



**Kelley Freda**  
Chairperson

# CONSERVATION COMMISSION

*City of Leominster, Massachusetts*

CITY HALL - 25 WEST STREET  
LEOMINSTER, MASSACHUSETTS 01453  
[www.leominster-ma.gov](http://www.leominster-ma.gov)

telephone (978) 534-7524 facsimile (978) 840-8034

**Joanne M DiNardo**  
Conservation Agent  
[conservation@leominster-ma.gov](mailto:conservation@leominster-ma.gov)

**Leominster Conservation Commission  
PUBLIC MEETING LEOMINSTER  
25 West St, Room 10  
February 11, 2014, 7PM  
Minutes**

Members Present

Kelley Freda – Chair  
Dan Brodeur  
Gregory Day  
Eric Dubrule  
Larry Gianakis, Jr  
Julia McKinney

Members Absent

Scott Pearson – Vice Chair

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. New Business
  - a. 199-866 – Changes – 80 Lanides Lane Minor or Modification

Anthony Cleaves, Whitman and Bingham represented MP Crowley and presented the plan for changes to this property. The site is pad ready with stormwater basin, drainage and utilities in place. The site is being split and a portion is being sold to Mike Crowley for a small building. For the most part the site is staying the same. The new plan will include a smaller building than what was approved. There is a 700 sf reduction in impervious surface. They propose change the grade which will include do move one of the catch basins. The sewer connection will be revised.

Ms Freda asked if it would be two separate owners. Mr Cleaves explained that Mr Crowley is only purchasing a small section.

Ms McKinney asked for an explanation regarding the reduction in parking. Mr Cleaves stated that the original proposal included an office building. The new building is a contractor building which will require less parking. The snow storage will be on the north side of the property away from the resource area. Mr Day questioned the start date. Mr Cleaves stated they need to have approval of the Planning Board. The zoning has changed from Industrial to Mixed Use 1 (MU1). The Industrial allows a contractor yard by as of right but the MU1 requires approval of the Planning Board.

Ms Freda asked for clarification on the type of treatment in the manholes. Mr Cleaves stated that the snow prevented looking into the current infrastructure, however the plans were approved in 2007 and they would have been required to meet the Stormwater Standards. The approved plan shows catch basins equipped with 48" deep sumps. The plans state that the infrastructure must be verified and if the proper equipment is not in place then the contractor will be required to meet the code.

Mr Gianakis questioned who would be responsible for the maintenance. Mr Cleaves stated that there will be a shared responsibility. Mr Gianakis expressed concern for the amount of impervious on lot 15. Mr Cleaves stated that the next applicant would be required to come before the Commission. Mr Cleaves will review the original drawing and will calculate the proposed and changed impervious.

Ms DiNardo stated that this could be a minor change or an amended order of conditions. Any work that takes place is still subject to the conditions and the stormwater report. Once the work is completed then the Certificate of Compliance would be a partial for each section. The order was issued in 10/30/2007 and then was extended to 10/30/2013 and through the Permit Extension Act it is now valid through 10/30/2017. Mr Gianakis asked if the detention pond is working. Mr Cleaves stated that all the drainage and stormwater infrastructure is all in place and working. Ms DiNardo did not offer a recommendation.

Ms Freda stated that a minor modification would suffice. Ms DiNardo asked if a letter would be in order stating the new agreement.

Mr Gianakis made the motion for a minor change and asked that the any work proposed on lot 15 must also be brought to the Commission before any work takes place. Mr Day seconded and the vote was unanimous. 7:17

- b. Central Street – Proposed Changes – Espresso Pizza – Ms DiNardo stated she had received a request from Whitman and Bingham for a change in plan to accommodate more parking. She stated she received the draft plan on Feb 11 at 3pm. Ms DiNardo also stated that they are adding 1,200 square feet of impervious and will also require planning approval.

Ms Freda stated that an amended order of conditions is in order. Mr Gianakis stated that this would require notification to both locations abutters.

