mr. Lavallee made the motion to continue the hearing to the May 24<sup>th</sup> meeting. The motion was seconded by Mr. Chaisson.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

#### **Old Business**

##### **201 Hilltop Road – Request to Burn Brush**

1. Mr. Christopher said he met with Mr. Loring of 201 Hill Top Road and he requested temporary relief of the enforcement order to be able to burn some brush. He said the location of the burning is outside of the jurisdictional areas, so this was a planning board issue. He said that the planning board forgot to vote on this motion during the last meeting so Mr. Loring will miss the state deadline for burning.

#### **New Business**

##### **Discussion – beach nourishment**

1. Mr. Christopher said he provided the commission with all the available information concerning beach nourishment. He said it is worth revision by the commission as lots of the information is relevant to inland waterways. He said it is clear that the town needs minimal standards for beach nourishment. He asked the commission to please take a look at these documents and focus on the general tone. He said he would put together a basic policy statement that the commission could examine and establish as guidelines for beach nourishment projects that are presented to the commission.

##### **YMCA – Pending DOA**

1. Mr. Christopher said he got a call from the regional YMCA manager in North Central Ma. He said the existing retaining wall at the YMCA property in town is causing some erosion issues and entering Fort Pond. He said they will clearly need beach

- nourishment. He said the general manager is extremely cooperative. He recommended that he come back to the commission with a plan, request an order of conditions, and enact the plan in the fall when the water level has receded somewhat.
2. Mr. Jackson said that it is important to understand the composition and grain size of the material added during beach nourishment projects.

#### **Appoint Conservation Commission Agent**

1. Mr. Christopher said the new conservation agent has agreed to take the job. He said the commission will need to vote on this tonight. He said there were 30 applicants with 6 interviewed. He opened up the floor to questions about the candidate. Discussion ensued. Mr. Christopher called a roll vote to hire Mr. Vignaly.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

#### **108 Fire Road 12**

1. Mr. Christopher said this was an old filing that never got a certificate of compliance. He said he did a site visit and there was nothing that stood out as an issue.
2. Mr. Seidenberg made a motion to issue a certificate of compliance to 108 Fire Road 12. The motion was seconded by Mr. Jackson.
3. Mr. Chaisson asked for a summary of the project.
4. Mr. Christopher said it was a replication of a septic system. The system is a good 50-60 feet away from the pond. He said it is an old camp that was developed.
5. Mrs. Farinacci shared the as-built plans.
6. Mr. Chaisson said he was satisfied with the motion and discussion.

**Roll Call Vote: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

#### **Adjourn**

1. Mr. Lavallee made the motion to adjourn, and it was seconded by Mr. Jackson.

**Roll Call Vote to adjourn: Thomas Seidenberg yes, Donald Chaisson yes, James Lavallee yes, Bruce McGregor yes, Greg Jackson yes, Thomas Christopher yes. The motion was passed.**

**The meeting was adjourned at 8:11 PM.**