

Conservation Commission Meeting 12/19/13

In Attendance: Laura Replier, John Bell, Carl Shreder, Lillabeth Weiss

Discussion: **6 Norino Way (GCC 2013-07; DEP#161-0761)**

Greg Smith - architect, working on a modification. During this construction we pulled a permit to do the office area. Original permit showed the expansion of the garage. The building permit and expenses was astronomical for 15'. What we're looking to do is not to extend the garage, but to move the warehouse back where the garage was.

Carl: Is the overall footprint changing?

Greg: We're proposing building 1200 sq. ft off to the side.

We're just trying to get the stuff in the yard inside. We're taking it to where people are actually using it. Heat building better. Everything we're doing is outside the 100' buffer.

Laura: That's not a problem

Greg: The whole thing is outside the 100' buffer.

Carl: We need a vote to determine if it's non-significant

John B: I'd like to classify the change to the plan as a minor modification not requiring amending of the plan.

Items to be signed: CoC for Crescent Meadow

7:06pm 7 Mohawk Circle (GCC 2013-25; DEP# 161-0774) New NOI
Septic System Upgrade

Jim Scanlon, engineer

Vincent DiChirico, homeowner

2 Bedroom dwelling with septic system in failure,

7000 sq. ft. lot with a house, concrete driveway, retaining wall, and cement block patio with screened porch raised 3' higher than the rest of the lawn and the hot tub.

Proposing to upgrade the system to a stone and pipe leach field 15' x 20', gravity fed, 50' from resource area.

Board of Health has granted permission for a winter installation. Believes to be leaching onto the adjacent property. (Via Debbie from the BOH)

No comments from DEP.

Laura: That's a steep grade down to the resource.

John B: If it's a break-out that's got to be fixed.

Carl: I'm just wondering if you can move it over at all? There's not much you can do.

John: I know the yard, it's a tight yard. The patio was built around the era of the house. It is what it is.

Laura: How will you get back there with heavy equipment?

Jim: For the soil testing the neighbor allowed us to cut through, but because of the elevation I think that they're going to go through the driveway.

Lillabeth: A long narrow system won't fit in the yard?

Jim: That is a concrete driveway.

Carl: What will they do with the existing system?

Jim: They will abandon the system in place, if any portion of the system interferes with the new system, we'll have to remove it.

Carl: BOH has approved. Steve has indicated that it has break through. Any abutters' comments?

No comments.

John: Could we put in a silt sock?

Jim: We have proposed a silt fence, but we could do a silt sock. Steve had spoken about an emergency order.

Carl: I asked Steve about that, but he said, you haven't asked an emergency order.

Jim: The Board of Health asked for that.

Carl: You have to ask us too.

Jim: I understand and I do want to ask for that.

John B: Steve has power to sign it.

Carl: Could be done outside of the hearing. You still have to file when you're able for an emergency, but it allows someone to start to address the problem right away.

John: I'd like to make a motion to accept the NOI, but not accepting any wetland lines. GCC 2013-25, DEP#161-0774, 12/11/13 plan, have Steve implement the emergency work order. Let Steve know when the contractor will start work so he can do a drive by.

Laura: seconds the motion.

Motion carries unanimously.

Carl: We'd like to add the silt sock to.

John makes motion to close.

Laura seconds the motion.

Motion carries unanimously.

7:19pm 186 East Main Street (GCC 2012-01; DEP# 161-0736) NOI (cont.)

New soccer field, skate Board Park, and dog park off East Main Street

John B: makes a motion to continue to February 6, 2014 @ 7:15pm

Lillabeth seconds the motion.

The motion carries unanimously.

CoC signed 7:21pm for Crescent Meadow (GCC 2000-60; DEP# 161-0438)

Replacement of an existing

7:22pm 175 Central Street (GCC 2013-10; DEP# 161-0763) NOI (cont.)

Replacement of an existing septic system, upgrade and renovation of existing building.

Request for continuance.

John B: Makes a motion to continue the 175 Central Street NOI to 1/16/14 @ 7:45pm.

Lillabeth seconds the motion.

Motion carries unanimously.

Susan reads bills.

John B: Makes a motion to pay the bills as read by Susan.

Lillabeth seconds the motion to pay the bills as read.

Motion carries unanimously.