### 3. Enforcement

- a. 554 Willard – Nothing to report
- b. 22 Jytek Rd – Nothing to report
- c. 24 Jytek Dr – Letter from owner requesting extension

*Friday, January 24th, 2014*

*Conservation Commission*

*City Hall - 25 West St.*

*Leominster, MA 01453*

**Attn: Joanne M. DiNardo**

**Subject: Response to 24 Jytek - Map 499, Page 47**

*Ms. Di Nardo, per the communications received from your offices as well as the phone conversation on*

*Thursday, January 23rd, 2014 with Josie Inman from Easypak, we will be preparing a plan to outline our*

*proposed site development plans at 24 Jytek Dr.*

*It was never our intention to violate any permit restrictions or plan approval requirements in the actions*

*taken at 24 Jytek Dr, and we look forward to working with the Conservation Commission to bring our*

*site into compliance.*

*We will plan to attend the meeting on February 25th, 2014; unfortunately pre-existing commitments make it impossible for our representatives to attend the meeting on February 11th, 2014. Please contact Josie Inman at our offices below with any questions or concerns in the interim.*

- a. 30 Theresa Drive – Wait until spring for site walk

### 2. Communications

- a. Notification office of Dam Safety – Paradise Pond, Princeton – MADCR – Hearing and amended order at Princeton. Noted as a significant hazard class 2 structure. Notice of Public Hearing will be posted 48 hours in advance.
- b. Feb 7 – National Grid – Utility Maintenance structures Notown, Route 2, Mt Elam, Off Pleasant and Wachusett. Will be using timber mats etc. Ms DiNardo will contact the utilities to review the plan. No alterations. Ms Freda recommended that a request be made to use clean swamp mats.
- c. New City of Leominster Website – The commission will be able to update the pages and the website will be much more interactive. The city is looking at the city of Newton. In particular the “how do I?” questions. The Commission should list the top five questions that she receives. Mr Brodeur stated he did review the Newton site and found it to be very helpful. Mr Day stated that the site should be easy to access. Ms DiNardo asked that the Commission take time to look at the Newton site and if the commissioners have better ideas then please let her know. Ms Freda stated

that the brochure should be added. Ms DiNardo also stated that if we envision future needs we can ask for a reserved page for additional topic such as stormwater or energy or whatever else the commission recommends. Ms DiNardo asked for submissions to be given to her by March 11.

3. Minutes
  - a. Minutes January 14, 2014, Mr Gianakis motioned to accept and Mr Day seconded the vote was unanimous. Mr Brodeur abstained.
4. Old Business – Nothing to report
5. Certificate of Compliance
  - a. 199-422 – 4 Ice House Road (Lot 1) 1993 A letter dated Feb 5, was submitted by Mr Hamway of Hamway Engineering certifying the completion of the work and requesting a Certificate of Compliance for the lot. The other lots on this Ice House were all issued. Ms DiNardo recommended a partial Certificate of Compliance for Lot 1. Mr Gianakis motioned for a Certificate of Compliance for lot 1, Mr Day seconded and the vote was unanimous. (Letter Attached)
6. Extension Permit – None to report
7. Emergency Certifications – None to report
8. Agent's Report – Nothing to report
9. Sign Papers
10. Chairman's Report
  - a. MACC Conference will take place on March 1 at Holy Cross. Great environmental conference. If Commissioners wish to attend please contact Ms DiNardo for registration and reimbursement information.
  - b. February 25 – Deadline Feb 14
  
11. Adjournment – Ms Freda declared the meeting adjourned at 7:40PM

Attachments:

- EasyPak Letter – 24 Jytek Drive - Enforcement
- Whitman and Bingham Letter for 199-866 80 Lanides Lane
- NGrid – Notice of Maintenance
- Princeton – Amend Order notice for Paradise Pond
- Hamway Letter – 4 Ice House Road



510 Mechanic Street  
Leominster, MA 01453  
(978) 537-5296  
FAX (978) 537-1423

January 31, 2014

**City of Leominster Conservation Commission**  
Leominster City Hall  
25 West Street  
Leominster, MA 01453

**RE: DEP # 199-866**  
**80 Lanides Lane**

Dear Commission Members:

On behalf of our client, M.P. Crowley, Whitman & Bingham Associates, LLC respectfully requests an Amended Order of Conditions of the project proposed at 70-80 Lanides Lane for 155 Hamilton Street Realty Trust, DEP #199-866.

