



**Kelley Freda**  
Chairperson

**CONSERVATION COMMISSION**  
*City of Leominster, Massachusetts*

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**Leominster Conservation Commission**  
**PUBLIC MEETING LEOMINSTER**  
25 West St, Room 10  
March 10, 2015 7PM  
Meeting Minutes

**I. In attendance:**

Kelley Freda - <b>Chairperson</b>	Conservation Agent / Environmental Inspector - Joanne M DiNardo
Daniel Brodeur	
Larry Gianakis, Jr.	
Julia McKinney, absent	
Scott Pearson	

**II. The meeting is opened at 7:00 p.m.**

**III. Hearings**

A public hearing was opened to consider a Request for Determination by CSX, to confirm the boundaries of wetlands in preparation of a new Vegetation Management Plan within the railroad Right-of-way (ROW) for use in the years 2015-2019. The proposed work does not fall within any wetland resource areas. No herbicides will be used in the sections of ROW that fall within 10 feet of wetlands. Sections of the ROW within 100 feet of wetlands and 200 feet of perennial streams will be limited to one application per year. Some of work will take place in the 50-foot buffer zone. Address CSX Right-of-Way.

1. Joanne DiNardo speaks about the project. It is a standard application and the applicants are getting ready to do their next 5-year plan. Joanne compared delineations this plan to the past plan (2009) and there are no changes. The proposed work does not fall within any wetland resource areas. No herbicides will be used in the sections of ROW that fall within 10 feet of wetlands. Sections of the ROW within 100 feet of wetlands and 200 feet of perennial streams will be limited to one application per year.
2. Joanne offers recommendations to issue a negative five with the following conditions:
  - a. Boundaries have been confirmed and everything has been flagged in the field.
  - b. The final 5-year vegetation plan will be submitted to the Conservation Commission prior to the start of work.
  - c. No work will take place in the wetlands.
  - d. No spray within 10-feet of the wetlands.
  - e. Limited spray within 100-feet of the wetlands.
  - f. Vegetation management on right-of-ways is exempt under 310-CMR 10-3. Exempt activities are:
    - i. 310-CMR 10.036b
    - ii. 310-CMR 10.05a2
    - iii. 310-CMR 10.586a – Some of the work is grandfathered and public safety work is exempt.
3. Kelley Freda asks the Commission if they have any questions. There are none.
4. Freda asks does anyone in the audience wish to speak on this hearing. She asks three times. No one comes forward.
5. Freda makes a recommendation. If we have an intern this summer could DiNardo please have that intern go out and do verifications on the delineations. Mr Gianakis stated that in the past they have done site walks with the wetland scientist to verify the wetland flagging. Ms DiNardo stated that the new plan is 10 times better than the previous plans due to the use if GIS.

6. Pearson asks if they will notify DiNardo before they start. DiNardo says yes.
7. Freda asks if there are any objections to close the public hearing. There are none. The public hearing is closed at 7:08pm.
8. Larry Gianakis Jr. makes a motion to issue a negative five with DiNardo's recommendations and comments. Seconded by Scott Pearson.
9. The motion is unanimously approved by the Commission.

A public hearing was opened for a Notice of Intent by the Lake Samoset Property Owner's Association for an aquatic Management Program at Lake Samoset to control nuisance and non-native plant and algae growth with aquatic herbicides, algaecides, and other BMP's. Address: Lake Samoset, Assessors Map 477, 471 – 1/A. DEP 199-1009

1. Marc Bellaud, President/Aquatic Biologist, Aquatic Control Technology, and Matthew Salem represent the project which is an aquatic Management Program at Lake Samoset to control nuisance and non-native plant and algae growth.
2. Mark speaks of a product called 2,4-D which is the most selective herbicide for managing milfoil. This product is specific to dicots. The treatment is a 1-day application. The area was last treated in 2012 (a split-application was done). After treatment, plants die out within 2-3 weeks.
3. Freda asks the Commission if they have any questions.
4. Gianakis asks for a map that depicts the wildlife protection areas; raised stumps, cattails etc. Bellaud asks if he can do an assessment prior to treatment and then use that map to mark out the treatment areas. Gianakis likes that idea. Freda offers that this should be made a condition.
5. Freda asks does anyone in the audience wish to speak on this hearing.
6. Mr. Pete Lanza, steps forward. He spoke highly of Bellaud and his plan/product. He offers to complete the survey with Bellaud. He said he has been involved with care of Lake Samoset for many years. The good health of the lake is a direct result of his many years of dedication.
7. Freda asks does anyone in the audience wish to speak on this hearing. She asks three times. No one additional steps forward.
8. There is discussion about the lack of a DEP file number. Comments are coming back from DEP Natural Heritage prior to a DEP number being assigned. There is discussion about a continuance so that a DEP file number may be established.
9. Freda asks if there are any objections to close the public hearing. There are none. The public hearing is closed at 7:24pm.
10. Pearson makes a motion to continue the hearing for the Lake Samoset Property Owner's Association for an aquatic Management Program at Lake Samoset continuing DEP and National Heritage findings until March 24, 2015. Seconded by Gianakis. The motion is unanimously approved by the Commission.

