

Leominster Conservation Commission
Meeting Minutes
February 28, 2023
6:00 PM

Chuck Raymond (Chair), Richard Gullick, Mike Cichy, Stephanie Quinlan, Bob Sicard, and Ken Ridlon present.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing on a Notice of Intent for the installation of a gas main in the riverfront area and beneath Monoosnoc Brook. Address roadway between 508 and 592 West Street, Map and Parcel N/A. DEP File #199-1170.

This hearing was moved to the top of the agenda to accommodate certain commissioners that had to leave early.

Carolyn Gorss from BSC Group presented on behalf of the Boston Gas Company. Ms. Gorss explained the need to replace the aging, cast-iron gas pipe currently running along the side of the bridge over Monoosnoc Brook with updated pipe made of PPL plastic to be installed via horizontal directional drilling (HDD) underneath the brook and separate from the bridge. Ms. Gorss mentioned that many utilities across Massachusetts are utilizing HDD in updating their projects. The limit of work will take place entirely within the existing roadway with the appropriate erosion controls in place before work begins.

Commissioner Ridlon expressed concerns with the drilling method. He questioned the procedure of drilling, the materials used during the process (bentonite, surfactants, and polymer materials), and presence of an environmental inspector at key points throughout drilling or in the event of an emergency.

Mr. Ridlon made a motion to continue the hearing until 3/14/23. Ms. Quinlan seconded. Motion passed 6-0.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing on a Notice of Intent for tree removal, construction of a coop, and associated machine work. Address 445 North Street, Map and Parcel 289-1. DEP File # not yet assigned.

The homeowner, Phil Simoes, presented the project and its history.

Mr. Simoes stated that he and his wife had purchased the property several years ago and had been in touch with the previous conservation agent, Angela Schofield, about the nearby wetlands and the exemptions to filing for wetland permits. Mr. Simoes reported that Ms. Schofield informed him that the work he proposed to do fell under an exemption to NOI filing and Mr. Simoes proceeded to hire a landscape company to do the work. Mr. Simoes said he was not told that use of heavy machinery in the buffer would require an NOI filing. Mr. Simoes was told by the previous agent that removal of a concrete pad on site would have required an NOI, so Mr. Simoes decided to leave it and utilize it as a base for a chicken coop, which is now built and populated with chickens. It was at this time that the agent was contacted by a city employee and Mr. Simoes and paid a visit to the property. Upon the visit, the agent told Mr. Simoes to put in erosion controls along the intermittent stream running through the yard. Since the work being done was a few days from completion and the site was already disturbed, the agent advised Mr. Simoes to have the landscapers finish their work and spread grass seed to stabilize the site but that he must follow up with an NOI for the work already done and any additional work in the buffer zone, which brings us to this hearing.

There was some back and forth between the Commission and Mr. Simoes about the details of the site and project. It was eventually decided that the Commission would continue the hearing until the next meeting and hold a site visit in the meantime to get a better understanding of the situation.

Dr. Gullick made a motion to continue the hearing until 3/14/23. Mr. Ridlon seconded. Motion passed 6-0.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing on a Notice of Intent for the construction of a single-family home and associated site work in the riverfront area. Address 99 Granite Street, Map and Parcel 542-9. DEP File # not yet assigned.

Bill Hannigan of Hannigan Engineering presented on the project. The same site plan was submitted in an NOI back in 2019 and was granted an order of conditions but the project stalled and has since lapsed so the same project is being resubmitted.

Mr. Hannigan described how the limit of tree clearing, part of the house, and the foundation drain cross into the 200 foot riverfront area. All of the work is outside of the 100-foot buffer zone. Because of the shape of the lot and the required clearances, the house must sit as far back as it does into the riverfront area.

Mrs. Quinlan asked about a discrepancy in the exact amount of riverfront area shown on the NOI form and that shown on the site plan. Mr. Hannigan could not confirm which was the correct number and had to check back with the engineer, Chris Anderson.

Because no DEP file number had been issued and Mr. Hannigan had to check back on the square footage of riverfront disturbance, it was suggested that the hearing be continued.

Mr. Ridlon made a motion to continue the hearing until 3/14/23. Mr. Cichy seconded. The motion passed 6-0.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing on a Notice of Intent for a warehouse addition to an existing business and associated sitework in the buffer zone. Address 8 Mohawk Drive, Map and Parcel 232-3A, 232-6, 232-8, 232-9, and 232-10. DEP File #199-1169.