The subject property is located at the southerly end of Lanides Lane, on the southeast side and is a portion of Assessor's Map 229 Parcel 1-4.

The current proposal is a modification of a previously approved project of 70-80 Lanides Lane for 155 Hamilton Street Realty Trust. The previous project had received site plan approval from the Leominster Planning Board (Oct. 2007), an Order of Conditions from the Leominster Conservation Commission (#199-866) and City Council Approval (#17 of 2007). The previous project is shown on plans titled "Site Plan Approval Documents Red Line Wall Systems, Inc 70-80 Lanides Lane", dated September 12, 2007, prepared by McCarty Engineering, Inc.

The approved project consisted of two buildings with associated parking and driveway areas and utilities including a stormwater system on one lot. Construction of the project had begun, which included the installation of the proposed retaining wall and grading along the wetland resource area, grading of the development area, construction of the stormwater basin and various site utilities.

The proposed modifications include:

- The separation of the lot into two, one for each building.
- Reduced building footprint and re-orientation of the building labeled as 80 Lanides Lane.
- Revised location of catch basin #9
- Relocated parking area
- Revised sewer connection location

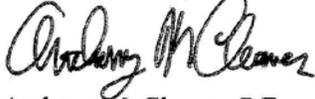
The limit of the proposed developed is unchanged as the proposed driveway access and grading closest to the wetlands on the south side of the site are as shown on the approved project. The impervious surface proposed on the modified layout is approximately 700 sq. ft. less than that of the approved plans for this area. The stormwater system would be unchanged, except for the relocation of catch basin #9.

For details regarding the proposed modification please see the attached site plan titled "Proposed Site Plan for 80 Lanides Lane", prepared for M.P. Crowley, by Whitman & Bingham Associates, LLC, dated January 20, 2014.

If you should have any questions or require any additional information regarding this or any other matter, please do not hesitate to contact me at this office.

Sincerely,

*Whitman & Bingham Associates, LLC*



Anthony M. Cleaves, P.E.  
Project Engineer

AMC/BFM/amc

Enclosures

**WHITMAN & BINGHAM ASSOCIATES, LLC**  
*Registered Engineers and Land Surveyors*

*Page - 2 -*



Friday, January 24<sup>th</sup>, 2014

Conservation Commission  
City Hall – 25 West St.  
Leominster, MA 01453

**Attn: Joanne M. DiNardo**

**Subject: Response to 24 Jytek – Map 499, Page 47**

Ms. DiNardo, per the communications received from your offices as well as the phone conversation on Thursday, January 23<sup>rd</sup>, 2014 with Josie Inman from Easypak, we will be preparing a plan to outline our proposed site development plans at 24 Jytek Dr.

It was never our intention to violate any permit restrictions or plan approval requirements in the actions taken at 24 Jytek Dr, and we look forward to working with the Conservation Commission to bring our site into compliance.

We will plan to attend the meeting on February 25<sup>th</sup>, 2014; unfortunately pre-existing commitments make it impossible for our representatives to attend the meeting on February 11<sup>th</sup>, 2014.

Please contact Josie Inman at our offices below with any questions or concerns in the interim.

Sincerely,

---

Marco Barbier, Managing Partner

24 Jytek Drive  
Leominster, MA 01453  
Phone: (978)-516 9155, Fax: (987)-516 0427  
[www.easypak.net](http://www.easypak.net)

February 7, 2014

City of Leominster Conservation Commission  
Leominster City Hall, Room 1  
Leominster, MA 01453

**RE: Notification of Utility Maintenance Activities (Public Utility Maintenance Exemption) under MGL 131, Section 40 for the A1/B2 Structure Footing Inspection and Refurbishment Project, Structures 577, 587, 588, and 615**

Dear Leominster Conservation Commission Members:

New England Power Company d/b/a National Grid (NEP) is submitting this written notification of its intent to implement public utilities maintenance activities at existing Structures 577, 587, 588, and 615 located along the A1/B2 Transmission Line Right-of-Way (ROW) in Leominster, MA (Site Location Map attached). Structure 577 is located within the ROW to the southeast of Mt Elam Road and east of the Notown Reservoir. Structures 587 and 588 are located in the ROW between Mt Elam Road (to the northwest) and Elm Street (to the southeast). Structure 615 is located in the ROW to the west of Hill Street.