#### **IV. Regular Meeting**

1. Call to Order
2. Enforcement
  - a. 554 Willard/22 Jytek, there is no new information but DiNardo is in communication with the property owner.
3. Communications, there are none at this time.
4. Minutes
  - a. February 10, 2015. Pearson makes a motion to accept the Feb 10, 2015 minutes as presented. Brodeur seconds the motion. The motion is unanimously approved by the Commission.
5. Old Business, there is none at this time.
6. New Business, there is none at this time.
7. Certificate of Compliance, there are none at this time.
8. Extension Permits
  - a. Lake Samoset Management Plan – DEP 199-414
    - i. Ed Himlan (Executive Director of the Massachusetts Watershed Coalition) presents the Lake Samoset Management Plan. He is looking for an extension to the 2011 Management Plan. They use this plan to address: stormwater, work on the dam, road repairs, etc.
    - ii. Over the past 20 years the lake ecosystem has improved using this Management Plan.
    - iii. They have been eliminating the use of sand on the park land.
    - iv. They have been trying to maintain a healthy ecosystem on the lake.
    - v. DiNardo asks how is the turtle habitat. Mr Lanza explains that they have seen a decline of the painted turtles. They do have six species on the lake which is very unusual. The wildlife habitat is thriving. Mr Lanza offered site walks to anyone interested.
    - vi. Freda asks if any of the Commissioners have any questions.
    - vii. Freda asks if anyone in the audience has any questions. Three times. No one comes forward.

- viii. Brodeur makes a motion to issue the extension permit for Lake Samoset Management Plan for 199-414 for three years. Pearson seconds the motion. It is unanimously approved by the Commission.

b. 1275 Central Street – DEP 199-849

Freda reads the following letter dated February 27, 2015 into the record:

*As the Commission is aware, the work at 1275 Central Street is being done in accord with a plan for the development of the site. This plan is the subject of an Order of Conditions issued on June 21, 2007 and recorded at the Northern Worcester County Registry of Deeds in Book 6506: Page 28. A three year extension was granted and recorded in Book: 7198 ,Page 360 on June 23, 2013.*

*As the Commission is also aware the Detention Basin for Lot #1 and 2 are fully completed. By this letter we respectfully request that the Commission Grant: A Three Year Extension to the Orders of Conditions.*

*Signed Daniel J. McCarty, McCarty Associates*

- i. This is being resubmitted so that they can continue.
  - ii. DiNardo says everything is in order and she is comfortable recommending a three year extension to the order of conditions. She reported that she and Marco have visited the site and everything is in order. The Jehovah Witness Church was recently constructed on half of the site. A stormwater treatment practices are in place and stable. No erosion or runoff is leaving the site.
  - iii. Gianakis makes a motion to issue a three year extension to the order of conditions for 1275 Central Street – DEP 199-849. Pearson seconds the motion. It is unanimously approved by the Commission.
9. Emergency Certifications, there are none at this time.
  10. Agent's Report, there is not one at this time. DiNardo does make mention of a survey that is on-line for Sholan Farms as well as their development of a Master Plan.
  11. Sign Papers
  12. DOA, NOI
  13. Chairman's Report, there is not one at this time. Freda introduces Marco Bangrazi who is a student at Fitchburg State College who is currently doing and internship with the Leominster Conservation Commission.
  14. Next Meetings
  15. March 24, 2015, Deadline March 13, 2015
  16. Adjournment at 7:41 pm

Respectfully Submitted,

Sandy Pellecchia  
Scribe