

Town of Lunenburg Conservation Commission

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September 6, 2023, 7:00PM, ZOOM REMOTE Minutes

Roll Call: Rich T., Rich B., Jeff V., Mike L., Chris S., Mary W., and Leah Grigorov (Interim Admin.)

Absent: Bob P.

Call to Order at 7pm

Announcements/Public Comment - none

Minutes of previous meetings – none reviewed.

Appointment- for Sue and Gary Ropiak regarding tree removal within buffer zones – no one present and Ashleigh will contact them.

NEW PUBLIC HEARINGS

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Notice of Intent by Martin and Patricia Lawlor for the proposed installation of a septic tank, leaching facility, and new retaining wall at 86 Oak Ridge Road (DEP #208-1303). Jack Maloney (Dillis & Roy) screen-shared the site plan for the project which will be a singular septic with a distribution box to a 2 galley system, running under the driveway and grassy area. They currently have a cesspool, which is in failure, which will be pumped and crushed. They are proposing a new concrete block retaining wall at the same height as the current one. The DEP notes state the signature page was missing but Jack has sent it to them. Leah advised they issue a waiver for work within the 50' no-build zone and request the wattles overlap at the ends of the rolls.

Motion: Rich B., Second: Mike L.

To approve the NOI with a waiver for work within the 50' no-build zone and have the wattles overlap for better reinforcement.

Roll Call Vote was unanimous to approve.

Leah also asked Jack to have side to side erosion control and Jack agreed.

CONTINUED PUBLIC HEARINGS

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Notice of Intent by Robert J. Correa for the construction of a garage at 932 Flat Hill Road (DEP # 208-1300)- James Tetreault (Azimuth Land Design) screen-shared the site plan for the proposed construction of a garage to the left of the existing house. It was noted that the Catacoonamug Brook runs behind the structure on the back property line and the 100' riparian zone line runs through the house. The proposed garage will be built over the existing grassy area and just over 4,000 sq ft will be diminished by the garage and driveway. As restoration, they will plant 95 shrubs and 8 trees for a total of 6,000 sq ft as noted on the plan. An infiltration system will handle runoff from the

proposed garage and the house. Nothing will be done within the 50' buffer. The Commission requested to note existing trees will remain, hydroseed with meadow or slope mix, add ground cover and put in stones to demarcate the area. Leah noted that the DEP stated the riverfront impact will exceed the permissible 10% and there needs to be a minimum of 100' wide undisturbed area. Jack replied that was impossible since there is not 100' to the lot and the garage cannot be located anywhere else, due to septic system.

Motion: Rich B., Second: Rich T.

To continue hearing to 9/20/23.

Roll Call Vote was unanimous to approve.

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws a public hearing on a Notice of Intent by Larry Coffren and Marsha Beers for the Relocation of an Existing Deck at 205 Sunset Lane (DEP # 208-1299)- There was a request from Dillis & Roy to continue to 10/4/23.

Motion: Rich B., Second: Mike L.

To continue hearing to 10/4/23.

Roll Call Vote was unanimous to approve.

OLD BUSINESS:

Administrative Determination: 73 Horizon Island Rd. – no one in attendance and will be continued.

Certificates of Compliance:

40 Brookview Terrace – Leah reported that she did a site visit and the erosion controls were in place. She recommended the Commission issue the COC.

Motion: Chris S., Second: Jeff V.

To issue a Certificate of Compliance to 40 Brookview Terrace.

Roll Call Vote was unanimous to approve.

Northfield Road, Lot A – Leah noted everything was in, stable and the erosion controls can come out. Justin LeClair (McCarty Engineering) confirmed the controls are now out. The Commission discussed the swale on the property and confirmed the COC letter was for the installation of a well. Justin screen-shared the plan and noted that 3 Oaks Environmental recertified the flagging and the ditch was not jurisdictional. The project was approved for an Order of Conditions for the well on Lot A only. The Commission discussed the swale and ditch and agreed to do more research.

Motion: Chris S., Second: Rich B.

To move for a continuance until they get a more definitive answer on the swale.

Roll Call Vote was unanimous to approve.

91 Lancaster Avenue – Leah reported that she did a site visit and the site is stable, with grass growing. She advised the owners to cut open the erosion wattles, take the sock out and spread the material. Leah encouraged the Commission to issue the COC.

Motion: Rich B., Second: Chris S.

To approve the Certificate of Compliance for 91 Lancaster Avenue.

Roll Call Vote was unanimous to approve.

Leah will do another site visit to confirm any effect on the tree canopy.

238 Fire Road 16 – Mary stated this was deferred due to staff shortage. Leah noted that the DEP has issued their COC already and the Commission will need to close and issue a COC under the ByLaw. The Commissioners will do a site walk with Leah on 9/9/23.

NEW BUSINESS:

Topics unknown 48 hours in advance of meeting- none

Update on Timber Rights Fund –none.

OLD BUSINESS:

Grant Application Proposals – Mary noted there are no updates for the parking lot project. The Lunenburg Snow Riders (LSR) have smaller projects they will do and some are on hold that are in the NHESP area. The application has been approved for building the Kiosk and for gravel at Cowdrey.

Mushrooms Signs – Mary stated that Bob talked to Town Counsel, who said if they want to put disclaimers they can. It was suggested that the Commission consider writing guidelines on what people can post at the trail heads and Kiosks. Mary noted that the signs show photos of mushrooms and encourage people to see how many they can find. The Commission tabled a vote until they can view the verbiage on the signs.

Update if any on encroachment issues at:

950 Chase Road- Mary noted that Bob got permission to pursue litigation.
315 Lancaster Ave. -

Hollis Road Residence:

Update – Painting, Trim- Mike reported that Nick Morrison began painting the trim work and replaced the sills on 3 windows. He also stated that the tenant, Corine Jones, notified him that someone had shot a bullet through her car and into the garage. The police were notified and will investigate. No one was home at the time of the shooting.

ENFORCEMENT:

Violations (Enforcement Actions and Hearings)

NON 205 Sunset (Beers lot)- has been delayed.

143 Island Road – Leah reported that she met with the homeowners and the photos are on the Google Drive. There were trees down with cut marks on the bottom and put into a debris pile 25’ from the lake. She advised the homeowners to contact an arborist to make a plan for replantings and asked them to remove the debris. Any machinery needs to be on the hardscape. The Commission asked Leah to advise the homeowners that they need to file for a retroactive RDA.

10 Mass Ave- Leah stated that the GIS map does not show wetlands but they may be in the buffer zone. She noted that there is an intensive slope in the back and when they cleared at the top for the expansion project, they pushed everything down the slope. She gave a cease & desist letter, with no further work and told them to add straw wattles with silt fence at the bottom. Leah will do a site visit on 9/9.

Public Comment: Jeff commented that the 8/17/22 minutes noted that the Commission voted to have Northfield Rd. Lot A place boulders in perpetuity along the limit of work along the side of the house.

Motion: Rich B., Second: Mike L.

To adjourn at 8:50pm.

Roll Call Vote was unanimous to approve.

Respectfully submitted,

**Jane Ranley
Minutes Clerk**

