



**Conservation Commission
Meeting Minutes
December 12, 2016**

Commissioners in attendance: Commission Chairman Mr. Greg Young, Ms. Diane Guldner, Mr. Wayne Baldelli, Mr. Mo Tougas, Mr. Todd Helwig, Mr. Justin Dufresne. Conservation Agent Kale Kalloch-Getman

Others in attendance: Ms. Gina Cotton, Mr. Jonathan Barcellos, Mr. Michael Sullivan, Town Planner Ms. Kathy Joubert

Mr. Young opened the Conservation Commission meeting at 7:05 p.m. Mr. Young reminded all that the meeting was being audio recorded for transcription purposes.

Mr. Tougas read the legal notices.

Approval of Minutes – October 17, 2016

The Conservation Commissioners reviewed the minutes. Mr. Young requested action.

Mr. Helwig motioned, Mr. Baldelli seconded, and it was unanimously voted, "To approve the Minutes for the Conservation Commission meeting held on October 17, 2016"

Public Hearings

Notice of Intent, 140 -142 Ridge Road, Map 71 , Parcel 5-1& 5-2 , DEP file# 247-1127

- Representative: Greenhill Engineering
- Applicant: Mitchell Johansen
- Request: Repair of Existing Septic System
- Jurisdiction: Buffer Zone to Bordering Vegetated Wetland

Mr. Farrell of Greenhill Engineering stated that the septic system for this two family condominium is in failure. He plans to replace the existing system and add a second tank. He stated that the system is further than 50' from the wetland but within the 100' buffer. Mr. Farrell stated that the septic system was 25 or 30 years old. Ms. Guldner stated that a berm might prevent water from draining off the driveway parking area that slopes into the wetland. Mr. Baldelli stated that water could collect in a berm. Ms. Kalloch-Getman stated that flags 1, 5 and 6 should be relocated to a location 10' closer to the driveway and that placing the erosion controls closer to the driveway could prevent build-up of sediment near the wetland. Mr. Baldelli stated that the culvert near the driveway was a major connection to Bartlett Pond. Mr. Young asked if there were any abutters in the audience. Mr. Baldelli requested that a requirement to sweep the driveway and road be included in the Order of Conditions. Mr. Young requested action.

Mr. Helwig motioned, Mr. Baldelli seconded, and it was unanimously voted, "To issue an Order of Conditions to Mitchell Johansen for property located at 140-142 Ridge Road, Map , Parcel DEP File #247-1127 subject to moving the erosion control barrier closer to the driveway"

Notice of Intent, 249 Green Street, Map 21, Parcel 2, DEP file# 247-1126

- Representative: Connorstone Engineering
- Applicant: Ernie Collette
- Request: Construction of a Single Family House and associated septic system, driveway and grading
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mr. Mike Sullivan introduced the project. He stated the owner lives in an abutting Property. He explained that the lot size is 1.9 acres with steep topography. He stated they are trying to avoid filling the wetland and that the driveway and associated grading would be located in the 100' buffer. He stated that it was going to be a 4 bedroom dwelling and the first 100' of the driveway would be a common drive. He stated that they would need to file with the Planning Board to get approval for the common drive. The remainder of the driveway would be 300 to 350 feet long. He stated the septic system will need to be large because of high groundwater at 2 feet and a slow percolation rate. He stated that in order to minimize the slope they were proposing a 4 foot wall between the septic system and the driveway. Mr. Young stated that he saw running water within 15 feet of the wetland. Ms. Kalloch-Getman stated that it was identified by United States Geological Service as an intermittent stream. Mr. Baldelli asked if the system had been approved by the Board of Health. Mr. Sullivan stated that it had been submitted but not yet approved.

Ms. Guldner asked if the driveway needed to be that long. Mr. Sullivan stated that it was long because the septic system was limited to the location shown on the plan due to the percolation rate. Mr. Sullivan suggested that the Order include a condition requiring the placement of jute, hydroseed or something similar to be installed immediately after the slope is graded. Mr. Sullivan stated that the intention was for stormwater runoff to be directed off of the driveway so that it could sheet flow down the slope on the downgradient side of the driveway. Mr. Dufresne stated that with the 2:1 slope the jute mesh would be a good idea. Ms. Kalloch-Getman stated that as much natural vegetated as possible should be kept between the driveway and the wetland in perpetuity and she agreed that jute would be helpful in preventing erosion. Mr. Sullivan stated that he would agree with a permanent 30' no-disturb zone. Mr. Young stated that wetland signs could be placed in the area. Mr. Baldelli stated that he is concerned about water building up during construction and would like to see some swales or check dams crosswise in the driveway to prevent that, perhaps using crushed rock in the 404' to 408' and 420' elevations. Mr. Sullivan suggested putting in another row of erosion controls on the upgradient side. Mr. Baldelli asked that a plan be put together incorporating the stormwater management suggestions. Mr. Sullivan stated that he would put together a plan with a construction sequence and changes to address the Commissioners concerns about stormwater runoff. Mr. Dufresne suggested putting in a timber guardrail along the driveway to prevent a vehicle from sliding around the corner. Mr. Young asked if there were any abutters in the audience. Mr. Young requested action.

