



CONSERVATION COMMISSION

City of Leominster, Massachusetts

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

Kelley Freda
Chairperson

Telephone (978) 534-7524 ext. 259 Facsimile (978) 840-8034

**Leominster Conservation Commission
Public Meeting
25 West St, Room 10
April 12th, 2016 7PM
Meeting Minutes**

I. In attendance:

Kelley Freda – Chairperson	Marco Bangrazi - Conservation Agent / Environmental Inspector
Daniel Brodeur – Absent	
Paul Colombo	
Larry Gianakis, Jr.	
Scott Pearson	

II. The meeting is opened at **7:02pm**.

III. Hearings

- A. 7:00 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Request for Determination of Applicability by Patricia Marcotte for the installation of a sewer connection within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 22 Forest Road. Map 474, Lot 3812.
1. Gianakis tells the audience he lives 4-5 homes from this project. He stands no gain and does not see a conflict.
 2. Anthony Cleaves from Whitman & Bingham and Associates represents the project.
 3. Existing house and lot with a failed title 5. They hope to redo plumbing in the house and tie into an existing manhole. However, this excavation will be challenging. So there is a home behind them that they can tie into. Restore all to as it was before.
 4. Freda asks if any other Commission members have questions.
 5. Pearson asks why won't you tie into another existing line. Anthony explains the two connections will now need an 8 inch pipe. It will now be a sewer main. And, other homes do not have sewer connections. These reasons are why they are tying into this particular connection.
 6. Freda asks if there are any members of the audience who wish to speak on this public hearing.
 7. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
 8. Bangrazi recommends the issuance of a Determination of Applicability with a Negative 3 determination and the following added conditions:
 - a. Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b. 24-hour written or verbal notice to Conservation Agent prior to start of work
 - c. Disturbed areas must be seeded within one week after site grading completion.

- d. After the site has been stabilized, all erosion controls shall be removed from the site.
9. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:10 pm**.
10. Pearson makes a motion for the installation of a sewer connection within the 100-foot Buffer Zone of a Bordering Vegetated Wetland under a Negative 3 Determination of Applicability, address 22 Forest Road. Map 474, Lot 3812. Gianakis seconds the motion. There is discussion about stock piling in a big rain event. This will be included within the motion. The motion is unanimously approved by the Commission.

7:05 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Request for Determination of Applicability by David Franciosi for the installation of a sewer connection and the replacement of an existing retaining wall within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 162 Lowe Street. Map 494, Lot 1.

1. Dave Franciosi represents the project.
2. Dave wishes to replace the existing retaining wall with precast concrete with large block retaining wall. Dave is a contractor and will be doing the work himself.
3. Freda asks if any other Commission members have questions.
4. Gianakis asks how is the property sloped. Bangrazi confirms there is little potential for erosion.
5. Freda asks if there are any members of the audience who wish to speak on this public hearing.
6. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
7. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:16 pm**.
8. Bangrazi recommends a negative three determination with the following added conditions:
 - a. Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b. 24-hour written or verbal notice to Conservation Agent prior to start of work
 - c. Disturbed areas must be seeded within one week after site grading completion.
 - d. After the site has been stabilized, all erosion controls shall be removed from the site.
9. Pearson makes a motion for the installation of a sewer connection and the replacement of an existing retaining wall within the 100-foot Buffer Zone of a Bordering Vegetated Wetland under a Negative 3 Determination of Applicability. Address 162 Lowe Street. Map 494, Lot 1. Colombo seconds the motion. The motion is unanimously approved by the Commission.

7:10 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Request for Determination of Applicability by Thomas Davis for yard grading improvements and the removal of a tree from within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 44 Weathervane Drive. Map 549, Lot 85.

