



**TOWN OF LANCASTER
CONSERVATION COMMISSION**

Meeting

NOTICE OF REMOTE MEETING via ZOOM

December 12th, 2023

Roll Call

Shawn Windsor

Dennis Hubbard

Jim Lavallee

Tom Seidenberg

7:00 PM Public Hearings

1. **NOI – 0 Heritage Lane**

The Chair read the notice. The Chair introduced Matt Marro, Marro Engineering, representing Mr. Peter Christoph. Mr. Marro showed an illustration on the screen and also the NOI. Member Windsor questioned the septic system. Jim Lavallee commented on the size of the replication. The Chair had a few questions concerning the Plan. The Board and Mr. Marro discussed the plan in more detail. The Chair then opened up the discussion to the public.

Phil Lawler, 3 Heritage Lane, spoke next. Mr. Lawler felt the lot was unbuildable. He felt the lot was unstable due to quite a bit of erosion. He also felt the mosquito control group was partially to blame.

Kyle Andrejczyk spoke next concerning Clay Pipes. The Chair recommended that a new site walk be done with Mr. Marrow and Mr. Andrejczyk if this would be amenable to the owner.

Elizabeth Keiley, 1 Heritage Lane, echoed the concern of the other residents.

Rebecca Urban, 313 George Hill Rd. Echoed the concerns of Phil Lawler and Elizabeth Keiley. She had concerns about the water affecting her abutting land.

Leila Lawler, 3 Heritage Lane, talked about the Culvert in the road that has gotten significantly worse. The maintenance of the Lane has become a burden to Ms. Lawler.

Dr. Peter Feudo, 318 George Hill Road. Dr. Feudo voiced concerns since his property was on the downhill side of the project. He shared a photo of the water flow.

Jessica da Silva, 2 Heritage Lane. Ms. Da Silva shared the concerns of her neighbors.

Kendra Dickinson, 402 Oman Way. Ms. Dickinson referred to the clay pipes that were discussed. She stated that these pipes date back to French Drains that were placed there long ago. She felt these pipes need to be identified before they are crushed. Ms. Dickinson also questioned if there were any vernal pools in the area. The Chair stated that he was not aware of anything mapped by Natural Heritage.

The Chair then commented on the concerns of the public. The Chair stated that The Commission would look at the plans with these concerns in mind.

The Board thanked all of the participants for their feedback. The Chair requested that Mr. Marro complete a new site plan walk with the Commission. The Chair, Member Windsor, Member Hubbard, and Mr. Marro agreed to a site walk on December 30th, at 10:00 a.m.

Shawn Winsor made a motion to Continue the hearing until January 9th. Member Hubbard seconded the motion. The Chair asked for further discussion. Hearing none he took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

(4-0) to continue the NOI hearing Re: 0 Heritage Lange until January 9th.

2. **RDA – 108 Fire Road 12**

The Chair read the application. The Chair asked if everyone had a chance to look at the plan. Member Lavallee said he did not get a chance. Mr. Glenn McKinnon with Deck It, representing the property owner, showed a few pictures of the proposal. No Comments from the Commission were heard. The public was asked for their comments. Hearing none the Chair asked for a motion to close the hearing. Member Hubbard made the motion. Member Lavalee seconded. The Chair asked for any further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

(4-0) to Close the 108 Fire Rd 12.

The Chair asked for a motion for Negative Determination. Member Windsor made a motion to Determine a Negative RDA. Member Lavallee seconded. The Chair asked for any further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

(4-0) Negative Determination for the RDA on 108 Fire Rd 12.

3. Continued NOI – 33 Fire Rd. 7.

Ryan Proctor, Dillis and Roy, representing the owners and the applicant. The owner, Mr. Proctor and the Chair had done a walkthrough of the property. Mr. Proctor showed an illustration of 33 Fire Rd. 7. Member Lavallee asked some questions of Mr. Proctor. The Chair asked for comments from the public. Hearing none the Chair let the Commission know he was satisfied with the plan. The Chair asked for further comments from the Board. Hearing none the Chair asked for a motion to close the hearing. Member Windsor made a motion to close the hearing. Member Lavallee seconded the motion. The Chair asked for further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) to Close the Hearing for NOI on 33 Fire Rd 7.