Similar to the written notifications previously provided for Structures 570 and 624, recent analyses have shown that the footings associated with Structures 577, 587, 588, and 615 are potentially degraded. To confirm their condition, the footings will need to be excavated for inspection. If degradation is observed during the inspection, NEP will repair the footings to ensure the structure is safely in place. The Project is part of routine maintenance and structure improvements needed along the A1/B2 Transmission Line to mitigate potential risks to the general public and to provide reliable delivery of electric service.

Structure 577 is located within a large Bordering Vegetated Wetland (BVW). Structures 587 and 587 are located within a second BVW and the 100-foot Buffer Zone to Inland Bank associated with an adjacent intermittent stream. Structure 615 is located in a third BVW and also the 100-foot Buffer Zone to Inland Bank associated with a second intermittent stream. Therefore, the maintenance activities proposed will be conducted within three BVWs and their associated buffer zones as well as the 100-foot Buffer Zone to the banks of two intermittent streams.

No change in use or substantial increase in size will result from the activities proposed. The project will not result in alterations to resource areas or buffer zones as appropriate best management construction practices and sediment and erosion controls will be used to reduce the risk of impacts to the surrounding wetland resource areas. Therefore, this notification is being given in accordance with the Maintenance Exemption granted public utilities in Massachusetts General Laws Chapter 131,

Section 40 (the Massachusetts Wetlands Protection Act [WPA]) paragraph 1. The exemption can also be found in the WPA implementing regulations (310 CMR 10.02(2)(a)2.).

#### **Maintenance Activities within Jurisdictional Areas**

BSC, as a consultant to NEP, performed a desktop review of the Project site using available resources such as MassGIS data layers, USGS 7.5 minute quadrangle maps, NRCS soils maps, aerial photography, and FEMA Flood Insurance Rate Maps. Based on the desktop review, it was found that the activities and access proposed for Structure 577 will be located within one large BVW. Activities at Structures 587 and 588 will be located within a second BVW and the 100-foot Buffer Zone to Inland Bank. Activities proposed at Structure 615 will be located within a third BVW and the 100-foot Buffer Zone to Inland Bank.

Additionally, to access Structures 587, 588, and 615, the access roads will cross two intermittent streams via a temporary swamp/timber mat bridge/span. Therefore, the access road to these three structures will also be located within the 100-foot buffer zone to bank.

According to the current (2008) version of the Massachusetts Natural Heritage and Endangered Species Program (NHESP) atlas of Priority and Estimated Habitats, Structure 577 is located within Estimated and Priority Habitat for rare species. National Grid has a 2013 Operations and Maintenance Plan approved by NHESP for maintenance work on distribution lines which outlines conditions for work within mapped rare species habitat. Work within mapped rare species habitat will be performed in accordance with this Plan. Additionally, Structures 577, 587, and 588 are located within designated Outstanding Resource Waters (ORW) due to their locations near public water supplies (Notown Reservoir). According to the most recent FEMA Flood Insurance Rate Map (FIRM), the project activities are not located within the 100-year floodplain.

The following paragraphs will provide information regarding the proposed work and the mitigation measures to be taken during construction.

#### **Construction Methods and Proposed Mitigation Techniques**

NEP has established procedures that are to be followed by all employees accessing and performing construction and maintenance activities on transmission and distribution ROWs. These procedures, discussed in NEP's ROW Access, Maintenance and Construction Best Management Practices, ensure that NEP's projects are completed in accordance with all applicable environmental laws and regulations as well as company policies and compliance objectives.

The maintenance and structure footing upgrades will be completed using conventional electric power construction techniques, as follows:

##### Installation of Erosion and Sediment Control Barriers

Erosion and sediment control measures will be installed prior to the commencement of construction. These controls will function to mitigate construction-related erosion and sedimentation, and will also serve as a physical boundary to contain construction activities within approved areas. Proposed sediment control barriers for the Project may include fiber rolls, strawbales, wood chip bags, or

T: 781-907-3641 ■ Joshua.holden@nationalgrid.com ■ www.nationalgrid.com

similar treatments. These controls will be inspected on a regular basis and maintained in working order until all disturbed areas are stabilized.

