



# TOWN OF NORTHBOROUGH Conservation Commission

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Approved 10/17/16

## Conservation Commission Meeting Minutes July 11, 2016

**Members Present:** Wayne Baldelli, Diane Guldner, Todd Helwig, Justin Dufresne, Tom Beals

**Others Present:** Kale Kalloch-Getman, Conservation Agent; Nichole Dunphy, Highpoint Engineering; Craig & Cindy Callahan, 172A Howard Street; Dan Benway; Ziad Ramadan, 85 Newton Street; Vito Colonna, Connorstone Engineering; Jonatas Barcelos, On-Time Construction

In the absence of Chairman Greg Young, Mr. Baldelli opened the meeting at 7pm.

Ms. Guldner read the legal notices for the following public hearings:

- **Notice of Intent, 388 Crawford Street, Map 7, Parcel 38 , DEP file# 247-1114**
- **Notice of Intent, 24 Morse Circle, Map 7, Parcel 15 , DEP file# 247-1115**
- **Notice of Intent, 343 Newton Street, Map 7, Parcel 38 , DEP file# 247-1119**
- **Notice of Intent, 30 Forbes Road, Map 15, Parcel 18 , DEP file# 247-1118**

### **Notice of Intent, 388 Crawford Street, Map 7, Parcel 38 , DEP file# 247-1114**

- Applicant: On-Time Construction, Inc.
- Representative: Connorstone Engineering
- Request: New Septic System
- Jurisdiction: Buffer Zone to a Freshwater Wetland, Riverfront Area

Applicant Jonatas Barcelos, On-Time Construction, and Vito Colonna, Connorstone Engineering, were present and Mr. Colonna presented the project. He explained 388 Crawford Street is a 1-acre residential lot on which there is an existing single-family home. A Bordering Vegetated Wetland and Riverfront Area are located on the site. The cesspool has failed and a new septic system is proposed.

Mr. Baldelli asked if the new system will be gravity-fed and Mr. Colonna stated it will be a pump system.

Mr. Colonna stated the project also includes an addition and a deck. A third bedroom will be added and the existing driveway will be maintained. He noted there is a lot of ledge on the site.

Mr. Helwig motioned to issue an Order of Conditions for 388 Crawford Street, DEP# 247-1114; Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

**Notice of Intent, 24 Morse Circle, Map 7, Parcel 15 , DEP file# 247—1115**

- Applicant: Mark Berryman
- Representative: Vito Colonna, Connorstone Engineering
- Request: Septic System Replacement
- Jurisdiction: Buffer Zone to a Freshwater Wetland, Riverfront Area

Vito Colonna, Connorstone Engineering, presented the project. He explained the property at 24 Morse Circle is 2,000 square-feet in area with a 4-bedroom single-family home. A riverfront area is in the back, associated with Cooledge Brook, as well as a flood zone. The existing septic system on the site has two leach pits that have failed and a new septic system proposed will be a pump system.

Ms. Guldner asked if there was fill on the site. Ms. Kalloch-Getman responded she observed some fill close to Cooledge Brook when she visited the site, and stated it should be removed before work begins. Mr. Baldelli added yard waste and branches should also be removed, and Mr. Colonna confirmed they will all be removed. Ms. Kalloch-Getman asked the members if they wanted a wetland sign posted and Ms. Guldner stated she would like two signs posted.

Mr. Helwig motioned to issue an Order of Conditions for 24 Morse Circle, DEP #247-115, with the conditions that, prior to the beginning of work, two of the Commission's "Wetlands Area-Do Not Disturb" signs shall be posted; and fill close to Cooledge Brook, as well as yard waste, branches and any other debris, shall be removed. Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

**Requests for Certificates of Compliance**

Mr. Baldelli asked Ms. Kalloch-Getman if she has visited the sites and she stated she has visited them and they are all complete.

Mr. Helwig motioned to issue Certificates of Compliance for the following:

***Request for Certificate of Compliance, 37 St. James Drive, Map 53 , Parcel 40, DEP file# 247-1008***

- *Request made by: Estate of Suzanne Wile*
- *Final Order Issued to: Suzanne Wile*

***Request for Certificate of Compliance, 55 West Street, Map 56, Parcel 50, DEP file# 247-848***

- *Request made by: Michael Casaceli*
- *Final Order issued to: Nancy Casaceli*

***Request for Certificate of Compliance 343 Newton Street, Map 7, Parcel 38, DEP file# 247-931***

- *Request made by: Mohammed Ziad Ramadan*
- *Final Order issued to: Mohammed Ziad Ramadan*

Ms. Kalloch-Getman noted Mr. Ramadan is requesting a Certificate of Compliance for the Order of Conditions that expired in 2014. She explained some driveway work had been done on that order and an As-Built plan for that work has been received.