1. Tom Davis represents the project.



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2. Davis explains the need for the removal of the tree and the intent for yard grading improvements.
3. Bangrazi says this is 40-50 feet from the wetlands.
4. Freda asks Bangrazi where the wetland drains to. There is a drainage easement that drains out to the stream. It is not isolated.
5. Freda asks if any other Commission members have questions.
6. Pearson asks how much fill will this take. 400 yards or more is the answer.
7. Freda asks if there are any members of the audience who wish to speak on this public hearing.
8. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
9. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:21 pm**.
10. Bangrazi recommends a negative three determination with the following conditions:
 - a. Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b. 24-hour written or verbal notice to Conservation Agent prior to start of work
 - c. No stockpiling within 100' of a wetland.
 - d. After the site has been stabilized, all erosion controls shall be removed from the site.
11. Pearson makes a motion for yard grading improvements and the removal of a tree from within the 100-foot Buffer Zone of a Bordering Vegetated Wetland under a Negative 3 Determination of Applicability. Address 44 Weathervane Drive. Map 549, Lot 85. Colombo seconds the motion. The motion is unanimously approved by the Commission.

7:15 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Olli Tervo for the installation of a culverted intermittent stream crossing within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Pierce Street. Map 574, Lot 1.

1. Olli Tervo and Jim Lattanizi represent the project.
2. Olli explains the installation of a culvert to access farmland. Jim Lattanizi explains the agricultural restriction on the farmland. He has a lease on this land and wishes to make use of all of the land. He is working under the agricultural exemption for Wetlands (it is the only access road to the farming). There is an existing stone culvert pipe but no water flows through it. It has been recommended to be replaced. He needs a proper crossing. He does not wish to make muddy water every time he crosses this, but he does have a right to farm. He wants to be up at that property within the next three weeks.
3. Gianakis understands that if no farming has been done within 5 years then the agricultural exemption does not apply. Jim Lattanizi says he has an obligation with the Department of Agriculture to farm this land.
4. Lattanizi is looking for the Conservation Commission's blessing.

5. Katherine Sullivan from NRCS has walked the crossing and does not see a problem says Lattanizi.
6. Gianakis would just like to see that there is no flooding on neighboring properties.
7. Freda also says you do not want a small pipe that breaks and you would have to do the work all over again. Tervo and Lattanizi agree; they are not going to do this twice.
8. Gianakis says the vendor Tervo and Lattanizi work with know about a stream 4 feet wide and a foot deep what is the appropriate pipe size will be.
9. Colombo asks about the stone wall property line. He notes the water comes out in several different areas and he asks what the plan is for this. Lattanizi says the replacement will return the flow of water to the original channel. Colombo asks if this has been discussed with the neighbor. The answer is no. The wall will not be disturbed but if it needs to be sured up it will be.
10. Freda asks if any other Commission members have questions.
11. Freda asks if there are any members of the audience who wish to speak on this public hearing.
 - a. Resident Greg Sango is an abutter to Pierce Street. Map 574, Lot 1.
 - b. Mr. Sango shows a plot plan. He is severely concerned for the ability of his land to stay as wetland. He does not want the stonewall to be disturbed in any way. It is wetland. He is concerned about backup going into his land.
 - c. Lattanizi says the land is mapped at Farm Service agency. He has plans to farm this land. He is not disturbing the wall. The improved water flow on his side will not disturb his property. If he does not complete the installation of a culverted intermittent stream crossing he will muddy the wetlands downstream more and he does not wish to do this.
12. Freda explains that only the culvert replacement and the wetland issue is under the Leominster Conservation Commission.
13. Mr. Sango is looking for assurance that his wetlands will be sufficiently protected.
14. Freda says Tervo and Lattanizi are not going upstream, so the wetlands will not be affected.
15. Mr. Sango is looking for something in writing. Freda explains that the Leominster Conservation Commission cannot do that.
16. Jerry Albert has the property across the street. Jerry is all for the farm.
17. Gianakis explains the water now that is flooding out and overflowing the property. He explains that Tervo and Lattanizi's proposal will improve his situation.
18. Mr. Sango hears and respects Mr. Gianakis; however, he is looking for a guarantee that his property will not be affected.
19. Freda asks what Mr. Sango considers will be changed.
20. Resident John Albert welcomes the farmer. He says he is doing it legal and John supports him.
21. Freda recaps the situation: notice of intent to replace culvert to do farming they have permission to do.
 - a. Freda offers that Mr. Sango can call DEP looking for something in writing but again the Leominster Conservation Commission cannot legally provide that to him.
22. Gianakis asks Tervo and Lattanizi would you be willing to put in a second pipe. Tervo says he will speak with the vendor and with Bangrazi and make sure all parties are satisfied.
23. Freda suggests that an added condition can be entered that a second 18" culvert will be added if required. Freda would also like added into the conditions, limit of work is the rock wall.
24. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.