#### Construction Access

A vehicle and a bobcat excavator will be utilized to conduct the proposed maintenance activities. Access to Structure 577 will be gained from an existing and historically utilized access route from Mt Elam Road (to the northwest). Access to Structures 587 and 588 will also be gained from an existing and historically utilized access route from Mt Elam Road (to the northwest). Access to Structure 615 will be access from an existing and historically utilized access route present off of Hill Street (to the southeast).

Temporary construction work pads, swamp mats, and a swamp mat/timber mat bridge/span will be utilized to allow for safe passage and minimal environmental impact. The temporary swamp mats, work pads, and bridge/span will be removed following completion of construction. Disturbance to previously undisturbed areas from access will not be necessary.

#### Restoration

The construction site will be returned to the existing condition. All construction debris and non-biodegradable controls will be removed from the site following construction and site stabilization.

#### **Conclusion**

The maintenance activities described above are scheduled to begin in the winter of 2014. If you have any questions or would like more information, please do not hesitate to contact me 781-907-3648 or Melissa Green (BSC Group) at 617-896-4517. Thank you in advance for your attention to this matter.

Sincerely,  
**National Grid,**

*Joshua B. Holden*

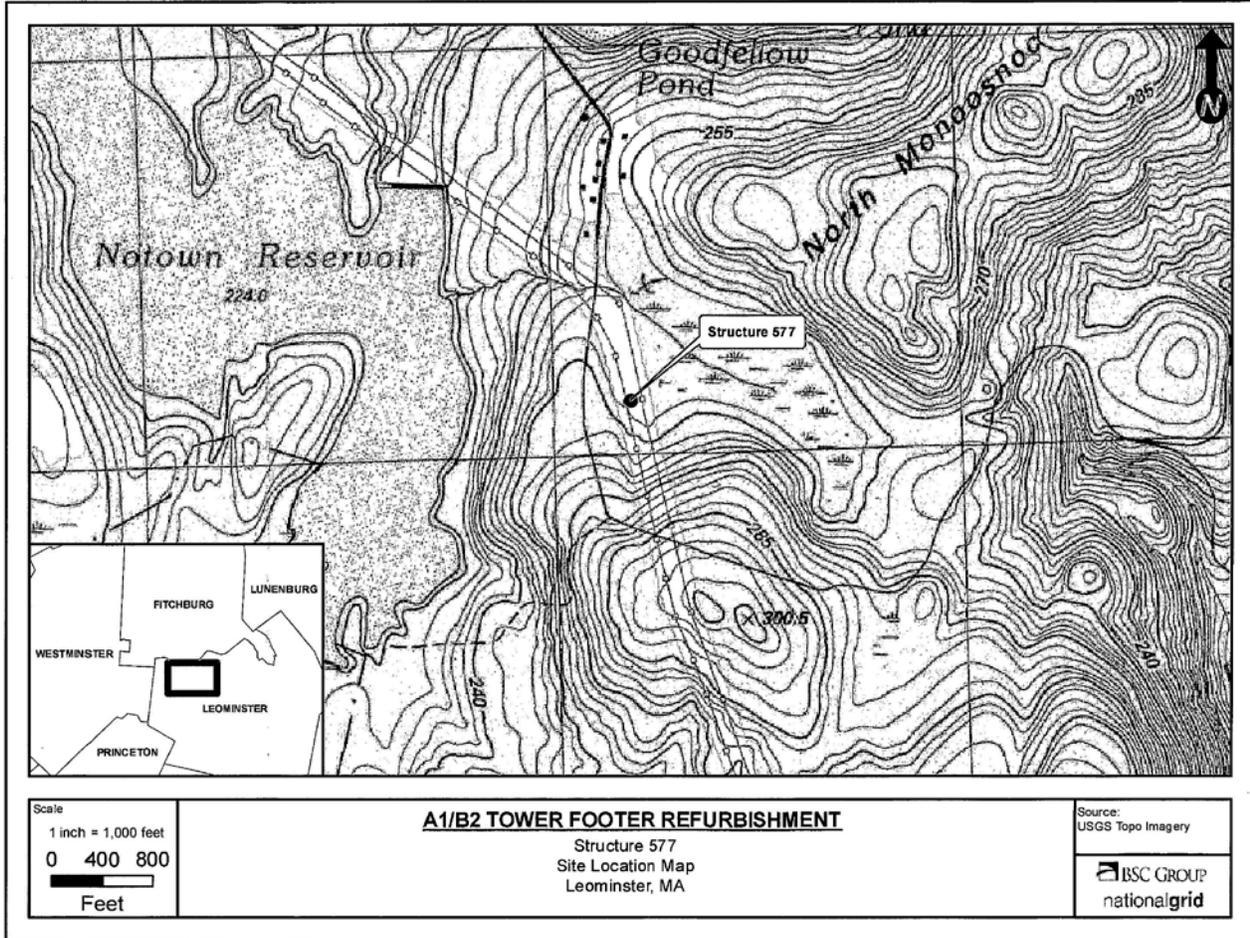
Joshua Holden  
Lead Environmental Engineer