***Request for Certificate of Compliance, 86 Maple Street, Map 52, Parcel 130, DEP file # 247-1077***

- *Request made by: David Hoover*
- *Final Order Issued to: David Hoover.*

Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

**Notice of Intent, 343 Newton Street, Map 7, Parcel 38 , DEP file# 247—1119**

- Applicant: Mohamed Ziad Ramadan
- Representative: Vito Colonna, Connorstone Engineering
- Request: Single Family Home, septic and driveway
- Jurisdiction: Buffer Zone to a Freshwater Wetland

Applicant Ziad Ramadan was present and explained the original Order of Conditions has expires. Mr. Baldelli asked if the members have plans for this project. Ms. Kalloch-Getman had the plans and distributed them to the members, along with photos of the site.

Mr. Ramadan this filing was for a house, a driveway and a septic system, but he did not build the house. Mr. Dufresne confirmed with Mr. Ramadan that the house was approved but never built. Mr. Baldelli stated the regulations haven't change, so Mr. Ramadan is good to go.

Mr. Ramadan noted material will be brought in to raise the septic system. Ms. Guldner asked Mr. Ramadan to keep the road clean and put up some signs to mark the wetlands on the North side of the driveway. Ms. Kalloch-Getman stated a tracking pad is needed, also.

Mr. Helwig motioned to issue a Certificate of Compliance for DEP File# 247-1119, 343 Newton Street, with the conditions that "Wetlands Area, Do Not Disturb" signs will be used to mark the wetlands on the North side of the driveway. Mr. Baldelli seconded the motion and the vote was unanimously in favor of the motion.

**Notice of Intent, 30 Forbes Road, Map 15, Parcel 18 , DEP file# 247—1118**

- Applicant: Jeffrey Angus
- Representative: Douglas Hartnett, Highpoint Engineering, Inc.
- Request: Loading Dock Expansion
- Jurisdiction: Buffer Zone to a Freshwater Wetland

Nicole Dunphy, Highpoint Engineering, presented the project. She explained there is an existing industrial building with a 3-bay loading dock. A catch basin in the parking lot discharges into the wetlands. They are proposing to add another bay, remove some lawn area, and expand the concrete. An underground infiltration system is proposed to collect all additional runoff and no additional runoff will go to the catch basin.

Mr. Baldelli suggested a hood be put on the outlet. Mr. Dufresne asked the age of the system and Ms. Dunphy stated it was installed in the mid-80s. Mr. Dufresne asked if there is a trench drain and Ms. Dunphy replied there is and there will be silt sack and filter socks.

Ms. Kalloch-Getman stated the Order of Conditions will show only flags that have been reviewed.

Mr. Helwig motioned to issue an Order of Conditions for DEP file# 247-1118, 30 Forbes Road, with the condition that hoods will be put on the catch basin and only flags that have been reviewed will be on the plan. Mr. Beals seconded the motion and the vote was unanimously in favor of the motion.

## Old/New Business

### **Notice of Intent, 0 Church Street continued, Map 43, Parcel 8, DEP file# 247-1104**

- Applicant: Joseph Bottieri
- Representative: Scott Goddard, Goddard Consulting
- Request: New Septic System
- Jurisdiction: Buffer Zone to a Freshwater Wetland, BLSF

Scott Goddard, Goddard Consulting, was present. He stated there was a peer review done by Glenn Krevosky, who confirmed the accuracy of the wetland delineation. There is an interior area that puddles outside of the growing season. There is proposed volume manipulation and the compensatory storage area will be planted with wet meadow species.

Mr. Helwig stated he has a problem with this project. Every time he drives by there is water on the site that will be a problem for someone in the future. Mr. Beals stated they have done their due diligence.

Mr. Beals motioned to issue an Order of Conditions for DEP File# 247-1104, 0 Church Street. Ms. Guldner seconded the motion and the vote was 4 members in favor of the motion and 1 opposed (Mr. Helwig). Mr. Beals requested the Planning Board be notified of their decision to support the turn-around.

### **Notice of Intent Continuation, Washburn and Howard Streets, Map 37, Parcel 93, and 94, DEP file# 247-1116**

- Applicant: Daniel Benway
- Representative: Mark Arnold, Goddard Consulting
- Request: Common driveway for residential subdivision, wetland fill and replication. Bank alteration
- Jurisdiction: Freshwater Wetland, Bank

Applicant Daniel Benway; Scott Goddard, Goddard Consulting; and Vito Colonna, Connorstone Engineering, presented the project for a common driveway with 5 lots. The wetland delineation has been approved and their focus is right on Washburn. The road is as far to the right and as narrow as possible. This is a limited crossing. There are some impacts to the wetlands. They propose to meander the stream through wetland replication. The grade will be 1-foot lower than the existing grade. Mr. Goddard stated Mr. Colonna will explain the width and location of the road.

