

TOWN OF LANCASTER
CONSERVATION COMMISSION

Meeting Minutes

August 11th, 2022

Members Present: Chair Tom Christopher, Vice-Chair Tom Seidenberg, James Lavallee, Bruce McGregor, Donald Chaisson, Greg Jackson.

Also Present: Jasmin Farinacci (Town Planner)

List of documents presented:

- **Superceding Order of Conditions – 0 Hawthorne Lane – DEP 193-0591**
- **230 Fort Pond Road – Notice of Intent**
- **35 Fire Road Seven – Benoit – Notice of Intent**
- **Request for Certificate of Compliance – Bolton Road – Atherton Bridge Development Co. – 193-69**
- **Request for Certificate of Compliance – Bolton Road – Atherton Bridge Development Co.- 193-70**

Chairman Tom Christopher called the meeting to order at 7:00 PM.

230 Fort Pond Road – Notice of Intent

Present: Jack Maloney, Dillis and Roy Civil Design Group, LLC., representing applicant

1. Mr. Christopher said that this was approved during the last meeting, and they were awaiting a DEP number.
2. Mr. Maloney said that during the last meeting, they did not have a DEP number yet, so this delayed the commission in approving the notice of intent. He said they now have a number from the DEP.
3. Mr. Christopher asked for a brief overview on the site plans.
4. Mr. Maloney shared his screen for the commission and did a site plan overview. Discussion ensued.
5. Mr. Christopher asked for Mr. Maloney to call him when the straw wattles are installed. Additionally, he asked to be present when the rubber barrier is installed. He said he would put these conditions in the order of conditions.
6. Mr. Lavallee asked if there are any additional conditions to add to the order of conditions.
7. Mr. Christopher said he does not believe so. He said to make sure the contractor does not start the project until there are some site inspections.

8. Mr. Lavallee made the motion to issue an order of conditions for the notice of intent.
9. Mr. Seidenberg reminded Mr. Christopher that the commission needed to vote to close the hearing.
10. Mr. Seidenberg made the motion to close the hearing which was seconded by Mr. Jackson.

Roll Vote: Mr. Seidenberg yes, Mr. Chaisson yes, Mr. Lavallee yes, Mr. Jackson yes, Mr. McGregor yes, Mr. Christopher yes.

11. Mr. Lavallee made the motion to issue an order of conditions again and this was seconded by Mr. Seidenberg. There was no further discussion.

Roll Vote: Mr. Seidenberg yes, Mr. Chaisson yes, Mr. Lavallee yes, Mr. Jackson yes, Mr. McGregor yes, Mr. Christopher yes.

35 Fire Road Seven – Benoit – Notice of Intent

(Applicant not present)

1. The applicant and representative for the project were not present in the meeting. Mr. Christopher suggested that the commission revisit this project after they have moved through some of the other items on the agenda to see if a representative joins the meeting. The commission members agreed.

Request for Certificate of Compliance – Bolton Road – Atherton Bridge Development Co. – 193-69

1. Ms. Farinacci looked for site plans from the registry. She said that the office does not have digital copies yet, but she has physical copies.
2. Mr. Christopher said they would be working on the spillway for Eagle Ridge beaver dam the following morning. He asked the commission to access the work area through Shannon Way. He also gave an update in the town posting for the vacant conservation agent position.
3. Mr. Jackson asked for an update on the mosquito testing report the impoundment. Discussion ensued.
4. Mr. Christopher said he would give John Farnsworth a call regarding the mosquito testing report. Discussion ensued.
5. Ms. Farinacci found a site plan from 1986 for the Atherton Bridge Development Co. The site plans were somewhat hard to read.
6. Mr. Seidenberg said he is familiar with Bolton Road. He describes the layout of the area including the number of buildings and their relative location based on his prior observations.
7. Mr. Christopher asked if there was any information as to why the applicants are trying to get a certificate of compliance on the project now.
8. Ms. Farinacci said there was a request for a certificate of compliance written in 2002.
9. Mr. Seidenberg said that some of the lots do not exist currently, and it now appears to be one giant lot on MassMapper.
10. Ms. Farinacci said there was a certificate of compliance in 2002 but it was not recorded. Therefore, the applicants had to re-issue a certificate of compliance.
11. Mr. Seidenberg said he would have no problem issuing a certificate of compliance again.

12. Mr. Christopher said of they were to come in with any other project within a resource area, they would have to file with the conservation commission.
13. Mr. Seidenberg made the motion to issue a certificate of compliance for Bolton Road – Atherton Bridge Development Co.- 193-70 and Co. – 193-69. It was seconded by Mr. Lavallee. There was no further discussion.

Roll Vote: Mr. Seidenberg yes, Mr. Chaisson yes, Mr. Lavallee yes, Mr. Jackson yes, Mr. McGregor yes, Mr. Christopher yes.

14. Mr. Christopher briefly discussed 201 Hill Top Road. He said there have been a couple meetings with the environmental consultant to come up with a plan to be reviewed by the commission. He said this was scheduled for the next meeting, but they need more time, so they will postpone this for a few more meetings.
15. Ms. Farinacci said there were meeting minutes to approve but they will be moved to the next agenda because the commission had not had time to review them yet.
16. Mr. Seidenberg made a motion to adjourn the meeting, and this was seconded by Mr. Chaisson.
17. Mr. Lavallee reminded the commission to look at the notice of intent for 35 Fire Road 7.
18. Mr. Christopher said that he has asked Mr. Benoit to file an amended notice of intent almost two months ago. He was going to have to notify the abutters again.
19. Mr. Seidenberg said that he would be inclined to continue the hearing again. Discussion ensued.
20. Mr. Christopher said he did not want the commission to get in the way of a satisfactory outcome just because the applicant did not request a continuance. Discussion ensued.
21. Mr. Lavallee said that the commission should vote to continue the hearing.
22. Ms. Farinacci said that the applicants can send a signed request for a continuance the following day and this would be appropriate.
23. Mr. Seidenberg made the motion to continue the hearing for 201 Hill Top Road to August 23rd. Mr. Christopher called a roll vote.

Roll Vote: Mr. Seidenberg yes, Mr. Chaisson yes, Mr. Lavallee yes, Mr. Jackson yes, Mr. McGregor yes, Mr. Christopher yes.

24. Mr. Christopher said there will need to be an addition meeting on Tuesday for an executive session for the Donald Smith Malanson project. He said this is time sensitive. They will need to dismiss the enforcement order, and this will eliminate a lawsuit against the commission. He said the only item on the agenda will be the Melanson project.
25. Mr. Seidenberg made the motion to adjourn the meeting, and this was seconded by Mr. Jackson.
26. Mr. Lavallee reminded the commission that they needed to vote to close the hearing.

Roll Vote: Mr. Seidenberg yes, Mr. Chaisson yes, Mr. Lavallee yes, Mr. Jackson yes, Mr. McGregor yes, Mr. Christopher yes.

The meeting was adjourned at 7:35 PM.

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