



Kelley Freda
Chairperson

CONSERVATION COMMISSION

City of Leominster, Massachusetts

CITY HALL - 25 WEST STREET
LEOMINSTER, MASSACHUSETTS 01453
www.leominster-ma.gov

Joanne M DiNardo
Conservation Agent
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Leominster Conservation Commission
PUBLIC MEETING LEOMINSTER
25 West St, Room 10
January 14, 2014 - Minutes

Members Present

Kelley Freda – Chair
Scott Pearson – Vice Chair
Gregory Day
Eric Dubrule
Larry Gianakis, Jr
Julia McKinney

Members Absent

Dan Brodeur

Staff Present

Joanne M DiNardo - Conservation Agent

Ms Freda opened the meeting at 7:00PM.

Hearings - None

Continued Hearings - None

Regular Meeting

1. Call to Order
2. Enforcement
 - a. 554 Willard – Ms DiNardo stated that the pile is covered and soil testing is planned.
 - b. 22 Jytek Rd – Ms DiNardo stated that this is adjacent to the Willard Street site and owned by the same owner.
 - c. 24 Jytek Dr – Ms DiNardo stated that this is the site that had the fill removed and it was dumped on 554 Willard St. They removed an acre of fill that was adjacent to the stream and wetlands. The stream was running muddy. She has heard from the prior owner and the construction company. The Esposito Construction Company was doing the work and did call back. He stated that the owner is just adding parking. He claimed he did not know that any permits were needed. She has left a message for the new owners. It does not appear that the resource area was touched but the bufferzone has been disturbed. She reported that the non-conformance letter was sent. She stated that no one has reported what the intention or plans are for this site. The site was built under an OOC and the sewer and water for Research Drive are on this property. Ms DiNardo did refer to EPA and to Mr Bellino. This possible violation was brought to the attention of the Conservation Commission in November. The only past communication was the non-conformance letter. Ms Freda recommended that a firm letter be sent demanding that the owner attend the Feb 11 meeting. Mr Person motioned to send a letter and Mr Day seconded and the vote was unanimous. 7:25
 - d. 30 Theresa Drive – Ms DiNardo explained that the possible violations had been brought to her attention by a neighbor. Upon investigating she was told by Mr Kelly, home owner that he had initially spoke to Mr Gianakis who informed him to call Ms DiNardo to review his plans. Further review of old records and a review of GIS does show that this is Isolated Land Subject to Flooding. His house was initially built under DEP 199-652. There was an addition added to the house and they did bring this to the Conservation Commission but the actual work The Enforcement Order was issued at the last meeting. Mr Kelly does want to restore the area and is looking for guidance from the Conservation Commission. Mr Kelly stated he was cleaning out the dead trees that were lying in the wetlands. He was tying a rope to the trees and pulling them out. Many of the trees were damaged by the ice storm. He did take down a lot of stuff for safety reasons. He did not have a plan but just wanted to clean up the area. There are still a lot of tree that are dying around the house. He is not excavating. He did have some of the stumps ground up. Most of the work was done by him.

Ms DiNardo stated that she has been to the site. She did take pictures from the street and the neighbor's yard. It appears that there is no vegetation along the edge of the wetlands or in the wetlands. There is very slight slope and the entire area is very wet with high ground water.

Mr Kelly did put fill along the wetland area. His intent was to just fill in along his lawn. Mr Pearson stated that he would like to conduct a site walk before making any determination. Ms Freda stated that she would like to wait until spring to observe if the vegetation does come back. Mr Kelly stated that the remaining trees are small. He stated that there is a tree that a branch fell off in the high winds. Ms Freda stated that he should not take any additional trees down. Any further work must be presented to the Commission. Mr Gianakis stated that it might be advisable to seek an opinion from an Arborist.

Mr Kelly stated that it appears that the water is not moving and there is standing water. Ms DiNardo stated that she would contact Mosquito Control to ask them to look at the channel that feeds Fall Brook. Mr Kelly wants a more defined water line. He did remove grass around the edge.

Ms Freda summarized that the agreement at this point is that there will be no further work. Mr Kelly also expressed a desire to place a fence along the wetlands. Ms DiNardo explained that this should require a filing. Mr Kelly stated that they do find a lot of nice wildlife; frogs, salamanders, rabbits etc. It is a great wildlife resource area and they do want to improve it.

Ms Freda stated that once spring arrives then the Conservation Commission will conduct a site walk. Mr Kelly asked if he could remove more debris and branches. Mr Kelly will contact Ms DiNardo before any additional work takes place.

7:16PM

3. Communications

- a. Planning Board – Site Plan Approval for 369 Nashua St. An 11' by 26' (286 sf) pad being added. Ms DiNardo stated that the addition would be inside the fenced area that is currently stoned and disturbed. Ms DiNardo stated that the plan just came in today so she did not have time to review the plan or the history of the site. It appears that the work is in the flood plain. Ms DiNardo stated that there is a lot of work to move the propane tank and add conduit. She stated that she did not have time to review the site. The meeting date is Feb 4. Ms Freda stated that Ms DiNardo should send a response that more time is needed or after her review to send appropriate comments.

