

*May 27 2022 2:29 pm***CITY OF FITCHBURG
CONSERVATION COMMISSION****MEETING MINUTES
WEDNESDAY, FEBRUARY 9, 2022**

**NOTE: This meeting was a Hybrid meeting in the Legislative Building, 700 Main St.
Unless otherwise noted, persons attending below were in person.**

COMMISSIONERS IN ATTENDANCE: Tracey Sarefield, Chair, Michael Donnelly.
Remotely: Bryan Breau, Mark Christian, Ralph Baker, Mary Helene.

STAFF IN ATTENDANCE: Mike O'Hara

CALL TO ORDER: Meeting called to order at 6:32 p.m. in the Legislative Building, 700 Main St.

Ms. Sarefield read an introduction stating the mission statement of the Commission, the role & responsibilities of the Conservation Commission and the eight interests of the Wetlands Protection Act and offered suggestions on participating remotely.

MINUTES

Motion made (Mike) & seconded (Mark) to approve the minutes of the January 12th meeting.
Roll Call: Breau: Aye. Baker: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 5-0 in favor.

PUBLIC HEARINGS

Notice of Intent - LeClair, proposed single-family dwelling, 0 Ashby State Rd. (cont'd from 10/13)

No one present for this item. Email from applicant's engineer (GPR) requesting a continuance was reviewed. They have not finished preparing responses to Tim's comments.

Motion made (Mark) & seconded (Ralph) to continue the hearing to the March 9th meeting.

Roll Call: Breau: Aye. Baker: Aye. Christian: Aye. Donnelly: Aye. Helene: Aye. Sarefield: Aye.
Vote 6-0 in favor.

However, since this item has been continued numerous times, the applicant will be warned that if revised materials aren't submitted with adequate time to be reviewed prior to March 9, they should withdraw the application or else risk a Denial.

Notice of Intent - Greif, Inc., Snow Mill Pond Dam improvements, 100 Newark Way (cont'd from 1/12/22)

Present (virtual): Melissa Coady & Christine Pacella, Tighe & Bond.

Melissa described the supplemental information & revised plans based on comments from the Office of Dam Safety. Greif intends to demolish two existing metal storage buildings located adjacent to the dam and dike. Demo of these buildings will allow for the installation of additional overtopping protection.

An existing trailer will be permanently relocated to another area on site. A potential temporary stockpile area may be in the area of the demolished buildings.

Timeline: Construction starting Summer 2022. Since it is a private job the project need not go out to bid.

Motion made (Ralph) & seconded (Mary) to Approve an Order of Conditions with the standard Boilerplate conditions including a preconstruction meeting w/ a representative of the Commission.

Roll Call: Breau: Aye. Baker: Aye. Christian: Aye. Donnelly: Aye. Helene: Aye. Sarefield: Aye.
Vote 6-0 in favor.

Request for Determination of Applicability - Fitchburg Recreation Dept., trail work at Coggshall Park

Present (virtual): Nate LaRose, Recreation Director, Nick Erickson, DPW.

Nate presented a proposal to make improvements to the 1.2 mile Whale Rock and Cascade Loop Trail at Coggshall Park, on the eastern side of Mirror Lake. The 2020 Fitchburg Trails Vision Plan had suggested several needed trail improvements, including installation of switchbacks and water bars, installation of temporary trail bridges in wet areas, and the installation of granite steps from the parking lot near the Stone House to Whale Rock. Also included in the scope of work is brush removal and trail maintenance on and along the edge of the trail. The trail will remain a natural surface.

Commission reviewed plan prepared by DPW-Engineering of the Coggshall trail system with callouts describing proposed work areas. The majority of the work will be outside of areas subject to the Commission's jurisdiction, but there are several proposed temporary bridges across a stream and wet areas.

Nick Erickson, DPW: The proposed bridges will be low-impact, a pair of 6" x 6" footings spanning the wet area with parallel 2" x 2" boards crossing. Exact location of crossings TBD in the field after snowmelt. The bridges will be able to be easily removed, if needed.

Commission comment:

Ralph agreed: Most of the proposed work is out of the Commission's jurisdiction, several crossings are needed over the outlet from Mirror Lake.

Mike suggested going around rather than through some of the wet areas, and perhaps adding some spur trails to scenic overlooks.

Nick: Where possible they will consider re-routing some of the trails.

Ralph: The trails shown on the map were originally laid out by Dick O'Brien, an experienced trail designer & trail builder.

Nate has submitted an application for a Recreational Trails Grant from DCR to pay for this this work.

Motion made (Mike) & seconded (Ralph) to issue a Negative Determination of Applicability.

Roll Call: Breau: Aye. Baker: Aye. Christian: Aye. Donnelly: Aye. Helene: Aye. Sarefield: Aye.

Vote 6-0 in favor.

OTHER BUSINESS:

Leominster DPW - Emergency Certificate - Crawford St. water main break

Mark Piermarini, Leominster Asst. DPW Director will provide a recap & photos of the work site after snow cover is gone. He had asked whether the Commission would want to have its own lock at the entrance gate to the access off Crawford St., but DPW agrees: Leominster Water should have its lock and Gary Withington, Fitchburg DPW should have a key.