Mr. Baldelli motioned, Ms. Guldner seconded, and it was unanimously voted, , "To continue the hearing for Mr. Ernie Collette, property located at 249 Green Street, Map 21, Parcel 2, DEP File #247-1126."

Public Meetings

Request for Certificate of Compliance, 195 Crawford Street, Map 60, Parcel 72, DEP file # 247-1122

Mr. Young asked Ms. Kalloch-Getman to provide a report. Ms. Kalloch-Getman stated that the project was complete and satisfied the requirements of the Order of Conditions. Mr. Young requested action.

Mr. Tougas motioned, Ms. Guldner seconded, and it was unanimously voted, "To issue an Certificate of Compliance to Ms. Anna Seavey for property located at, Map , Parcel DEP File #247-1122."

Request for Certificate of Compliance, 508 Green Street, Map 10, Parcel 17, DEP file # 247-1097

Mr. Young asked Ms. Kalloch-Getman to provide a report. Ms. Kalloch-Getman stated that the project was complete and satisfied the requirements of the Order of Conditions Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, , "To issue an Order of Conditions to Mr. Jun Ma for property located at, Map , Parcel DEP File #247-1097."

Request for Certificate of Compliance, 308 Main Street, Map 47, Parcel 94, DEP file # 247-979

Mr. Young asked Ms. Kalloch-Getman to provide a report. Ms. Kalloch-Getman stated that the project was complete and satisfied the requirements of the Order of Conditions. Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, , "To issue an Order of Conditions to Mr. John Grenier for property located at, Map , Parcel DEP File #247-979."

Request for Certificate of Compliance, 124 Hudson Street, Map 53, Parcel 14, DEP file # 247-994

Mr. Young asked Ms. Kalloch-Getman to provide a report. Ms. Kalloch-Getman stated that the project was complete and satisfied the requirements of the Order of Conditions Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, , "To issue an Order of Conditions to Mr. Jeffrey Tucci for property located at 124 Hudson Street, Map 53 , Parcel 14, DEP File #247-994."

Request for Certificate of Compliance, 70 Coolidge Circle , Map 7, Parcel 32, DEP file # 247-1123

Mr. Young asked Ms. Kalloch-Getman to provide a report. Ms. Kalloch-Getman stated that the project was complete and satisfied the requirements of the Order of Conditions. Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, , "To issue an Order of Conditions to Casella family Trust for property located at 70 Coolidge Circle, Map 7, Parcel 32, DEP File #247-1123."

Request for Partial Certificate of Compliance, 172A Howard Street, Map 37, Parcel 93, DEP file # 247-1116

Ms. Kalloch-Getman stated that this lot is part of the Clark Woods subdivision but is the site of the existing house and is outside of the scope of activities permitted under DEP file # 247-1116. Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, , “To issue a Partial Order of Conditions to Mr. Craig Callahan for property located at 172A Howard Street, Map 37, Parcel 93, DEP File #247-1116.”

Informal Discussions

0 Green Street

Mr. Young stated that the Commission had received notice that Negative Determination of Applicability had been appealed to the Department of Environmental Protection.

39 and 40 King Street

Ms. Kalloch-Getman stated that she had spoken to Mr. John Grenier about the project and that he had stated the project is not going forward. Ms. Joubert stated that the Zoning Board of Appeals had not approved the project. Ms. Kalloch-Getman stated that the Department of Environmental Protection was reviewing the appeal of the Commission’s decision but were waiting to issue a decision until more information about possible changes to the plan are made available.

456 West Main Street

Ms. Kalloch-Getman stated that a septic repair located approximately 95 feet and across the street from a pond had been brought to her attention. She stated that she had told the representative for the owner to go ahead and finish the project for safety reasons. Ms. Kalloch-Getman stated that the project had been completed and she was satisfied that there was no impact to the resource are. Mr. Baldelli asked that it be documented. Ms. Kalloch-Getman stated that it had been.

12 Whitney Street

Ms. Kalloch-Getman stated that the developer, Mr. Mike Venincasa, had requested to be added to the agenda for an informal discussion of the upcoming project but had notified her that he would not be attending the meeting. The Commissioners and Ms. Joubert discussed the status and type of project.

110 Hudson Street

Ms. Kalloch-Getman stated that she was contacted by the owner who would like to remove a barn on the property. She stated that she had visited the site and found that the barn was falling apart and appeared hazardous. She stated that the property was located along the Assabet River. Mr. Young suggested that erosion controls could be used. Mr. Baldelli stated that they would need to obtain a demolition permit.