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25. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:58 pm**.
26. Bangrazi sees Colombo's point of interest. His recommendation is:
 - a. There is no DEP file on this. Hold signature.
 - b. Issue an order of conditions for the project.
27. Colombo asks if there is a survey that denotes the property line. Yes is the answer.
28. Gianakis makes a motion for an Order of Conditions with a standard boiler plate with the additional conditions spoken here tonight for the installation of a culverted intermittent stream crossing within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Pierce Street. Map 574, Lot 1. Pearson seconds the motion. The motion is unanimously approved by the Commission.

7:20 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Traditional Concepts for the Construction of a new single family home with associated driveway and connections to the municipal sewer and water systems within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 185 Samoset Drive. Map 398, Lot 1-3.

1. Traditional Concepts represents the project for the Construction of a new single family home with associated driveway and connections to the municipal sewer and water systems within the 100-foot Buffer Zone of a Bordering Vegetated Wetland.
2. Freda is impressed with the design of the swale and the rip rap.
3. Freda asks if any other Commission members have questions.
4. Freda asks if there are any members of the audience who wish to speak on this public hearing.
5. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
6. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:04 pm**.
7. Bangrazi recommends:
 - a. Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b. 24-hour written or verbal notice to Conservation Agent prior to start of work
 - c. No stockpiling within 100' of a wetland.
 - d. All stockpiles are to be covered.
 - e. Construction roadway and entrance must be maintained and swept clean of dirt/debris.
8. Gianakis makes a motion for an Order of Conditions with the standard boiler plate with the Agent's recommendations for the construction of a new single family home with associated driveway and connections to the municipal sewer and water systems within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address 185 Samoset Drive. Map 398, Lot 1-3. Pearson seconds the motion. The motion is unanimously approved by the Commission.

Continued Hearings

- A. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a roadway with associated utilities and drainage structures for a 10 lot residential subdivision. The work proposes alteration to wetland areas and filling of Boarding Land Subject to Flooding. Address Roche Avenue, Map 262, Lot 2-16.
1. Chris Anderson with Hannigan Engineering represents the project and explains the 10-lot cul-de-sac project. He discusses the concerns that have been brought up in previous meetings. There was concern of the grading of the site and the proximity to the Wetland flags. This has been pulled back an additional 10-11 feet. There was a concern about the presence of great laurel on the site. There is no great laurel present on site.
 2. Chris further explains the flood plane compensation area. 445 sq. ft. of replication area will be maintained.
 3. Freda asks who is responsible for maintenance. Drainage and catch basins will be under the ownership of the City.
 4. Freda asks have you had discussions with the DPW. Chris says he will go in front of planning board and all of these basin maintenance concerns will be brought up then.
 5. Rain gardens will be the responsibility of the home-owner association. Freda asks if the drainage and catch basins can be included under the home-owner association responsibility. Freda's intent is to send the Planning Board a letter and ask them to address this so the Leominster Conservation Commission does not hold all of these hearings up for another two weeks.
 6. Freda asks if any other Commission members have questions.
 7. Colombo has a concern with the inventory of the aquatic species in the pond. The alterations of the canopy of the trees taken out will have a long-term affect the biological life of the pond. Chris explains where the sun is strongest and that area (in the southern direction of the project) the trees will be maintained there.
 8. Pearson makes mention that the Conservation Commission has had requests of Hannigan Engineering and they have been very cooperative and always above board. Pearson appreciates that.
 9. Councilor James Lanciani Jr. has concerns with the maintenance of the catch basins.
 10. Freda asks if there are any members of the audience who wish to speak on this public hearing.
 11. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
 12. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:24 pm**.
 13. Bangrazi recommends a standard order of conditions with the standard boiler plate and the following added conditions:
 - a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls. This shall be done for each individual lot prior to work commencing on them.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.