414 Ashburnham St. - C.O.

Present (virtual): John Harrison, Atty. John Barrett.

The Commission had denied an OOC for a proposed single-family dwelling on this lot. That Denial was appealed to DEP; a Superseding OOC was issued by DEP - Central Region. DEP has not been doing any site inspections for Certificates of Compliance during the Pandemic. Under the Local Wetlands Ordinance the Commission DID approve a plan with conditions. That Site Plan & the Commission's decision reviewed.

The house is now complete, a Certificate of Occupancy has been requested by the applicant.

Conservation is one of the City Departments that needs to sign off on the C.O.

Atty. Barrett: John is willing to post an amount of money to the City to be held as security to insure completion of any remaining punchlist items.

Nick Erickson, DPW: Some modifications have been to the drop inlet in the street in front of the site.

Discussion on the remaining work items:

Fix drainage to conform to the approved plan	\$5,000
Finish Snow removal/storage area	\$2,000
Install "No Disturbance" signs on wooden posts	\$1,000
20% Miscellaneous	\$1,600

Total cost \$9,600

Commission concern: Will \$9,600 be enough to cover the cost of the work?
Nick will take a look at the plan and punchlist items and evaluate.

Motion made (Mike) & seconded (Bryan) to recommend issuance of the C.O. provided that a check for \$9,600 payable to City of Fitchburg is provided to the City, and provided that DPW-Engineering confirms that that amount is adequate to cover the cost of completing the remaining punchlist items on this site.

Roll Call: Breau: Aye. Baker: Aye. Christian: Aye. Donnelly: Aye. Helene: Aye. Sarefield: Abstain.
Vote 5-0 in favor.

Mad River Solar/Forest Cutting, Ashburnham St.

Present (virtual) Atty. John Barrett. Steve Holden at ERM, the engineering firm preparing a remediation plan for the site, had requested a continuance to the next month's meeting since they are still preparing the plan. An outline of the proposed restoration measures was provided to Tim Smith for review and comment and Tim has approved the proposed measures. The final version will be submitted to the Commission & Tim at the end of February. ERM will be requesting that the Commission vote to incorporate the remediation plan as an amendment to Mad River Solar's Order of Conditions at the March meeting. However there must be a new notice to Abutters and a hearing prior to the Commission amending the OOC

Public comment: Joyce Jacobs, 778 Ashburnham St. She wanted to make the Commission aware of the continuing drainage problems that still come off of that site onto abutting properties. Also, she had reached out to a person at Duke Energy who says that they will be taking the project over. They must be made aware of the conditions of approval and the need to remediate the site.

Letter of Support - McTaggart's Pond Dam Removal Grant

Present Nick Erickson, DPW. Previously, the City rec'd a \$275K grant to do a study & prepare an Alternatives Analysis to better understand the various options and associated costs for the dam. DPW has decided that dam removal is the best option. They have hired Fuss & O'Neill to begin the design and permitting process for dam removal. DPW plans to submit another grant application to the Dam and Seawall Repair and Removal Program to fund outstanding final design elements, perform additional sediment sampling to satisfy regulatory agencies, and design aesthetic improvements to the site that memorialize the historic use of the site such that it remains a recreation destination for Fitchburg residents.

Nick had asked for a letter of support from the Conservation Commission. Tracey has drafted a Letter which was reviewed by the Commission. Motion made & seconded to Approve the letter. Vote in favor.

Ralph mentioned that should the dam be removed NRWA had suggested possibly reshaping the topography of the stream channel to enhance wildlife habitat. Nick will consider in the dam removal plan

Baker Brook Restoration.

The Commission had received a Notice to Abutters from the Lunenburg Conservation Commission that a hearing will be held on an NOI submitted by the Fitchburg Redevelopment Authority for the proposed restoration of a portion of the southerly side of Baker Brook. "Restoration Plan" by Hannigan Engineering dated 1/12/22 reviewed. An approximately 1,800 linear foot long stretch of previously disturbed

100-foot Riverfront Area totaling 1.4 acres is proposed to be restored & improved with removal of invasive species and installation of new native plantings. This is part of an agreement the FRA has made with the owner of the abutting property at 134 Crawford St. (Grecco Alonso) who had been encroaching onto FRA property over the years.

Solicit new members

Tracey shared a draft flyer for soliciting additional members. Commission will review & comment and a later meeting.

Certificates of Compliance

Issued for several OOCs that have expired:

- 155-472 Allain, 0 South St. - SFD
- 155-495 JCJ, Inc., 0 Arn-How Farm Rd. - 94-unit development
- 155-544 Brideau, 0 Amriott St. - 2 SFDs
- 155-562, Brandon, 305 Wanoosnoc Rd. - Expansion of funeral home

Also, three other Certificates issued for 105-130 John Fitch Hwy. from the 1980s: #155-98, 155-118 & 155-194. This will help clear the title for a future proposed Dunkin's on the site.

Motion made (Ralph) & seconded (Mary) to adjourn. Vote 4-0 in favor.
Meeting adjourned 8:08 p.m.

Next meeting: Wednesday, March 9, 2022

Minutes approved: March 9, 2022