



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
May 10th, 2016 7PM
Meeting Minutes**

I. In attendance:

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

II. The meeting is opened at **7:00pm.**

III. Hearings

7:00 PM Pursuant to MGL CH 131 § 40 as amended, there will be a public hearing to consider a Notice of Intent by Scott Morrison for the construction of a new 7,000 square foot Multi Use Building with associated parking and landscaping improvements. Work will occur within Bordering Land Subject to Flooding associated with the Nashua River. Address: Lanides Lane, Map 229/1/2 – Lot 17

1. Brian Marchetti from McCarty Engineering represents the project.
2. The project is on Lanides Lane. The work will occur within Bordering Land Subject to Flooding associated with the Nashua River. The proposal is to build a new building on the property. Brian shows a grading plan. The proposal includes a driveway to access the back lot. Right in front of the new building it will be paved. The building will be served by municipal water and sewer. There is no negative impact to the flood plane.
3. Brodeur asks is the flood plane 331 or 330. Brian says 331. Brian explains the FEMA maps and how the flood plane elevation increases as you move upward on the maps.
4. Drainage will sheet flow toward the slope to the East. The middle area flows south to a swale.
5. Colombo asks the current status on the land that will be land-locked. Scott Morrisey owns the area of land to the southeast on the map as well.
6. Freda explains that the Conservation Commission has been asking about the maintenance on the basin. The Conservation Commission would like a copy of the maintenance records.
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 **7:11 pm**.
10. There is no DEP number on this project. Freda does not want to hold up the project. So the motion will be pending DEP comments.
11. Bangrazi recommends an order of conditions negative three with the following added condition:
 - a. Notification of basin maintenance to be either mailed or e-mailed to the Conservation Commission.
12. Pearson makes a motion for an order of conditions for the construction of a new 7,000 square foot Multi Use Building with associated parking and landscaping improvements with work to occur within Bordering Land Subject to Flooding associated with the Nashua River. Address: Lanides Lane, Map 229/1/2 – Lot 17 with the Conservation Agent's recommendation pending DEP comments. 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 Request for Determination of Applicability by National Grid for the installation of approximately 1,600 linear feet of new gas pipeline to serve the City of Leominster Wastewater Treatment Plant. Work will occur within the 100-foot Buffer Zone of a Bordering Vegetated Wetland, 200-foot Riverfront Area, and within Bordering Land Subject to Flooding. Address: Commercial Road, Roadway Right-of-Way.

1. Devleena Ghosh-Brower from Tighe and Bond Inc. represents the project. The project would extend from Home Depot to the Wasterwater Treatment Plant.
2. Pearson asks the time frame on the project. Devleena thinks by the end of July the project will be completed.
3. Freda asks if there are any members of the audience who wish to speak on this public hearing.
4. Freda asks again a second and third time if there are any members of the audience who wish to speak on this public hearing.
5. Freda asks if there is any objection to closing the public meeting. There are none. The public meeting is closed as of **7:18 pm**.
6. Bangrazi recommends a negative three.
7. Pearson makes a motion for the installation of approximately 1,600 linear feet of new gas pipeline to serve the City of Leominster Wastewater Treatment Plant. Work will occur within the 100-foot Buffer Zone of a Bordering Vegetated Wetland, 200-foot Riverfront Area, and within Bordering Land Subject to Flooding. Address: Commercial Road, Roadway Right-of-Way. Brodeur seconds the motion. The motion is unanimously approved by the Commission.

Regular Meeting

1. Call to Order
2. Enforcement
 - a. 375 Harvard Street – DEP File #199-781 (Expired 09/13/15)
 - i. Bangrazi drove by it today. The requested plans are due by the end of this week. No work is on-going.
3. Communications
4. Minutes
 - b. **April 12, 2016** – we will hold off until the next meeting on these minutes.
 - c. **April 26, 2016** - we will hold off until the next meeting on these minutes.



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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. 96 Exchange Street – DEP File #199-814 (Issued 5/22/06 – Expires 5/22/16). An extension is being requested. There are no erosion controls seen at this time. Bangrazi would like to hold off until the site is made fit for compliance. The Conservation Commission agrees with Bangrazi. Colombo asks Bangrazi to look at the tree-cutting on the site that has been done within the last two weeks.
 - b. Brodeur says the site is out of compliance. Tree cutting has been noticed on the site. Freda says administratively there would be two days from expiration 5/22/2016 until the Commission meets again on 05/24/2016. Regardless, they would have to come to the Commission to amend the order of conditions with new plans says Freda. Pearson asks about the need for a cease and desists. Colombo says the trees are pretty much clear cut. Brodeur asks should we send a letter and/or call. Freda says do both and make sure the letter is certified return-receipt.
 - i. Pearson files a motion to send a certified letter to the owner (96 Exchange Street – DEP File #199-814) stating that they are not in compliance on their order of conditions and need to get it into compliance on 5/22/16 and they need to come into the 5/24/16 meeting to request amend the order of conditions with new plans. Brodeur seconds the motion. It is unanimously approved by the Commission.
9. Emergency Certifications, there are none at this time.
10. Project Update Requests
 - a. Willard St. conservation plan. Bangrazi has reached out to the lawyers multiple times with no return.
 - b. Willard St. / Jeytek Park. Test soil samples and send Bangrazi results. They were looking to mow over soil, grade and reseed it.
 - c. Belair Heights was issued by DEP. Bangrazi still needs to hear back on this.
 - d. Grant Street. Silt fence is in no straw waddles. Boilerplate says erosion controls so straw waddles should be put in place says Freda.
11. Budget
 - a. Wetlands account. Deposited amount for fiscal year 2016 is \$6,229.00. The current amount in the account aligns with this number. However, \$127,000 has not been transferred over into the account from fiscal year 2015. Freda recommends a letter be sent to the Mayor cc: all Conservation Commission include in copy in this letter that this account is strictly for the Wetlands account.
 - b. The current budget Bangrazi has \$4,700 left over that he will spend on office supplies and tools for the department.
12. Agent's Report, there is not one at this time.
13. Chairman's Report, there is not one at this time. Freda did want to mention the demo of the old Bart's farmhouse next to O'Rielly auto. Freda asked Bangrazi to contact them. Also

- possible wetland violation on Jungle road. Bangrazi will look into this as well. LHS Envirothon team will compete in the state Envirothon we wish them luck.
14. Sign Papers
 15. Next Meeting
 - a. May 24th, 2016. Deadline, May 12th, 2016
 16. Adjournment is at **7:45pm**.

Respectfully Submitted,

Sandy Pellecchia, Conservation Scribe

The 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*