

Paxton Conservation Commission

Minutes, November 10, 2011 Meeting

Location and Time Paxton Town Hall 7:35 – 9:20 pm

Attendance Commissioners: Chris Keenan (chair) Justin Thackeray (vice chair), Marisa Ayvazian, Daniel Gehnrich, Michael Voorhis, James Robert. **Associate Commissioner present:** Holly Robert. **Others present:** Babette Gehnrich, Colin Novick, Peter Bogren, Mark Love, Scott Morrison, Shawn Swain, Kevin Quinn.

Minutes The October 13th, 2011 meeting minutes were approved with minor correction; the minutes filed in the records include these corrections.

Public Hearings:

Notice of Intent for a replacement septic system at **14 Eagle Lane**. The plan was prepared by Quinn Engineering; Keenan recused himself and Thackeray chaired the hearing. Scott Morrison (EcoTec) presented the plan. The property currently has a failing cesspool. There is wetland at the border of the property and a perennial stream is shown on maps of the property, but at this location a dry stream bed was found, therefore it is not perennial. A haybale/silt-fence is proposed around the perimeter of work. The nearest part of the proposed system is 100.5 feet from the dry stream and 50 feet from BVW. A raised (Presby) system is proposed due to the high water table. Commissioners agreed there is no room for a new system at the front of the house. The leach field has been angled to parallel the stream, maximizing distance from it. The hearing was closed and a motion to issue a standard order of conditions was made by J. Robert, seconded by Gehnrich; motion carried unanimously.

Request for Determination of Applicability for construction of a garage and deck at **418 Grove St**. The homeowner, Shawn Swain, presented the plan. The foundation is in place, the Building Department permitted the work to go ahead before Conservation responded. Keenan has visited the site, it is very flat, there is unlikely to be any issue from erosion, erosion controls would not likely be needed. The location of the BVW edge appears to be further from the house than shown on the plan; Thackeray agreed this seemed to be the case at his visit. Conversion of an existing lawn to accessory uses is permitted. Keenan saw material from the work had been placed near the stream at the eastern edge of the property; if this is removed there should be no wetland impact from the work. A haybale and silt-fence should be placed between the moved topsoil and the stream while it is being removed. The hearing was closed and a motion to issue a negative determination was made by Voorhis and seconded by Thackeray; motion carried unanimously.

Notice of Intent for construction of new homes and associated septic systems at **Lots 1 & 2, Davis Hill Road**. This was a continued hearing from the October 13, 2011 meeting. Keenan recused himself; Thackeray chaired the hearing. Kevin Quinn presented the plan. A revised abutters list has been received. Lots were originally designed by Coyle Engineering and work was started at the site by Coyle without a permit, PCC closed down work. Quinn Engineering has now taken over. The gravel drive on the original plan was not placed by Coyle where it was supposed to be. EcoTec did the original wetland delineation in 2006, they were asked to do the delineation again. The driveway that was installed went through wetland, filling 1,647 sq ft; 3,112 replication is proposed. A water main easement through this property to the Spaulding Woods subdivision has been approved. The total wetland filling between the two lots here and the Spaulding Woods subdivision is 4,200 sq ft. Both proposed leach fields are 50 feet or more from wetland. The proposed wetland replication area is already very wet. Commissioners agreed to visit the site 1pm Sunday November 13th. In addition, the new wetland delineation information was requested. The hearing was continued to December 8th 2011 at 8:30pm.

Miscellaneous

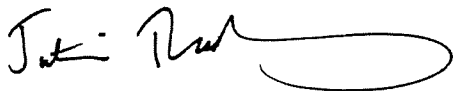
- Further discussion of the various issues at **313 Richards Avenue** was tabled until the December meeting, as the parties are currently in litigation.
- Colin Novick (Greater Worcester Land Trust) was present to provide some insight into efforts to purchase 56 acres within the **Muir Meadow property opposite Indian Hill Road**. A DEP grant from \$500,000 has been submitted; they are very hopeful that this will be successful, they should hear in early December. The City of Worcester has passed a resolution moving forward with a plan to assist in purchasing this property. Two independent appraisals of the property have been obtained, both came in at just over \$1M. There is a purchase and sale agreement for \$1M. They are seeking \$100,000 from the Town of Paxton to add to the \$500,000 from the grant, \$300,000 from the City of

Worcester and \$100,000 raised from private sources via the Worcester Land Trust. The City of Worcester would hold ownership of the property because the land drains to streams that are tributary to drinking water. The City of Worcester and the Conservation Commission would get a conservation restriction of the property also. The fields would continue to be mowed once in the fall by the City of Worcester. The land would be useable for hiking trails and would link four towns in a recreational and habitat "beltway". The terms of the grant would not allow placement of a solar panel system on the property. Commissioners agreed that this is a rare opportunity to leverage the small funds we have to help purchase land in Town with considerable importance to wetland and associated habitat. A motion to commit \$20,000 of PCC funds to the project was made by J. Robert and seconded by Gehnrich; motion carried unanimously.

- A request for a Certificate of Compliance was received for **Anna Maria College** (DEP# 257-0263); J. Robert and Gehnrich reported that the work is complete and vegetation stabilized; certificate was approved.
- Bills of \$318 to David Ross & Associates for correspondence and communications and \$151.59 to Holly Robert for MACC conference attendance and a CD-ROM of the WPA were approved.
- A copy of a letter from the DEP dated October 24th was received concerning **313 Richards Avenue**; it stated that the wetland replication has taken, and that the Loves have therefore fully complied with the consent order.
- A request for a Certificate of Compliance was received for **12 Old Lantern Circle**; this is for work done in 1998, Keenan has visited and grass is well established; certificate was approved.
- Two forest cutting plans were received. One from Erskine on **Brooks Road** for salvage and clean-up work resulting from the 2008 ice-storm, no harvesting will be performed in the wetland. The second is from the Roberts, for an extension of the previous cutting plan for work on **Richards Avenue**.
- A copy of a plan for the **Spaulding Wood** subdivision off Davis Hill Road was received; this was previously approved about five years ago, the design has been reduced from six to five homes, with greater separation proposed from the location of the former Paxton town dump.
- A town resident reported possible wetland filling off **Marshall St near Red Oak St.**; Jim Robert and Ayvazian visited the site and found that this was due to routine maintenance of the roadway and not a concern.
- A DOJ ruling concerning ADA access to Conservation Commission properties suggests that we need to evaluate our trail system at the property beside Illig's Pond. We will need a sign with specific language relating to ADA accessibility. Keenan will contact Town Counsel Peter Dawson before we make a decision on how to go about this.
- A septic system replacement is proposed at **735 Pleasant St.** Although there are no wetland impacts at the property, the commission recommends a haybale/silt-fence along the property line to prevent erosion affecting the neighbor's property.
- Jim Robert visited 735 Pleasant St., 226 Grove St. and 16 Forestdale Road; no wetland concerns found.

The next meeting of the Commission will be held on Thursday, December 8th at 7:30 PM.

Respectfully submitted,



Justin Thackeray