John Collette and Wes Flis of Hayley Ward representing TC Realty LLC presented on the project. Mr. Colette described the details of the proposed expansion and stormwater basin. The wetlands on site were described as deep cut channels with intermittent streams about 10 feet below their tops.

There was some discussion on the basin and several other details. On the basin, Mr. Flis noted the suitability of the native soils for drainage, although much fill material will need to be trucked in to raise the land to the level of the current warehouse and parking lot. Mr. Flis explained that the property owner would be responsible for maintenance of the basin and that a maintenance plan was included in the stormwater report.

Mr. Ridlon made a motion to approve the order of conditions. Dr. Gullick seconded the motion. The motion passed 6-0.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing for a Request for Determination of Applicability for the installation of a water connection to an existing house in the buffer zone. Address 61 Lowe Street, Map and Parcel 488-2.

Anthony Cleaves of Hayley Ward presented the project. Mr. Cleaves explained that due to the shared family history of the two houses, 61 Lowe Street's water ran through 73 Lowe Street with no direct

connection to municipal water. Because ownership of the house is changing, 61 Lowe needs to excavate a trench within the buffer zone to provide a direct connection to the water main on Lowe Street.

Mrs. Quinlan made a motion to find a negative 2 determination. Mr. Ridlon seconded. The motion passed 6-0.

Pursuant to MGL CH 131 § 40, Massachusetts Wetlands Protection Act, the Leominster Conservation Commission will hold a Public Hearing on a Notice of Intent for the removal of an in-ground pool. Address 11 Wildflower Rd, Map and Parcel 563-34. DEP File # not yet issued.

There was no new discussion on this project but it was decided to be continued due to the absence of a file number.

Mr. Ridlon made a motion to continue the hearing until 3/14/23. Mrs. Quinlan seconded the motion. Motion passed 6-0.

Enforcement – 1771 Lock Drive

Matt Marro discussed the recent history of the replication project. He presented the final plan for the replication showing the original limit of pavement with the existing access between the buildings loomed and seeded with several tree plantings along the warehouse. The area out back is proposed to be loomed and seeded with tree plantings as well (pine and flowering dogwood). Work on this replication is slated to begin this spring 2023 as soon as the weather breaks.

The Commission voiced their general approval for the replication and requested to be kept in the loop as the project progresses.

Vernal pool hike

Mr. Kremp briefly plugged the next hike for the public on March 19 at Lincoln Woods Wildlife Sanctuary.

Certificate of Compliance - 546 Prospect St, DEP File #199-650

Mr. Kremp explained the history of the property as it appeared from paperwork on file. The original NOI received a denial order which was superseded by an order of conditions from DEP. Basically, it was an older permit which has carried on through several owners and is now finally getting closed out due to an ongoing sale.

Mr. Ridlon made a motion to approve the complete certificate of compliance. Mr. Cichy seconded. Motion passed 6-0.

Meeting Minutes – Seeking new clerk

Mr. Kremp explained that the previous part-time clerk who was preparing the meeting minutes for the Commission but will no longer be able to do so. The City Clerk confirmed that the agent can be contracted to type the minutes so Mr. Kremp will be working through the backlog and doing minutes going forward.

Enforcement - 43 Stagecoach Rd

Mr. Kremp explained that he had spoken with the property owner several months ago about constructing two houses. Part of the work area included the buffer zone to a wetland in the back of the lot. Mr. Kremp had pointed out landmarks in the field to help delineate this boundary, in particular a shed located approximately 100-feet from the wetland edge. Mr. Kremp drove by around mid-February and saw what appeared to be machine work in the buffer zone. He has since been in touch with the landowner and is

scheduled to meet him on site to discuss NOI filing before the next meeting. This site visit will be summarized at the next meeting 3/14/23.

Enforcement - 429 Mechanic St

Mr. Kremp explained that the property management company had removed the footbridge he had asked be removed, but the nearby riding mower remained. He will be reaching back out to them to have that removed as well before it falls into the stream.

Wetland Ordinance – Open discussion on ordinance planning

There was some discussion on MACC's model bylaw and which city's ordinances we should research in developing our own.

Adjournment

Mr. Ridlon made a motion to end the meeting, Mrs. Quinlan seconded. Motion passed 6-0.