40 Lydia's Way

Mr. Sullivan introduced Ms. Cotton, the homeowner of 40 Lydia's Way and stated that she wanted to do work in the same footprint of her existing house and add a landing and stairs. Mr. Sullivan said that he was hoping that Ms. Cotton would not have to file with the Commission. Mr. Young asked when the work on the prior project been done. Ms. Cotton stated that it had been two years ago. Mr. Baldelli asked if the delineation was still valid. Ms. Kalloch-Getman stated that she didn't think so and that there is a perennial stream adjacent to the wetland. She stated that the project appeared to be in the Riverfront Area and that impervious calculations for the development had not be located. Mr. Sullivan stated that in the original filing the Commission did not call it a perennial stream. Mr. Sullivan presented the original development plan. Mr. Baldelli stated that a perennial stream would have substantially impacted the development. Mr. Young asked Ms. Cotton to show where the work would be done. Mr. Dufresne stated that the techno tubes proposed for her project work very well. Mr. Helwig asked Mr. Sullivan to explain why they shouldn't have to file. Mr. Sullivan said that they would file an RDA with the information they have.

On-going Project Updates

Lincoln Street School - Pending Request for Certificate of Compliance (RCOC) Update

Mr. Young stated that he and Ms. Kalloch-Getman had attended a meeting regarding the upcoming RCOC. He stated that everything looked good but there were some questions around the Operations and Maintenance plan. He stated that Scott Charpentier, the DPW Director had asked some questions about the plan as well. Ms. Kalloch-Getman stated that they would also be presenting documentation to confirm that the two rear detention basins were draining adequately.

388 Crawford Street – Violation Update

Ms. Kalloch-Getman stated that a significant quantity of material had been pushed toward the wetland. She stated that the majority of the material had been removed but soil had been left against the trees which had to be removed and some additional erosion control needed to be placed at the base of the stockpiled soil. Mr. Barcelos stated that he would ask his workers to hand remove more of the material. Ms. Kalloch-Getman and Mr. Barcelos agreed that they would meet on site.

432 Whitney Street - Violation Update

Ms. Kalloch-Getman stated that she had received confirmation that Mr. Anza had received the letter requiring a Notice of Intent by December 2nd for the unpermitted work that has been done on the property over the last several months but that he had not yet filed. Ms. Joubert stated that Town Council and Mr. Coderre (Town Administrator) had been notified. Mr. Anza's probation officer had been notified as well. Mr. Young said that he wants to be sure that Mr. Anza has not continued to dump material on the property. Mr. Young stated that he believed a Cease and Desist letter could be issued quickly. Ms. Joubert confirmed that Ms. Kalloch-Getman had notified her of that. Ms. Joubert stated that the police department has been responding to reports of animals in the road. Ms. Guldner asked if cows had been seen in the wetland. Mr. Young stated that he had seen them in the wetland. Ms. Kalloch-Getman stated that Mr. Anza had stated that he allows animals in the wetland. Mr. Young stated that he favored a Cease and Desist but would wait to hear from Town Council.

Community Preservation Grant Request - Bartlett Pond Herbicide Treatment

Mr. Helwig stated that the grant request looked good and the vote would be in January.

Administrative Matters

2017 Meeting Schedule: The Commissioners approved the 2017 Meeting Schedule

DEP file# 247-440 Certificate of Compliance Signature Page Request

Ms. Kalloch-Getman stated that Commission records show that a Certificate of Compliance was issued for this septic repair but not recorded with the Registry of Deeds. She stated that the signature page was missing and requested that the Commissioners issue a new signature page so that the Certificate could be recorded. The Commissioners agreed to sign a new signature page.

Correspondence

Forest Cutting Plan Submitted for Bill and Ann Rawstrom property off of Mentzer Avenue

Ms. Kalloch-Getman stated that the Commission had ten days to respond to a Forest Cutting Plan and asked if any of the Commissioners would like to review it. Mr. Tougas stated that they can cross through wetlands but they are required to take measures to protect them such as building temporary bridges. Mr. Young suggested that Mr. Beals be notified of the Forest Cutting Plan.

Next Meeting

February 6th at 7pm. Site visits: Saturday, February 4th at 8am; Commissioners discussed and agreed to meet on the site visit and meeting dates.

Adjourn

The Commissioners had no further business to discuss. Mr. Young requested action.

Mr. Helwig motioned, Mr. Baldelli seconded, and it was unanimously voted, "To adjourn the Conservation Commission meeting."

The Conservation Commission meeting ended at 8:32 p.m.

Respectfully submitted,

Kale Kalloch-Getman
Conservation Agent