

*Mar 09 2022 4:05 pm*

**CITY OF FITCHBURG  
CONSERVATION COMMISSION**

**MEETING MINUTES  
WEDNESDAY, JANUARY 12, 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:* Mark Christian, Mary Helene, Ralph Baker (~7:30)

**STAFF IN ATTENDANCE:** Tim Smith, Mike O'Hara

**CALL TO ORDER:** Meeting called to order at 6:43 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 September 28<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

Motion made (Mike) & seconded (Mark) to approve the minutes of the October 13<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

Motion made (Mike) & seconded (Mark) to approve the minutes of the November 10<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

Motion made (Mike) & seconded (Mark) to approve the minutes of the December 8<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

**PUBLIC HEARINGS**

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

Applicant's engineer had requested a continuance to next meeting. They are shorthanded and have not finished preparing responses to Tim's comments.

Motion made (Mark) & seconded (Ralph) to continue the hearing to the January 12<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

Notice of Intent - Greif, Inc., Snow Mill Pond Dam improvements, 100 Newark Way

Applicant's engineer had requested a continuance to the next meeting. They still need to finisher revision to he plans based on comments from the Office of Dam Safety.

Motion made (Ralph) & seconded (Mike) continue the hearing to the Jan 12<sup>th</sup> meeting.  
Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

**OTHER BUSINESS:**

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

Prior to the meeting Mark Piermarini, Leominster Asst. DPW Director had emailed stating that he would not be able to attend tonight due to a family emergency. He will provide a written summary and photos of the work area to the Commission.

Request for Determination of Applicability - Fitchburg State Univ. - proposed track resurfacing

Present: Megan Buczynski, Activitas, Inc. and Mary Beth McKenzie, FSU's V.P. for Finance & Admin. Last month the Commission had determined that this proposal needs an RDA rather than an NOI. Megan explained the proposal for resurfacing the FSU athletic field & track off Pearl Hill Road. The existing synthetic turf surface will be removed and recycled to the extent practicable. The track's surface will be cleaned, repaired as needed, and a new track surface will be installed on top of the existing surface. Work directly adjacent to the track fence includes patching and coating the existing walkway, power washing exiting concrete surfaces, and cleaning/redefining the areas at the shotput area.

Commission comment:

Mike: Will there be disturbance of the buffer zone beyond what is already there?

No, all work is within areas that are previously disturbed; no undisturbed areas will be touched as part of this work. Drainage patterns will stay the same as existing.

The project will go out to bid in winter/spring 2022. Work will take about 10-12 weeks and must be done during the summer break.

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

Roll Call: Helene: Aye. Christian: Aye. Donnelly: Aye. Sarefield: Aye. Vote 4-0 in favor.

Mr. Donnelly left the meeting due to a previous commitment.

**OTHER BUSINESS:**

Rollstone Hill - Cleanup on Conservation Commission land

Jeff Hillman, DPW-Engineering re-capped the recent cleanup on Rollstone Hill by Lakeview Landscaping & showed a map of the hill post-work showing the location of junk piles removed, those left to be done and photos of the junk piles. Not all of the junk could be removed due to time constraints. The surplus Trails Grant funds needed to be expended by the end of 2021. The Commission thanked Jeff for the clean-up done.

Mad River Solar, Ashburnham St.

Present: John deNeufville, Tom deNeufville, Atty. John Barrett and Steve Holden, ERM Consulting Continued discussion on the tree cutting & solar array project. ERM is in the process of preparing a remediation plan. Commission has rec'd a letter dated 1/6/22 from Mad River Solar Holdings, LLC (attached) listing the planned remediation activities:

Wetlands & Buffer Zones: Remove debris & repair pre-logging logging contours, apply seed mix.

Stormwater: Install ECBs to prevent runoff from logged areas from depositing sediment on abutting properties.

Mike: The letter is all well & good but there should be repercussions for violation of the Order of Conditions. Mary agreed.

Tim: The logging activities done were not in conformance with the OOC. Therefore, there needs to be an amended or new OOC issues, after another Notice & Hearing.

Mark thinks that the violations were not an oversight, just a way around the rules to get value out of the property.

The deNeufvilles, Atty. Barrett & ERM plan to be at the next meeting with a Remediation Plan.

Woodland Estates, Mfr. Home Park, Rindge Rd. - update

Present: Jamie Rheault, Whitman & Bingham Assocs., Joanne Hamberg.

Jamie gave an update of the progress to date on this project.

Tim: Has the wetland replication area be done according to the approved plan? Jamie can't say at this point that it has. They are having MaryAnn DiPinto do an inspection and evaluation of the side in the next few months – March or April.

Tim pointed out that work is still ongoing w/o a valid OOC since that expired several years ago.

Jamie: All site work within the areas of the Commission's jurisdiction has been completed.

Tim: But we're not sure that the replication area was done correctly, also the detention basin has not been completed, which drains into the replication area.  
Jamie will continue to provide updates to the Commission.

Spotted Lanternfly sightings

Earlier in the day Mike O'Hara & Gary Withington, DPW (Tree Warden) met w/ a representative from Mass. Dept. of Agricultural Resources to examine trees along Boulder Drive on City and Rollstone Bank property that have been infested with Spotted Lanternfly egg masses. Map of location of infested stands of Ailanthus (Tree of Heaven) between Boulder Dr. and the Nashua reviewed. Mass DAR has inspected trees along the riverbank. They will also be clearing a stand of Ailanthus behind the Rollstone bank bldg. and check trees further upstream at Gateway Park. DAR is seeking permission to do tree clearing in the Riverfront Area. Trees will be chipped and the chips hauled to Pinetree Power in Westminster to be burned.

Motion made & seconded to issue an Emergency Certificate authorizing Mass DAR to do the work.  
Vote in favor.

Certificates of Compliance

The Commission signed several Certificates for Orders of Conditions that are now invalid since the projects never happened & the OOCs lapsed.

FYI - Per the State Floodplain Management Coordinator, there needs to be revisions to the Floodplain Overlay District in the Zoning Ordinance, in order for the City to remain eligibility in the Nat'l Flood Insurance Program (NFIP). This will be going before the Planning Board & City Council in the coming months.

Motion made & seconded to adjourn. Vote 4-0 in favor.  
Meeting adjourned 8:05 p.m.

Next meeting: Wednesday, February 9, 2022  
Minutes approved: Wednesday, February 9, 2022