Attachments:

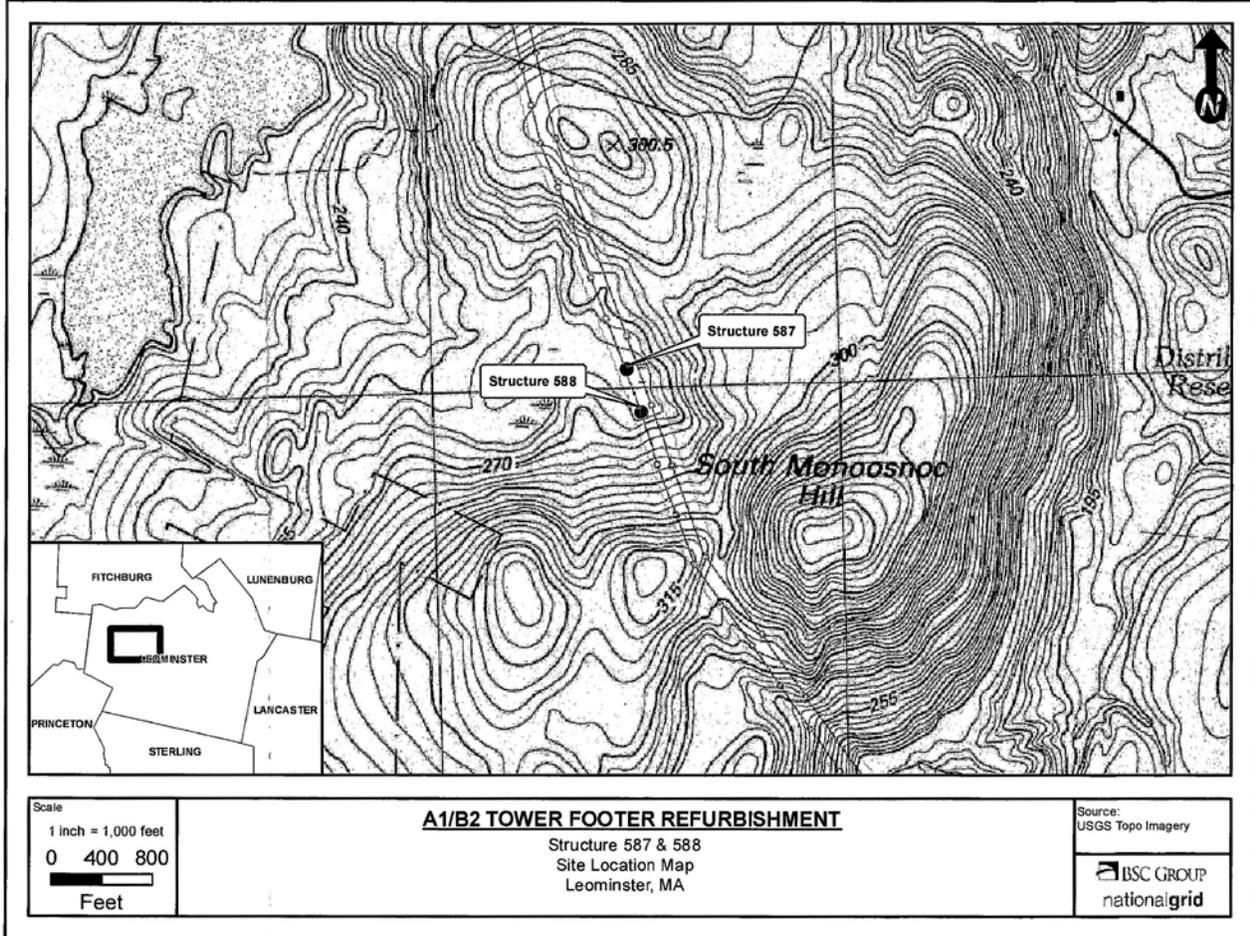
Site Location Map

cc: Melissa Green, BSC Group, Inc.