4. Minutes

- a. Minutes December 10, 2013 Ms McKinney motioned to accept the meeting minutes, Mr Gianakis seconded and the vote was unanimous.

5. Old Business – No Old Business

6. Sign Papers – as appropriate

7. New Business – No new business

8. Certificate of Compliance 7:30

- a. 199-923 – Jungle Road Wellfields -2010 – Ms Freda read the letter from Woodward & Curran dated 12-30-2013 into the records as attached. Ms DiNardo stated that she has been to the site and all is very stable and recommends a Certificate of Compliance with ongoing conditions of G1,G2 & G3. Scott Pearson motioned for a Certificate of Compliance, Gregory Day seconded and the vote was unanimous.
- b. 199-924 – Notown Water Treatment – 2010 – Ms Freda read the letter from Woodward & Curran dated 12-30-2013 into the records (see attached). Ms DiNardo stated that she has been to the site and all is very stable and recommends a Certificate of Compliance with ongoing conditions of G1,G2 & G3. Scott Pearson motioned for a Certificate of Compliance and Julia McKinney seconded the vote was unanimous
- c. 199-940 – Notown Water Treatment Plant – 2010 – Ms Freda read the letter into the records as attached. from Woodward & Curran dated 12-30-2013 into the records as attached. Several modifications were listed. Mr Day expressed concern that the access road and parking lot off of Rte 2 is not in good condition. A discussion ensued regarding the scope of work and this was not part of the scope. Mr Day stated he had asked that the parking lot be stabilized during construction. Mr Gianakis commented that this cannot get to the resource area due to the treatment plant, loading dock and topology. Ms DiNardo commented that the site is stable with regards to the extent of work that was approved. Ms Freda stated that it was not part of this project but it should be addressed. She recommended a letter be sent to the DPW. Mr Day expressed concern that the parking lot and driveway should be addressed. He stated that even grading the parking lot would be an improvement. Mr Gianakis expressed concern that there were a lot of deviations that did not come before the Commission. Ms DiNardo commented that she met with them on a regular basis and all deviations were reviewed weekly. She stated that in the future there should be bi-weekly reports. This site was under consent order and many of the changes would have held up the project unnecessarily.

Ms DiNardo recommended a Certificate of Compliance and stated that the site is stable. Mr Gianakis motioned for the Certificate of Compliance and Mr Pearson seconded. The vote was unanimous.

7:45

Gregory Day motioned to send a letter to Ray Racine, DPW to ask that the condition of the Parking Lot and Driveway be addressed. Ms DiNardo stated it is listed as 300 Route 2. The request is to ask the DPW to look into making improvements to stabilize the parking lot area that is located at 300 Route 2.

- d. 199-534 – 27 Wachusett St – 1996 – Ms Freda read the attached letter from McCarty Engineering and dated Jan 6, 2014. Ms DiNardo stated that this is a house that was built in 1996 and the site is very stable. The paper work was never submitted for a Certificate of Compliance. Ms DiNardo recommended a Certificate of Compliance. Mr Gianakis recommended that all of the lots should be addressed and that the property owners should be notified now to avoid this from happening in the future. Ms DiNardo stated that she is looking at the other lots. Ms Freda stated that the COC is required when the work is finished. Gregory Day motioned for a Certificate of Compliance, Mr Gianakis seconded and the vote was unanimous.

9. Extension Permit - None

10. Emergency Certifications - None

11. Agent's Report - None

12. Chairman's Report

- a. Annual conflict of interest refresher is due now.

- b. Next Meetings January 28, 2014, Deadline Jan 17 , Ms DiNardo recommended that if nothing comes in by Friday then the meeting can be canceled.

- c. February 11 and February 25

13. Adjournment – Meeting adjourned at 7:53PM

COMMITMENT & INTEGRITY
DRIVE RESULTS

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December 30, 2013

Ms. Joanne DiNardo
Conservation Commission
Leominster City Hall
25 West Street
Leominster, MA 01453

Re: Plant Upgrades – South East Wellfield Water Treatment Plant
MassDEP File #199-0923
Order of Conditions - Statement of Substantial Compliance

Dear Ms. DiNardo:

In accordance with the Massachusetts Department of Environmental Protection, Bureau of Resource Protection – Wetlands regulations, I am writing to inform you that as the Registered Professional Engineer of record for the construction of the above referenced project, I hereby certify to the best of my knowledge the project has been completed in substantial compliance of the approved order of conditions issued on August 10, 2010 and there were no known significant deviations with the original design plans. Attached is copy of the project record drawings.

If you have any questions or need additional information, please do not hesitate to call me at 978.557.8150.

SINCERELY,

WOODARD & CURRAN INC.