The Chair asked for a motion for the Order of Conditions. Member Lavallee made a motion for the Order of Conditions with Standard Conditions. The Chair asked for further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) for an Order of Conditions with Standard Conditions for 33 Fire Rd 7.

4. Continued - Notice of Intent: Fort Devins Box Culvert Replacement & Repair

The Army Corps had asked for a redesign which would take five weeks. The Chair asked to have a motion to Continue this until the 9th of January. Member Lavallee made a motion to continue until January 9th. Member Windson seconded. The Chair called for a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote (4-0) to Continue the Notice of Intent for Fort Devins until January 9th.

5. **Amended OOC** - 710 Fort Pond Rd

The Applicants had requested an Amended OOC for 710 Fort Pond Rd. Trevor Fletcher, Grads Engineering, represented the property owners. Member Lavallee spoke up saying he had made a mistake; the motion should be for an Amended Order of Conditions and not the Amended Notice of Intent. Member Lavallee then made the motion to Amend the Order of Conditions. Member Windsor seconded the motion. The Chair asked for any further discussion. Not seeing any the Chair asked for a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote (4-0) to require an Amended OOC

The Chair asked if the Board was satisfied enough to approve the Order of Conditions. The Board was satisfied to approve the Order of Conditions.

The Chair opened the meeting to the public. Bryan Sheridan, 1675 Shirley Rd, had a question about snow melting. He wondered if there would be any increase in chemicals. Mr. Fletcher said there would be no increase. Mr. Sheridan also asked about the lights. Mr. Fletcher said to contact the Building Inspector who would enforce the order.

The Chair asked for any further comments. Hearing none the Chair requested a motion to close. Member Windsor made a motion to close the hearing. Member Lavalee seconded the motion. The Chair asked for any further discussion. Hearing none the Chair took a Roll Call:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote (4-0) to Close the Hearing

The Chair looked for a motion to issue an Amended Order of Conditions. Member Windsor made the motion. Member Lavallee seconded the motion. The Chair asked for further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote (4-0) to Issue an Amended Order of Conditions for 710 Fort Pond Rd.

Discussion

1. Continued CoC – New England Power

The Applicants asked for a continuance until the 9th of January. The Chair asked for a motion to Continue this until the 9th of January. Member Lavallee made a motion to continue until the 9th of January. Member Windsor seconded to motion. The Chair asked for any discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) to Continue the hearing for the CoC until the 9th of January.

2. Ratify EO - 395 Center Bridge Road

The Chair brought up the Enforcement Order he had filled out on the screen for the Commission to review. The Chair looked for further comments or questions from the Board on the Enforcement Order. The Chair looked for a motion to ratify the Order. Member Windsor made a motion to ratify the document. Member Lavallee seconded this motion. The Chair asked for further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) to Ratify the Document for 395 Center Bridge Road

Consent Agenda

1. Approval of Minutes from September 26th

The Chair and Member Hubbard gave Editorial Comments on the minutes. The Motion to accept the minutes as amended. The Chair asked for further discussion. Hearing none the Chair took a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) to Accept the Minutes as amended.

Other Business

Jim Lidstone told the commission about the Town Forest Legacy Program. This would protect seven hundred acres for the town. Mr. Lidstone asked the Commission if he get on the agenda. The Chair told Mr. Lidstone he would get him on the agenda. The Board, Mr. Lidstone and Tom Christopher, ensued a lengthy discussion concerning the Town Forest Legacy Program.

The offer of the Conservation Agent was made to Brianna Weigel. She is planning to start on January 3rd.

Adjourn

The Chair called for a motion to Adjourn. Member Winslow made the motion to Adjourn. Dennis Hubbard seconded the motion. The Chair called for a Roll Call Vote:

Vote:

Shawn Windsor - Aye

Dennis Hubbard - Aye

Jim Lavallee - Aye

Tom Seidenberg – Aye

Vote: (4-0) to Adjourn the meeting

Upcoming Conservation Commission Meeting dates

January 9th, 2024

January 23rd, 2024

February 13th, 2024

DRAFT