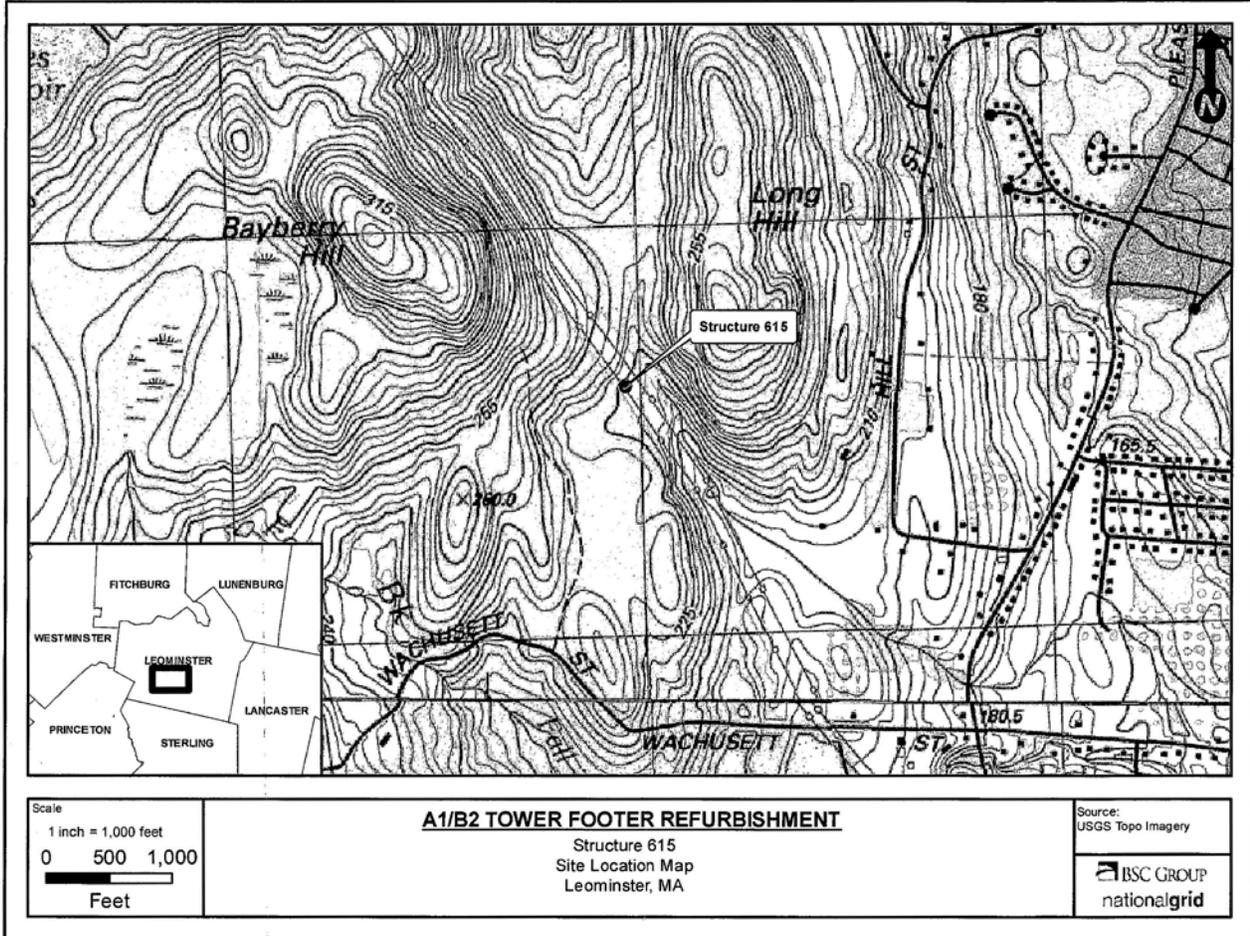
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For the  
Plan  
I. 10/10/13*