7:29pm 61 Warren Street (GCC 2013-24; DEP#161-0772) NOI - (cont.)

Project proposes the addition of a 24 ft x 24 ft. garage and structure attaching to an existing dwelling. Proposed areas of alterations are currently graveled driveway.

Mark Seaver- owner

Charles Ogden - project engineer

Asking for approval to build a garage for an existing structure, and capture the roof run-off and put into underground storage chamber, (not only for the garage, but also the existing dwelling.)

The Commission asked for drainage calculations to support sizing of the system, and a buffer zone restoration plan. So we've submitted documents for both of those.

Drainage calculations, one suggestion was to look at Cornell rainfall rates, as well as the traditional technical 40s rainfall rates, 2 and 10 year rates are the same, 100 year storm the 6.6 for the technical traditional rainfall rates and 8.2 for Cornell. The results are summarized as follows: Pre-development for 2yr goes from .1 cfs - 0 cfs; 10 year goes from .15cfs -.01cfs; 100 year traditional .45-.3 - std system; Cornell 1cfs-.83 cfs

The 100 cu ft. stds. we're providing 132 cu ft, draw down less than 72hrs, ours is about 1.25 hrs., using the Roll infiltration rates.

Green area previously disturbed by the prior owner that could use some restoration. Yellow currently undisturbed, area of regrowth.

Mark: I've got some new photos that we submitted.

Basically beyond the green closest to the house are the Do Not Disturb, green area is where we were going to restore. Hopefully new photos show we are NOT cutting that grass. In an attempt to restore, we used the Wellesley wetland guide, trees 100 sq. ft., propose to plant shrubs and other herbaceous plants, also used Green Valley Institute, and the propose to plant over twice the area of the garage. The proposed garage currently is 665 sq. ft., so for each one of those plant types we're going to cover 1330 sq. ft. using seed mix and the shrubs (54 shrubs at 25' sq. ft., seed mix for the herbaceous and ferns and use the coverage rate suggested on the packaging to cover that area.

Carl: Are there any hidden surprises? Decks, etc.?

Mark: There's a deck already, but no, nothing else besides what is proposed.

Carl: What time frame are you looking to do this project?

Mark: We would like to start in the spring. We would get prior approval of the plant list before we plant.

Carl: It's a tight lot. The whole thing is a buffer zone impact.

Laura: They are doing better than the existing area. Less chance of silt.

Lillabeth: Where does the recharge go?

Abutter: Jim Rogers representing South Byfield cemetery, we have no objections.

Laura: Proposes motion to accept the **NOI for 61 Warren Street (GCC 2013-24; DEP#161-0772)**, 9/30/13 plan with the restoration plan to be agreed upon with the agent, and without accepting the wetland line.

John B: seconds the motion.

Carl: What are you using a silt sock? Silt fence?

Charles: We're using hay bales and a silt fence.

Carl: Typically we want a silt sock.

Charles: Okay.

Motion carries unanimously.

Laura makes a motion to close **61 Warren St (GCC 2013-24; DEP#161-0772), NOI.**

John B: seconds the motion.

The motion passes unanimously.

7:49pm Off Long Hill Road (GCC 2013-21) RDA

Gary Goldrup consultant, and forester for Mr. Tompkins.

Laura and Lillabeth went on the site walk.

Laura: We're looking at a heavily vegetated area, with areas of intermittent of water. One of the wetland crossings, you can see just a little bit of the log base that they drove across 15 years ago, but it looks extremely natural.

A second wetland crossing area, a much wetter area, with longer standing water, they crossed in 2006. You can hardly see any evidence that it was ripped up by the machinery. I was really impressed by how little damage was done.

Carl: What level of mechanization are they going to use?

Gary: Fully mechanized. Filabunchers, grabble skidders, cut and put their timber in the skid rows. Largest equipment you'll see in the forestry industry, but it's very clean and very neat for what we're doing. There's a big disturbance in the process of harvesting. All of the cutting we're doing up to the wetlands is heavily red maple canopy. Only have one crossing mitigated w/ poles, and tree-length timber and tops to stabilize the crossing. We're certainly going to try and do it when it's dry or frozen.

Carl: How long do you expect this project to run?

Gary: It will depend on the weather conditions, we can't guarantee frozen conditions or dry conditions in the summer. With 102 acres it will probably take a 3-4 weeks period. It depends on the buyer's schedule.