Mr. Colonna stated the project has been before the Planning Board and a review of the Definitive Subdivision Plan is scheduled for next week. They have discussed the road layout with the Planning Board. Fred Litchfield, Town Engineer, and Dan Nason, DPW Director, are not comfortable with increasing the size of the culvert.

Ms. Guldner asked if there are concerns from the neighbors that the culvert plugs up and causes flooding. Mr. Colonna responded they have received calculations regarding off-site flow, but have not done calculations on a 12-inch pipe. Mr. Baldelli asked if deep flow will prevent wetland plant establishment. Mr. Goddard replied they will replicate the bank and the bordering vegetated wetland. It is the best place to do the work and they are required that it be successful within two years.

Mr. Colonna noted a letter from the DPW will be issued. Mr. Dufresne stated it seems like a lot of infrastructure for the Town to maintain. Mr. Colonna responded it is increased due to Title 5 setbacks. Ms. Guldner added these systems don't always get maintained. Mr. Baldelli stated they still have issues.

Mr. Colonna stated the Planning Board is allowing for only one sidewalk, which will reduce the impact.

Mr. Dufresne suggested he could talk to Mr. Litchfield.

Ms. Guldner noted wetland restoration with stream channel could host watercress. Mr. Goddard stated it won't be wet enough to host obligate species.

Mr. Benway stated the neighbors are concerned about the culvert being blocked, not the size of the culvert.

Mr. Dufresne and Mr. Colonna discussed creating a small dip in the road to minimize the wall.

Mr. Beals asked if the soils had been reviewed. Mr. Goddard replied the Commission issued an ORAD.

Mr. Helwig motioned to continue the hearing, Mr. Dufresne seconded the motion and the vote was unanimously in favor of the motion.

Mr. Dufresne noted he will talk to Mr. Litchfield about the road on Wednesday.

Mr. Helwig stated he will call Kathy Joubert, Town Planner, regarding the waivers the applicant has requested.

**Bartlett Pond:** The commission will be submitting an CPC application for treatment of Bartlett Pond. Ms. Kalloch-Getman will check with Ms. Joubert regarding the deadline to file.

**1 Lyman Street:** Ms. Kalloch-Getman stated Applicant Ian Gow submitted an ANRAD for this project but is now requesting to withdraw the application without prejudice. Mr. Beals motioned to allow the Mr. Gow to withdraw the application for an Abbreviated Notice of Resource Area Delineation without prejudice. Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

**77 Maple Lane:** Ms. Kalloch-Getman explained the Applicant needs to correct the filing fees for the Notice of Intent and ensure their plans are consistent with the project narrative. They have been changing the plans for the project. They want to remove all trees on the slope to the pond. They are seeking a variance from the Board of Health to allow a proposed new septic system to be within 40 feet of the pond. She noted the project details have not been finalized.

**Wetland Conservation Restriction Request - Otis Street:** Ms. Kalloch-Getman stated the property owner asked for a Conservation Restriction to reduce his taxes. Mr. Baldelli stated they would not want to do that.

**Wetlands Protection Bylaw:** Mr. Baldelli suggested they should review the bylaw. Mr. Beals suggested they should bring an increase to setbacks to Town Meeting to eliminate the type of problems they've had and Mr. Baldelli agreed. Ms. Guldner suggested they need to start including climate change. Ms. Kalloch-Getman stated some changes in the bylaw regulations can be made in a Conservation Commission public hearing. Mr. Beals asked Ms. Kalloch-Getman to look at setbacks in other towns. Mr. Baldelli stated they also need to look at isolated area protection. Mr. Helwig asked Ms. Kalloch-Getman to get information together for them. Mr. Dufresne noted Natick has square-foot disturbance limits in their bylaw.

**Conservation Commission budget:** Ms. Kalloch-Getman reviewed the current budget with the Commissioners and discussed the staffing line items about which she had sought clarification from the Town Accountant.

**Next Meeting:** The next meeting will be held on August 8, 2016, with site visits on Saturday, August 6, 2016.

Mr. Helwig motioned to close the meeting, Mr. Beals seconded the motion and the vote was unanimously in favor of the motion.

The meeting adjourned at 10pm.

Respectfully submitted,

Kale Kalloch-Getman, Conservation Agent