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## Notification to Abutters Under the Massachusetts Wetlands Protection Act

February 7, 2014

Dear Abutter,

In accordance with the second paragraph of Massachusetts General Laws, Chapter 131, Section 40, you are hereby notified of the following:

The applicant, the Massachusetts Department of Conservation and Recreation (MADCR) Dam Maintenance Program, has filed a Request for an Amended Order of Conditions (OOC) for the Paradise Pond Dam Repairs project. The intent of the project is to make repairs and improvements to the Paradise Pond Dam, a significant hazard potential (Class II) structure. The project area includes a portion of Lot 2 on Princeton Assessor's Map 2.

The approved Paradise Pond Dam Repair project was issued an OOC on June 16, 2009 (DEP File No. 267-0343). MADCR is currently proposing to pursue the completion of the work. However, the scope of the repairs has been expanded to address additional dam safety concerns that have been identified for repair since the previously approved project was approved, which will result in additional work within resource areas. As such, MADCR is requesting to amend the OOC to include these additional work items.

Copies of the Request for an Amended Order of Conditions may be examined at the Princeton Town Hall between the hours of 8:00 am and 4:00 pm, Monday through Thursday, or at other times by appointment. To schedule an appointment to examine the Request for an Amended Order of Conditions, or for information on the date, time and place of the public hearing, please contact Ms. Marsha Dowdy, the Conservation Commission Administrative Assistant, at (978) 464-2100.

~~Copies of the Request for an Amended Order of Conditions may be obtained for the cost of reproduction by calling the applicant's representative, Pare Corporation, at (508) 543-1755 between the hours of 8:00 AM and 4:45 PM, Monday through Friday.~~

Please note that notice of the public hearing, including date, time, and place, will be posted in the Town Hall not less than forty-eight (48) hours in advance. Said notice will be published in The Worcester Telegram and Gazette not less than five (5) days in advance.

You may contact the Princeton Conservation Commission Chairman, John Vieira, at (978) 464-2100, or the Central Regional Office of the Massachusetts Department of Environmental Protection at (508) 792-7650, for more information about this application or the Massachusetts Wetlands Protection Act.



8 BLACKSTONE VALLEY PLACE LINCOLN, RI 02865  
T 401.334.4100 F 401.334.4108

10 LINCOLN ROAD, SUITE 103 FOXBORO, MA 02035  
T 508.543.1755 F 508.543.1881



February 5, 2014

Leominster Conservation Commission  
City Hall  
25 West Street  
Leominster, MA 01453

Re: 4 Ice House Road – Lot 1  
(HEI File no. 92024.03)

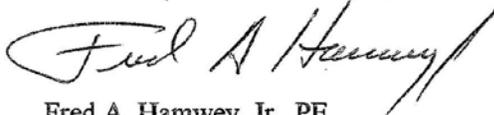
Dear Conservation Commission:

Hamwey Engineering, Inc. inspected the completed site construction at 4 Ice House Road - Lot 1, Leominster, MA on February 4, 2014. A visual inspection was performed in the areas that are under the jurisdiction of the Conservation Commission.

Hamwey Engineering, Inc. certifies to the best of its knowledge, belief, information and site observation, that the site work as shown on the site design plans prepared by Hamwey Engineering, Inc., dated December 31, 1992, last revised February 5, 1993, was performed in accordance with the Order of Conditions, dated February 9, 1993, DEP File No. 199-422.

Please call me if you have any questions.

Very truly yours,  
**HAMWEY ENGINEERING, INC.**



Fred A. Hamwey, Jr., PE  
President