Laura: You have a buyer for the Rowley side, it's likely you will be able to use him as well. I would love it to be done in the winter, I feel like it would be much less impact on the environment.

Lillabeth: When would you get the best regrowth?

Gary: Whenever you can get scarification of the soil, especially for white pines and oaks.

Lillabeth: So not when it's frozen, you'll get a better regrowth.

Laura: Creating a field setting with a clear cut is actually valuable.

Gary: Creating an Old Field Succession situation creates a valuable habitat. The most important thing to consider, is that it's under Chapter #61 so, any practice Mr. Tompkins does has to IMPROVE his timber resources, he can't go backwards. Does this meet the state standards? State forester inspects, that's what they are paid for, has to comply with best management practices. We would ask you to defer to the state forester for a determination. State forester will treat it the way he would handle any other foresting application. If he has any issues he will discuss it with you.

Laura: The state foresters know the site and know you (Gary Goldrup), because you have been in charge of this site for a long time.

Gary: The history for the property and the management that has been conducted is exactly what a forested land under Chapter #61 is supposed to do. Create stages of growth, so that you have

multiple age classes, over a period of time harvesting crops for the benefit of society. Landowner receives tax break for agriculture.

Laura: I was really impressed. I expected to find a mangled site, but it was a lovely site, with intense wildlife value.

Carl: I don't always have faith in the state to do what they say they will do. That's not to say I don't have faith in you.

Laura: I do have faith in you (Gary), when you were discussing all the processes and the care you take when you're thinning and managing your crop. I really trust in your judgment.

Gary: When the trees start falling they are everywhere, until the job's complete. That's just the function of the harvesting business. It's big equipment, but it's very controlled. As long as the conditions are good for operating, whether it's dry, frozen, or stable we'll be there.

John B: Makes a motion to accept the RDA with a negative determination. The applicant is to be in contact with Steve, when you get the scheduling done to know the time frame.

Laura: seconds the motion.

Laura: would it be a hardship for you if we ask for a rider that you don't harvest in the spring?

Gary: We need to work year round. If the soils are sandy and they drain well, they can support the vehicles, we would harvest. Its site specific, if it's pouring and there are monsoon rains, they are not going to operate. As soon as we're done with the wetlands, we're done. There's only about 15 trees that are affected by the wetlands, the rest is all upland.

Lillabeth: Are you going to be there at all during the operation of the harvest?

Gary: Periodically, yes.

Mr. Tompkins did say that anytime you are welcome to view the harvest, you are welcome.

Carl: Any abutters to the long hill project?

Motion carries unanimously

John B: makes motion to close the project **Off Long Hill Road (GCC 2013-21) RDA**

Lillabeth: seconds the motion.

Motion to close passes unanimously.

8:09pm 212 West Main St (GCC 2013-22; DEP#161-0773) NOI (cont.)

Tree removal

Deborah and David Andrews - owner

E-mail from the Division of Fisheries and Wildlife saying the Andrews are not disturbing any habitat.

John B: We were just waiting for numbers actually.

We changed the verbiage on the map from "brook" to "river".

Came up with some trees that we thought would be a better fit: white pine, hemlock and red maple.

Lillabeth: I wouldn't recommend hemlock because of the adelgid problem.

Deborah: What about Tupelo? I've heard they are pretty.

Lillabeth: Tupelo are great.

John B: That you can work with Steve in the field.

Laura: (Reading the letter from the Division of Fish and Wildlife), So you're okay to take down the trees, but no grading or disturbing of the soil while you're doing that until the division has completed it's MESA review.

Carl: Yes, I believe so.

Any abutters to 212 West Main Street?

John B: Makes motion to accept **212 West Main St (GCC 2013-22; DEP#161-0773) NOI**, to work with Steve in the field for the tree plantings and scheduling, minimal soil disturbance for tree removal, as stated in the letter from the Mass Fish and Wildlife.

Lillabeth: seconds.

Passes unanimously.

John B: makes a motion to close **212 West Main St (GCC 2013-22; DEP#161-0773) NOI**

Laura: seconds motion.

Motion closed.

8:15pm Rear Lisa Lane, 18 Lisa Lane, 44 Searle Street & 1 Wilikins Place aka Turning Leaf (GCC 2013-23; DEP# 161-0771) NOI (cont.)