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- e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
- f) Phosphorus fertilizer use shall be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
- g) Disturbed areas must be seeded within one week after site grading completion.
- h) Detention Basin and Catch Basin maintenance shall be the responsibility of the Pierce Pond Village Homeowners Association. Reports of inspections and maintenance performed on these systems shall be provided to the City of Leominster Conservation Commission.

(Freda adds the drainage and catch basins can be included under the home-owner association responsibility. She would also like reports on the maintenance on these submitted to the Leominster Conservation Commission.)

14. Pearson makes a motion for standard Order of Conditions with the standard boiler plate and the Agent's added conditions as well as Freda's recommendation that the drainage and catch basins can be included under the home-owner association responsibility. She would also like reports on the maintenance on these submitted to the Leominster Conservation Commission. This is for the construction of a roadway with associated utilities and drainage structures for a 10 lot residential subdivision. The work proposes alteration to wetland areas and filling of Boarding Land Subject to Flooding. Address Roche Avenue, Map 262, Lot 2-16. Gianakis seconds the motion.
- B. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 3A Roche Ave. Map 262, Lot 2-3.

1. Freda asks if any other Commission members have questions.
2. Freda asks if there are any members of the audience who wish to speak on this public hearing.
3. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
4. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:31pm**.
5. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:

- a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
 - e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
 - f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
 - g) Disturbed areas must be seeded within one week after site grading completion.
 - h) Raingarden maintenance shall be the responsibility of the Pierce Pond Village Homeowners Association. Reports of maintenance performed on the garden shall be provided to the City of Leominster Conservation Commission.
 - i) There shall be a deeded agreement for this property stating that the completed Floodplain Compensation Area located on the premise of Lot 3A must remain undisturbed. This condition shall remain in perpetuity.
6. Gianakis makes a motion for standard order of conditions with the standard boiler plate and the Agent's added conditions. This is for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 3A Roche Ave. Map 262, Lot 2-3.

C. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 7 Roche Ave. Map 262, Lot 2-7.

1. Freda asks if any other Commission members have questions.
2. Freda asks if there are any members of the audience who wish to speak on this public hearing.
3. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
4. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:38pm**.
5. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:



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- a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
 - e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
 - f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
 - g) Floodplain fill areas must be seeded immediately after grading completion. Other disturbed areas must be seeded within one week after site grading completion.
 - h) Additional erosion control measures shall be used for areas that will undergo grading in the floodplain, specifically the use of jute matting on the pond bank.
 - i) Removal of trees and other vegetation within 10' of the limit of disturbance shall be assessed by the Conservation Commission (or its Agent) in the company of the property owner or engineer to determine the limit of vegetation removal.
6. Pearson makes a motion for standard order of conditions with the Agent's added conditions. This is for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 3A Roche Ave. Map 262, Lot 2-3. Gianakis seconds the motion. This is unanimously approved by the Commission.
- D. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 8 Roche Ave. Map 262, Lot 2-8.
1. Flag 53a to the property line is a concern of Gianakis'. He would like to see any mature trees kept. He would like trees approved as unhealthy in this specific location if they are to be removed.
 2. The Commission likes to see the construction general permit filed before the work starts. This will be done says Chris.

