

TOWN OF LANCASTER
CONSERVATION COMMISSION
Prescott Building, Nashaway Meeting Room
January 22, 2019

Members Present: Chairman Nate Stevens, Tom Christopher, James Lavallee, Don Chaisson, Bonnie Mae Smith, Shawn Corbett, and Thomas Seidenberg

Also Present: David Koonce, Conservation Agent

List of Documents:

- Conservation Commission Agenda for January 22, 2019
- W.P. Spratt Corp Request for Determination of Applicability (RDA) with photos
- Notice of Right-of-Refusal 26 Runaway Brook Road

There being a quorum present, Chairman Stevens called the meeting to order at 7:00 PM.

Public Hearing – Request for Determination of Applicability; W.P. Spratt Corp.; 290 Langen Road (After-the-Fact filing)

Present: Bill Spratt, Applicant

Conservation Agent David Koonce explained that he had been alerted by a neighbor to activity in the 100-foot Buffer Zone on the site. He said he been to the site, which is used as a parking area for public school buses, a couple of times with the Applicant, who told him that the top of the slope along the southern perimeter of the parking area had recently been damaged in one place by a school bus backing up a little bit too far over the edge, and the damage had been repaired with 4"- 6" diameter crushed stone put in place with an excavator. Agent Koonce stated that there is an extensive area of wetlands at the bottom of the slope and the work was done in the 100-foot Buffer Zone, so it should have been approved in advance by the Conservation Commission. He also said that, surprisingly, he didn't see any problems with soil erosion where the work was done, but did observe some minor erosion at a couple of other locations on the slope along the entire length of the parking area, with no significant impact to the wetlands.

Mr. Spratt agreed with Agent Koonce's account of the history of this matter. He said the slope damage needed to be repaired quickly in order to keep it from worsening, but he did not think to ask the Conservation Commission for approval and in any case did not intend to deliberately ignore the Conservation Commission's rules and regulations.

Some Commission members expressed concern for the potential impact of an accidental spill during re-fueling of the school buses, but consensus among Commission members was this issue is outside the scope of the current RDA.

Agent Koonce recommended a Negative Determination of Applicability and suggested the Commission include in the Negative Determination approval of future slope maintenance and repair work as needed, with the Condition that erosion control be installed, and the Applicant notify him to inspect it, prior to the start of the work.

At 7:21 PM James Lavallee made a motion to close the hearing. Don Chaisson seconded the motion. No discussion. VOTE: 7-0-0.

At 7:22 PM James Lavallee made a motion to issue a Negative Determination of Applicability, to include approval of future slope maintenance and repair work as needed, with the Condition that erosion control be installed, and inspected by the Agent, prior to the start of work. Bonnie Mae Smith seconded the motion. No discussion. VOTE: 7-0-0.

New Business - Time is being reserved for topics that the Chair did not reasonably anticipate to be discussed.

- Right-of-Refusal 26 Runaway Brook Road

Agent Koonce explained that the Town has just been notified of the signing of a Purchase and Sale Agreement for the property at 26 Runaway Brook Road, a 5-acre parcel of undeveloped land. The property is subject to the provisions of MGL Chapter 61A, so the Town has the right Right-of-Refusal on the property, i.e. the right to buy it for the same price as quoted in the Purchase and Sale Agreement, which is \$150,000. Mr. Koonce said the property doesn't have exceptional conservation value and recommended the Town waive its Right-of-Refusal.

At 7:28 PM James Lavallee made a motion that the Conservation Commission recommend the Town waive its Right-of-Refusal on 26 Runaway Brook Road. Bonnie Mae Smith seconded the motion. No discussion. VOTE: 7-0-0.

Adjourn

At 7:31 PM Tom Christopher made a motion to adjourn the meeting. Don Chaisson seconded the motion. No discussion. VOTE: 7-0-0. The meeting was adjourned at 7:32 PM.

Respectfully submitted,
David Koonce, Conservation Agent