Roadway construction, associated grading and Storm water management construction for 24 lot residential subdivision

Jill Mann, representative for the applicant for Turning Leaf
Rich Williams, site design engineer from Williams and Spragues
Tom O'Connell, principal at Artisan
Ralph Maoural, principal at Artisan

Applicant has their green cards.

Jill: Artisan had an interest in developing the 40 acres mostly owned by Ingraham and Pingree. We noticed we exceed the maximum length of a dead end roadway that is permitted in Georgetown. So we entered into an agreement with the 44 Searle Street property owner, to allow us an exit onto Searle Street so we didn't have the issue in regard to the dead-end road. This will provide multiple benefits for the town because we are providing a connection and a through-way. That is one of the

intended benefits of further development. We realized we were quite close to the wetland resource areas.

Carl: Did you ask the planning board for a waiver on that dead-end road extension?

Jill: No, they don't typically grant them for this long of a road. We had a discussion with them, but did not do the full-blown waiver process.

Rich: We had a discussion with the planning board during the OSRD process as part of the preliminary filing and the indication from them was that it was excessively long and we were not going to get a waiver for extending that dead-end and putting a cul-de-sac somewhere in that location. The proposed roadway with the dead-end was about 2800 ft.

Laura: That's way in excess of the regulations. I think it's about 800 ft.

Jill: So we tried to find a way out that provides a better benefit to the town. It's always good to have 2 points of egress with regard to any public way. So we did provide for that exit, but when we did that we encountered recognized wetlands in this area, so we purchased rights to be able to push the roadway over. We acquired Parcel B, Parcel C is being given. We evaluated many alternatives when we were looking at this particular configuration.

Rich: There are 3 plans that show the progression of our design. Design 1, close to wetlands, doesn't include 1 Wilkins Place, had some wetland filling, and some work in the 50' buffer zone; Design 2, applicant made arrangements to purchase triangle that enabled us to pull the road away from the wetland system and the limit of work was also able to be moved further away from the wetlands; Design 3, finally in order to pull it away as much as possible we designed a retaining wall to pull the grading away from that limit of work line. It's now about 42' to the resource area. There is a retention pond. We are seeking a waiver from the planning board to make the roadway as close to the Wilkins place house as possible.

Carl: In total, how many waivers are you asking of this commission?

Rich: Just the work in that one location.

John: That's the only waiver you're asking for the whole project from the Conservation Commission?

Jill: Yes.

Rich: The rest of the work. There is work within the buffer zone, for storm water management areas. Everything is outside the 50'.

Carl: If you're working in the resource area that's our jurisdiction, and you would be asking for a waiver from us.

Rich: It's outside the "No cut" area.

Carl: From the bylaw or the state act?

Rich: Of the bylaw. It's outside your 50' "no cut" zone.

Jill: In regard to structures (homes) and driveways, are all outside of the 75' buffer zones.

Carl: Would it be possible, and actually it's required to provide us with a "No waiver" plan?

Rich: There isn't one. We can't extend the road. Unless we are allowed to be within the 50'. We need to provide a through-way instead of a cul-de-sac. The length of this roadway is already in excess of the Planning Board allowance.

Carl: I understand that, but that's a waiver from the Planning Board.

Jill: We looked at multiple different alternatives, as we are required under the plan, we recognize that. We are completely circled on the south, east and west by wetlands. We created this particular exit point. We believe we did as much as possible to ensure protection of the wetlands. We tried very hard to stay out of the resources as much as possible. We maintained the physical structures outside the 75' buffer, so we didn't have to get waivers for any of the structures, or any other portions of the roadway, that was critical for us as well. We do have that one waiver to that one south-east portion of the roadway. We are trying to mitigate for the impact in that area by pushing the roadway over. This is a waiver under the Planning Board regulations. By pushing the street up, out of the center, we are getting the most buffer possible to the wetlands, and we are keeping the roadway out of the 50' buffer. We are proposing to plant as much as possible along the roadway to provide protection for that wetland border. The applicant, what are we, as a developer going to provide to the town? And to the area in general? Resources? Habitat? Wetland resources? What we are proposing is to give a parcel of land back to the town 13.7 acres, 9 of which are upland, which is wonderful habitat. That's shown as Parcel F.

Carl: What is the access to that?