3. Freda asks if any other Commission members have questions.
4. Freda asks if there are any members of the audience who wish to speak on this public hearing.
5. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
6. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of 8:38 pm.
7. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:
 - a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
 - e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
 - f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
 - g) Floodplain fill areas must be seeded immediately after grading completion. Other disturbed areas must be seeded within one week after site grading completion.
 - h) Additional erosion control measures shall be used for areas that will undergo grading in the floodplain, specifically the use of jute matting on the pond bank.
 - i) Removal of trees and other vegetation within 10' of the limit of disturbance shall be approved by the Conservation Commission (or its Agent) in the company of the property owner or engineer to determine the limit of vegetation removal.
8. Pearson makes a motion for standard order of conditions with the Agent's added conditions. This is for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 8 Roche Ave. Map 262, Lot 2-8. Seconded by Gianakis. This is unanimously approved by the Commission.

E. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 9 Roche Ave. Map 262, Lot 2-9.

1. Any changes to house size and / or changes to footprint Bangrazi must be notified.



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2. Freda recommends that the drainage and catch basins can be included under the home-owner association responsibility. She would also like reports on the maintenance on these submitted to the Leominster Conservation Commission
3. Freda asks if any other Commission members have questions.
4. Freda asks if there are any members of the audience who wish to speak on this public hearing.
5. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
6. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:51 pm**.
7. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:
 - a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
 - e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
 - f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
 - g) Floodplain fill areas must be seeded immediately after grading completion. Other disturbed areas must be seeded within one week after site grading completion.
 - h) Additional erosion control measures shall be used for areas that will undergo grading in the floodplain, specifically the use of jute matting on the pond bank.
 - i) Removal of trees and other vegetation within 10' of the limit of disturbance shall be assessed by the Conservation Commission (or its Agent) in the company of the property owner or engineer to determine the limit of vegetation removal.
 - j) Raingarden maintenance shall be the responsibility of the Pierce Pond Village Homeowners Association. Reports of maintenance performed on the garden shall be provided to the City of Leominster Conservation Commission.

8. Pearson makes a motion for standard order of conditions with the Agent's and Freda's added conditions. Address Lot 9 Roche Ave. Map 262, Lot 2-9. Seconded by Gianakis. This is unanimously approved by the Commission.

F. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 10A Roche Ave. Map 262, Lot 2-10.

1. Freda asks if any other Commission members have questions.
2. Freda asks if there are any members of the audience who wish to speak on this public hearing.
3. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
4. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **8:55 pm**.
5. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:

- a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
- b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
- c) No stockpiling within 100' of a wetland or the pond.
- d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
- e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
- f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
- g) Floodplain fill areas must be seeded immediately after grading completion. Other disturbed areas must be seeded within one week after site grading completion.
- h) Additional erosion control measures shall be used for areas that will undergo grading in the floodplain, specifically the use of jute matting on the pond bank.
- i) Removal of trees and other vegetation within 10' of the limit of disturbance shall be assessed by the Conservation Commission (or its Agent) in the company of the property owner or engineer to determine the limit of vegetation removal.

6. Pearson makes a motion for standard order of conditions with the Agent's and Freda's added conditions. Address Lot 10A



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Roche Ave. Map 262, Lot 2-10. Seconded by Gianakis. This is unanimously approved by the Commission.