A handwritten signature in cursive script that reads "James F. Finegan".

James F. Finegan, P.E.
Associate

JPB/jpb

Enclosure

cc: Raymond Racine, Leominster DPW
Stephen Mallat, Veolia Water

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December 30, 2013

Ms. Joanne DiNardo
Conservation Commission
Leominster City Hall
25 West Street
Leominster, MA 01453

Re: Plant Upgrades - Notown Water Treatment Plant
MassDEP File #199-0924
Order of Conditions - Statement of Substantial Compliance

Dear Ms. DiNardo:

In accordance with the Massachusetts Department of Environmental Protection, Bureau of Resource Protection – Wetlands regulations, I am writing to inform you that as the Registered Professional Engineer of record for the construction of the above referenced project, I hereby certify to the best of my knowledge the project has been completed in substantial compliance of the approved order of conditions issued on August 10, 2010 and there were no known significant deviations with the original design plans. Attached is a set of the project record drawings.

If you have any questions or need additional information, please do not hesitate to call me at 978.557.8150.

SINCERELY,

WOODARD & CURRAN INC.

James F. Finegan, P.E.
Associate

JPB/jpb

Enclosure

cc: Raymond Racine, Leominster DPW
Stephen Mallat, Veolia Water

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December 30, 2013

Ms. Joanne DiNardo
Conservation Commission
Leominster City Hall
25 West Street
Leominster, MA 01453

Re: Distribution System Upgrades - Notown Water Treatment Plant (WTP)
MassDEP File #199-0940
Order of Conditions - Statement of Substantial Compliance

Dear Ms. DiNardo:

In accordance with the Massachusetts Department of Environmental Protection, Bureau of Resource Protection – Wetlands regulations, I am writing to inform you that as the Registered Professional Engineer of record for the construction of the above referenced project, I hereby certify to the best of my knowledge the project has been completed in substantial compliance of the approved order of conditions issued on February 8, 2011. The following are known minor deviations from the proposed construction plans:

- Implemented minor modifications to the access road from WTP Meter Building towards brook crossing to provide improved access to new water and residuals mains along Monoosonoc Brook.
 - Rebuilt and reinforced several sections of the existing stone retaining wall along the edge of the existing access way which were in need of repair. The wall was rebuilt to ensure long-term support for the water and residuals mains. In addition, several of the existing drain pipes that crossed the access road and through the wall were found to be severely deteriorated and were replaced.
 - Graded a wider access road around the WTP Meter Building (away from the brook) to improve vehicular access for maintenance of the pipeline.
- Implemented minor modifications to the grading from Monoosonoc Brook crossing area up to Monoosonoc Hill water tank. The modifications and rationale are:
 - Graded a mid-slope berm to delineate exact location of new 24" ductile iron water main. This berm also provides better vehicle access to the pipeline and to an eccentric outlet hydrant which must be operated on a routine basis by the Leominster Water Department to clean the water main of any sediment from the WTP to the water storage tank.
 - Installed a new rip rap lined drainage swale connecting the water tank overflow pipe area to the existing roadway drainage swale. The water tank overflow pipe requires a 2-foot air gap between the outlet and catch basin below. Prior to this change, when the tank overflowed, the overflow waters would not completely end up in the catch basin below and erode the surrounding soils.



There were no other known significant deviations with the original design plans. Attached is a set of the project record drawings. If you have any questions or need additional information, please do not hesitate to call me at 978.557.8150.

SINCERELY,

WOODARD & CURRAN INC.

A handwritten signature in cursive script, appearing to read "James F. Finegan".

James F. Finegan, P.E.
Associate

JPB/jpb

Enclosure

cc: Raymond Racine, Leominster DPW
Stephen Mallat, Veolia Water



Leominster Conservation Commission
25 West Street
Leominster, Ma 01453

January 6, 2014

RE: File 199-534

Dear Ms. DiNardo,

Thank you for taking the time to discuss File Number 199 – 534. The project consisted on ANR Frontage Lots at Pleasant Street and Wachusett Street on land owned by Winthrop Mayo, Jr. The Orders were recorded in Book 02947 Page 128 on December 11, 1996.

We recently received a call from Attorney Mark Scheirer representing Debbie and Mark Lefebvre, 27 Wachusett Street, asking our assistance in obtaining a Certificate of Compliance.

The Orders relate to the stream that runs westerly to easterly near the rear boundary of the Wachusett Street Lots and crosses under Pleasant Street, as shown on the ANR Plan.

I am very familiar with the area and have verified that all of the Lots have homes constructed on them, that the lawns are completed, loamed and seeded.

We ask that the Commission consider the request to issue the Certificate of Compliance in order to clear the record. A copy of the Request for Certificate of Compliance and a copy of the recorded Order are attached.

Thank you and the Commission for any consideration given this request.

Respectfully,

A handwritten signature in black ink that reads 'Daniel J. McCarty'.

Daniel McCarty
Consultant