Jill: The access will be given to you off the roadway. We have yet to develop it, because we wanted to meet with you first before we created that access, because we wanted to give you the opportunity to have input before we created that access. You will actually have adequate access off our proposed subdivision roadway, making it easy for you to go through.

Rich: It also connects to land owned by the town of Georgetown.

Laura: The parcel you are giving to the town, Parcel F, is very steep. It's unusable. It's not a swamp, it's a cliff!

Rich: It's not really steep, it's rocky on the top portion.

Laura: What about septic provisions next to that cliff that the houses are bordering?

Rich: We'll probably be a couple hundred feet from the wetland.

Laura: I'm a little more curious about the grade than the wetland. I'm just wondering where it was in relation to the cliff?

Rich: The cliff is back here. The septic system is up in the front.

Dark green areas are proposed storm water management areas. Wet during storms, but they will drain. They are separated by at least 2' above the water table. The houses are 150' - 120' from vernal pools.

Lillabeth: How large are the lots?

Rich: Minimum of 40,000 sq. ft., some are larger than that.

If this land gets transferred out of the project, than all the lots are closer to an acre, if not than there are a couple of lots that are pretty big the way that are shown now.

Laura and John B: What is the standard width of a roadway?

Rich: 50'W, looking for a waiver for 24' wide pavement, requirement is either 26' or 28', I forget, but we will be wider than Lisa Lane already is which is 23'. We can design the drainage as if it were the full width so that this will accommodate that.

John: You were talking about parking for the resource area, if they don't walk there. Parking is very much needed.

Carl: You may have mis-understood me when I asked how many waivers you were asking for. You have indicated that these other things are within 50' of the BVW and we allow them. We do allow them, but it doesn't mean it's automatic because we have that. I consider all those things waivers, in my mind. Even though the regulations say we do allow building up to 50', it's not a guarantee, you need to ask, and if we grant that, it's a waiver. You're impacting that resource area, you need to ask for a waiver.

Rich: You're asking how many activities we have in the buffer zone?

Carl: Right, that's what I'm asking.

Rich: All the storm water management areas are outside the 50' buffer but, portions of them are within the 100' buffer zone. The pond itself is outside the 75', but the grading is inside the 50' buffer zone. Those disturbances are temporary, and I think that if you go look at any of the storm water management areas that have been built they tend to grow up into wildlife-type areas. Wetland plants grow in them, and wildlife tends to be attracted to them.

Lillabeth: How steep are the banks?

Rich: The banks are 3:1 (horizontal feet to vertical).

Larry Graham is working for the Planning Board as a 3rd party consultant, and he is reviewing the drainage and looking at the plan already. If he's someone that you've used in the past, he's someone that might make things go a little bit smoother.

Carl: We're looking at a whole different perspective. We are looking at the impact the development would have on the resources. Larry's looking at a civil engineering perspective.

Rich: He does review for conservation commissions as well. I know that he's done reviews for this board in the past.

Carl: Typically, not wetlands, storm water.

Rich: The wetland line has been determined, BSC has reviewed that and there's an ORAD.

Carl: I'm aware of that. But this is the process.

Rich: We working through the process, together with both boards.

Jill: So that if there's a change, you can see their change and vice versa.

Carl: I would like to have BSC take a look at this as well.

Laura: We're looking to quantify the cumulative effect of all this tippy-toeing in between the 50', the 75' and the 100' buffer zones of this development on the resources in that area, correct?

Carl: Yes, that's correct.

Laura: I'm trying to establish whether we need to put them through the pain of having a 3rd party review from our perspective? Or can Larry do it? But I absolutely agree, we need to have a wetland scientist, not an engineer.

Laura: Makes a motion to engage a 3rd party reviewer to evaluate the effect of this proposed development on the resources in the area.

John B. seconds the motion.

Carl: My recommendation is that we should use BSC group, Gillian Davies would do a good job with this project.

Motion carries. Any other discussion?

Laura: The main difference between the two plans you've shown us is the Open Space parcel.

Jill: Yes.

Rich: This is the plan we that we filed, the previous one. The Planning Board expressed an interest in having a connection to this land and other possible lands that are available. This is what we thought we could provide.

Carl: Land offered has to have some value and public access. We don't like to accept swamps, they are already protected, under local and state act. They are unbuildable. It has to be useful and has access, otherwise we're not interested.