- G. Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent Peter E. Bovenzi, Trustee of Pierce Pond Realty Trust, for the construction of a single family home with associated driveway, grading, and landscaping within the 100-foot Buffer Zone of a Bordering Vegetated Wetland. Address Lot 12A Roche Ave. Map 262, Lot 2-12.
1. Freda asks if any other Commission members have questions.
 2. Freda asks if there are any members of the audience who wish to speak on this public hearing.
 3. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
 4. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **9:00 pm**.
 5. Bangrazi recommends an Order of Conditions with the standard boiler plate and the following added conditions:
 - a) Silt Fence and Straw Wattles to be installed as proposed on the submitted plans.
 - b) 24-hour written or verbal notice to Conservation Agent prior to start of work to allow for the inspection of erosion controls.
 - c) No stockpiling within 100' of a wetland or the pond.
 - d) Construction roadway and entrance must be maintained and swept clean of dirt/debris.
 - e) Care shall be taken with Pitch Pine seedlings and saplings during construction and they shall be transplanted within the proposed floodplain compensation area.
 - f) Phosphorus fertilizer use in accordance with Department of Agriculture regulation is allowed for the 1st year only. Subsequent fertilizer use must be in accordance with the Department of Agricultural Resources 330 CMR 31.00.
 - g) Floodplain fill areas must be seeded immediately after grading completion. Other disturbed areas must be seeded within one week after site grading completion.
 - h) Additional erosion control measures shall be used for areas that will undergo grading in the floodplain, specifically the use of jute matting on the pond bank.
 - i) Removal of trees and other vegetation within 10' of the limit of disturbance shall be approved by the Conservation Commission (or its Agent) in the company of the property owner or engineer to determine the limit of vegetation removal.

6. Pearson makes a motion for standard order of conditions with the Agent's added conditions. Address Lot 12A Roche Ave. Map 262, Lot 12-A. Gianakis seconds the motion. This is unanimously approved by the Commission.

Regular Meeting

1. Call to Order at **9:02 pm**.
2. Enforcement
 - a. 375 Harvard Street – DEP File #199-781 (Expired 09/13/15)
 - i. Bangrazi is working with the Engineer to comply with an as-built plan for the current conditions of the site.
 - ii. This as-built will be done in May.
2. Communications, there are none at this time.
3. Minutes
 - a. **February 9, 2016** - Pearson makes a motion to accept the February 9, 2016 minutes as presented. Seconded by Colombo. The motion is unanimously approved by the Commission.
 - b. **February 23, 2016** – will be reviewed at the next meeting.
 - c. **March 8, 2016**- Pearson makes a motion to accept the March 8, 2016 minutes as presented. Seconded by Colombo. The motion is unanimously approved by the Commission.
4. Old Business, there is none at this time.
5. New Business
 - a. Prospect Park – Conservation Land Sign Posting. Some abutters have notified
 - i. Bangrazi of off road vehicles entering. Bangrazi would like to post some conservation signs at the trail heads.
 - b. Basset Forest – Signage. A conservation rules sign was put up by the DPW. The no trespassing sign needs to come down.
 - i. Gianakis makes a motion for a recommendation to send a letter to the Lassie League requesting the removal of the illegal signs. The motion is unanimously approved by the Commission.
2. Certificate of Compliance, there are none at this time.
3. Extension Permits
 - a. Woodlands at Massapoag – Off Dale Ave – DEP File # 199-880 (Expires 04/23/16). Bangrazi recommends an extension permit. Last year a 1-year extension was given.



Kelley Freda
Chairperson

CONSERVATION COMMISSION

City of Leominster, Massachusetts

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- i. Gianakis makes a motion for a 1 year extension of permit for Woodlands at Massapoag – Off Dale Ave – DEP File # 199-880. Pearson seconds the motion. The motion is unanimously approved by the Commission.

4. Emergency Certifications, there are none at this time.
5. Agent's Report, there is not one at this time.
6. Counselor James Lanciani Jr. is always pleased when he leaves here. The Commission members are all to be commended.
7. Sign Papers
8. Chairman's Report, there is not one at this time.
9. Next Meeting
 - a. April 26th, 2016. Deadline, April 14th, 2016
10. Adjournment, **9:11pm.**

Respectfully Submitted,

Sandy Pellecchia, Conservation Scribe

The 8 interests identified in the Wetland Protection Act

- (1) Protection of public and private water supply*
- (2) Protection of ground water supply*
- (3) Flood control*
- (4) Storm damage protection*
- (5) Prevention of pollution*
- (6) Protection of land containing shellfish*
- (7) Protection of fisheries*
- (8) Protection of wildlife habitat*
- (9) Protection of fisheries*
- (10) Protection of wildlife habitat*