

TOWN OF LANCASTER  
CONSERVATION COMMISSION  
Prescott Building, Nashaway Meeting Room  
May 14, 2019

Members Present: Tom Christopher, Vice-Chair; Don Chaisson; Shawn Corbett; Thomas Seidenberg

Members Absent: Nate Stevens, James Lavallee, Bonnie Smith

Also Present: David Koonce, Conservation Agent

List of Documents:

- Conservation Commission Agenda for May 14, 2019
- Meeting Minutes of October 23, 2018 and March 12, 2019
- Zero-Point Development Request for Determination of Applicability plans, comment letter on floodplain elevation from Hayley and Ward
- Concept plan for proposed development at the corner of Fort Pond and Shirley Roads
- Comprehensive Environmental, Inc. report, dated May 7, 2019, titled Vernal Pool Assessment – Goodridge Brook Estates

There being a quorum present, Acting Chair Tom Christopher called the meeting to order at 7:05 PM.

Public Hearing – Request for Determination of Applicability (cont'd from 04/23/19); Zero-Point Development, Inc.; Old Union Turnpike

*Present: Christopher Anderson, Hannigan Engineering, representing Applicant*

Conservation Agent David Koonce reported that Scott Miller of Hayley and Ward has revised his calculation of the 100-year floodplain elevation based on additional information he received from Hannigan Engineering since the last session of the public hearing on April 23<sup>rd</sup>; Mr. Miller's new calculation of the floodplain elevation in the B-series wetland is 407.3 feet.

Christopher Anderson of Hannigan Engineering, Inc. stated his office is in agreement with Hayley and Ward's revised floodplain elevation of 407.3 feet. He said the plans have been revised accordingly and the 100-foot buffer zone to the floodplain elevation, as required by the Lancaster Wetlands Protection Bylaw, has been added to the plans.

Agent Koonce recommended a Positive Determination of Applicability for the boundary delineations for Bordering Vegetated Wetlands and 100-Year Floodplain (Bordering Land Subject to Flooding.)

**At 7:10 PM Tom Seidenberg made a motion to close the hearing. Shawn Corbett seconded the motion. No discussion. VOTE: 4-0-0.**

**At 7:11 PM Tom Seidenberg made a motion to issue a Positive Determination of Applicability for Bordering Vegetated Wetlands and 100-Year Floodplain. Shawn Corbett seconded the motion. No discussion. VOTE: 4-0-0.**

**New Business**

**Proposed storage facility and office building on Shirley Road**

Chad Branon of Fieldstone Land Consultants, PLLC, and Jamison VanDyke, representing himself, presented a conceptual development plan for 5.4 acres of vacant land at the corner of Fort Pond and Shirley Roads identified as Assessor's Map 5, Lot 54. The proposal is for mobile storage units (aka pods) with an office building, associated parking, and stormwater management infrastructure. The project has been designed to:

- Keep everything outside the 25-foot no-disturb setback from wetland resource areas per the Town of Lancaster Wetlands Protection Bylaw;
- Provide maximum buffering to the adjacent residential neighborhood;
- Maximize line-of-sight distances for the proposed entrance/exit on Fort Pond Road.

Agent Koonce stated that no difficult issues with the proposed development were immediately apparent to him on the concept plan. He said the wetland delineation and proposed stormwater management system would have to be peer reviewed by the Conservation Commission's consultant. Commission members had some general questions, but consensus was that the Commission could approve the proposed plan.

**Conservation Commission comments to ZBA on CEI GBE vernal pool assessment and additional environmental analysis**

Agent Koonce reported that Comprehensive Environmental, Inc. (CEI), working for the Board of Appeals (BOA), has found a significant vernal pool on the site of the proposed Goodridge Brook Estates (GBE) Chapter 40B project; CEI has submitted a report on their findings to the BOA for the public record of the Comprehensive Permit hearing. Mr. Koonce gave a copy of the CEI report, titled Vernal Pool Assessment – Goodridge Brook Estates, to Commissioners for their review.

Agent Koonce advised Commissioners that the vernal pool is actually located in a 524-foot section of an intermittent stream, and that 200 feet on either side of intermittent streams, known as "Riverfront Area", is regulated under the Lancaster Wetlands Protection Bylaw, with the requirement for an "Alternatives Analysis" showing there is no "practicable" development with less adverse impact to the Riverfront Area than the proposed project. He recommended the Commission send a letter to the Board of Appeals requesting the BOA to require GBE to comply with the Lancaster Wetlands Protection Bylaw, in particular the Performance Standards for the Riverfront Area.

Members of the Commission and the audience asked questions of Agent Koonce regarding the Lancaster Wetlands Protection Bylaw as it pertains to vernal pools and Riverfront Area, and the corresponding differences in protections between the Bylaw and the Massachusetts Wetlands Protection Act for those resource areas.

**At 8:15 PM Don Chaisson made a motion to authorize the Conservation Agent to draft a letter on behalf of the Commission, to be signed by Chairman Stevens, requesting the Board of Appeals require the Goodridge Brook Estates Applicant to comply with all applicable**

provisions of the Lancaster Wetlands Protection Bylaw including, but not limited to, the 25-foot no-disturb setback from wetland resource areas, and requirements for the 200-foot Riverfront Area. Tom Seidenberg seconded the motion. No discussion. VOTE: 4-0-0.

**Items for Approval and/or Signature**

Meeting Minutes of March 12, 2019

**At 8:20 PM Don Chaisson made a motion to approve the minutes of March 12, 2019. Shawn Corbett seconded the motion. No discussion. VOTE: 4-0-0.**

Extension to Order of Conditions 193-0526 (0 Colony Lane) and Certificate of Compliance 193-0549 (MECO 225W1 Feeder Relocation Project)

Agent Koonce reminded the Commission that Order of Conditions 193-0526 approved the construction of a new house, associated septic system, and driveway crossing through wetlands. The wetland replication area has been created, but he hasn't done a site visit yet to inspect it; as far as he knows construction of the house hasn't started yet, and he did not know the status of the septic system. He recommended the Commission grant a three-year extension to the Order of Conditions.

Agent Koonce also reported that Massachusetts Electric Company (aka National Grid) has completed all work on the relocation of the 225W1 feeder line from Seven Bridge Road (Route 117) to Center Bridge Road approved by Order of Conditions 193-0549. He has inspected the site and recommends the Commission issue the Certificate of Compliance.

**At 8:32 PM Don Chaisson made a motion to approve the Extension to Order of Conditions 193-0526 and Certificate of Compliance for Order of Conditions 193-0549. Shawn Corbett seconded the motion. No discussion. VOTE: 4-0-0.**

Adjourn

**At 8:33 PM Shawn Corbett made a motion to adjourn the meeting. Don Chaisson seconded the motion. No discussion. VOTE: 4-0-0. The meeting was adjourned at 8:34 PM.**

Respectfully submitted,  
David Koonce, Conservation Agent