Laura: I'm not sure any of us went down that far, I was up along that main road on the site walk I was on. I don't know anything about the value of that land that you are offering us, although it does about a very large Open Space parcel that we have. (A little to the west)

Lillabeth: Are the houses you are showing conceptual? Or are you going to allow a buyer to come in and build what they want? Or are you going to design the homes?

Rich: They are conceptual, however they are where we think they will roughly end up. We haven't done detailed designs, normally the process would be: the buyer would come in and the applicant would say, "Here's what we could do here", so they might not be exactly like that, but it's a tool for us to determine storm water. We've made the houses a little bit larger than we expect them to be.

Lillabeth: So someone will buy a parcel and you will design to suit?

Rich: Within reason.

Carl: What I'd like to see also from you folks is some sort of statement indicating that you have spoken to the planning board about a waiver on this particular roadway. All I have is a statement that they are not going to grant it. What happens is people don't ask waivers of any other boards and then come here and ask for 75. We don't want to have to catch them all.

Jill: We can provide proof of waivers from other boards for you.

Lillabeth: What if you have a buyer that wants to put a septic out back, would there be some sort of confines as far as what they could do?

Rich: We've done testing out there so we know where septic systems can go, and there are not a lot of places to put septic systems because of the rock and the storm water management area. They can move a little bit, but for the most part we know where they are going. For the most part, the septic systems would not be moving back towards the wetlands.

Carl: Any abutter comments?

Gary Stead 48 Searle St. - In general, this land is very impermeable, a lot of ledge right below grade, pretty steep grade, during high rain, and we get a lot of flooding. Are there any road contaminants that would contaminate the vernal pool?

When you were talking about the roadway, it's still private land, maybe you could move it over here. That's some of my concerns at this point.

Alan Aulson: I have multiple parcels around this project. Before you start accepting parcels, it may continue the parcels being land locked.

I have no access to my land now. I'm asking that we don't exacerbate an existing issue.

Carl: My belief that it's not developable,

Laura: If you look at the boundary of this project, it ends in a cliff.

Lynn Grosslein: It's great land, it gets very swampy. The highlands are nice. During the springtime it gets very wet. (the power lines). It is a cliff and you can't walk down, and there are areas that you cannot walk through it.

Rich: You can traverse the upland.

Lynn: Are you going to keep the grade of the land the same? Or level it?

Rich: We will keep with the natural grades.

Jim Tolman: I own a piece that abuts that. There's a piece that's about 20' Wide can be used to access my property and Alan's.

Lillabeth: What is that like?

Rich: It is wooded.
There may be access off Sawmill, and Fazio Farm Rd.

Jim: Waldenfield Road There's access off the road.

Laura: Were you anticipating access from this development into your land.

Alan: Common courtesy to allow access. I just want to be able to get to get to it.

Jim: I was responsible for Rosemarie and _____, and I think that they should do the same thing.

Chris LaPlaca: 9 Rosemary Lane: I have pics I'd like to show you. I am concerned about the water runoff.

All this land has been flooded from beavers. It's all swamp. There are dead trees and sticks. I'm at 87'. The water flow comes this way. I'm afraid that I'm going to lose my property. I was proposing a beaver deceiver. The water is right up to the property. I'm s

This is a copy of the letter I sent to

Laura: The lack of tree cover and the beavers, caused a loss of a farm.

Gary Stead: Can you give me the boundaries for the wetlands?

Laura: Vernal pool 100', no disturbance 75'; no pervious 50'

Jill: Do you want to do a site walk?

Carl: Yes, but not during the winter.

Jill: Do you want to have Gillian to go out for a 3rd party review?

John B: make motion to continue Turning Leaf to 1 /16/14 @ 7:50pm.

Lillabeth seconds the motion to continue.

Motion carries unanimously.

9:10pm 64-74 East Main Street (GCC 2012-15; DEP#161-0766) NOI

Laura: Makes motion to continue to 1/16 at 8pm

John: seconds the motion

Motion carries unanimously

Signed OoC's

John makes a motion to close the meeting.

Laura seconds the motion to close.

Meeting closed at 9:44 pm

John: makes a motion to approve the 10//17/13 minutes

Laura seconds the approval of the 10/17/13 minutes.

Motion carries unanimously.