

Present: Bob Elliott, Chairman; Emily Boeing, Tim Dinsmore, Rob Rand, Pete Steeves, Pat Swain Rice

Absent: Kris Masterson

3/16/2021 - Minutes

1. Public Hearings, Public Meetings & Appointments

- A. 7:05 PM - Continuation Of Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By Michael & Donna Quintal To Construct A Two-Family Dwelling, Driveway, & Sewage Disposal System Within The 100 Ft. Wetland Buffer Zone At 34 Shirley Street (Lot 7A, 4 Scotch Pine Farm Way)

See Item B. Below

- B. 7:05 PM - Continuation Of Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By Michael & Donna Quintal To Construct A Two-Family Dwelling, Driveway, & Sewage Disposal System Within The 100 Ft. Wetland Buffer Zone At 34 Shirley Street (Lot 7B, 6 Scotch Pine Farm Way)

Jack Visniewski with J.A. Visniewski, LLC represented the Quintals for the public hearings. Visniewski had originally submitted a one-page plan but realized with the level of detail necessary, he would need additional pages. Scotch Pine Farm Way is a common driveway. The existing common driveway is constructed but not completed. To the right of the driveway, when entering from Elm St., is Lot 3A and Lot 6A. Both lots are constructed and occupied. Lot 7A is the lot where there is currently a house and Lot 7B is beyond Lot 7A and located what is now woods. Before constructing the driveway for Lots 7A and 7B, the old house will be razed. The new house for Lot 7A will be constructed in the same location as the current house. A note has been included on the plan requiring erosion control to be installed before work begins. There is an old septic system for the current house, which will be abandoned or removed. The old driveway will be removed and replaced with a different configuration. There is an old paved driveway that brings you to a work area between the two properties (used previously for stumps, gravel, stone, pipe, etc). This work area must be cleaned and seeded, as shown on the plan (Conservation Mix identified). There is a disturbed area at the end of the common driveway that extends to a telephone pole that has been disturbed (filled) and a fenced in area with vehicles and trailers, which will be included in the restoration. Visniewski made some revisions to the plan originally submitted as a result of comments during discussions with Terrasi and comments from the Planning Board hearing. The septic system will be installed on the slope behind unit 7A. The design of that septic system has not been completed because of the large pile of fill in the location of the proposed septic system. Lot 7A is required to meet the 50' wetland setback and to meet the fill requirements for that system, a retaining wall will be constructed (to the west of the system). Roof drainage and rain gardens are identified on the plan. The driveway to Lot 7B follows the existing dirt driveway. Both units have two car garages. The septic system is on a steep slope at the rear of the property for Lot 7B. The water table is high. The BOH has not given the final approval for this septic but Visniewski is encouraged. Visniewski also added six parking spots for fire department and Emergency Response. Erosion control (wattles) are shown in several locations on the plan. Visniewski is adding the area north of the wetland as a restoration area. Yellow dots (12) on the plan will be locations where the 50' no disturb will be marked. There are foundation drains shown in purple. There is also a fire truck turnaround on Lot 7B. Turquoise squares on the plan identify snow storage areas. The area along the common driveway within the 50' buffer will be marked with posts and signs. There is a note on the plan prohibiting snow storage within the 50' wetland buffer. The culvert crossing was questioned. Visniewski had not completed a full evaluation of the culvert between Lot 7A and 7B. The culvert may need additional fill added. The culvert is 40' wide. Rice asked what Mag and Stump meant on the plan. These are surveyor's benchmarks. Dinsmore asked if the rain gardens would require excavation, considering they are within the 50' buffer.

Visniewski said there will be excavation and berming to construct the rain gardens. Visniewski said the rain gardens do not have to be as close to the pond as shown on the plan. Dinsmore asked that erosion control be placed around them. Visniewski will add erosion control. Terrasi asked about the detail of the rain gardens and if the common driveway covenants would include the required maintenance of the rain gardens. Details for the plantings are included on the plans and maintenance is included in the O&M Manual. The Master Condo documents should identify who is maintaining the rain gardens and drainage. Dinsmore asked whether there should be concern when a septic draining area is on a steep bank. Is there danger that waste water can seep from the ground and come to light? Visniewski explained the process of how water comes out of the septic system. There is a 3:1 slope around the edge of a sewage disposal system and the 3:1 slope has to be 15' from the trenches so that when water flows it will stay underground and does not "breakout". Terrasi said there are vehicles in the woods, many vehicles but are they all on the abutting property. There are some items that have "dribbled over" but most belong to the abutter. Rand asked about Lot 6A and 3A because they abut NCT land and a trail that he has mowed previously. Elliott asked if Visniewski is waiting for approval from the BOH and Planning Board. Visniewski said he needs approval from the Fire Department approval and the Planning Board continued their meeting to April 5 to review the updated plan. He is awaiting BOH approval for the septic on Lot 7A and 7B. Visniewski asked if the Commission needed the approved septic design. Visniewski said he could have the designs done in a couple of days. He expects to be ready for the next meeting, which is April 6. Visniewski has done the septic testing. The public hearings were continued to April 6. Steeves asked, between 7A and 7B in the wetlands, can that area be restored? Visniewski stated that area is identified to be restored.

2. Review Of Draft Minutes

A. Review Of Draft Minutes Of March 2, 2021

On a motion from Elliott, seconded by Rand, all

VOTED: to approve the draft Minutes of March 2, 2021, as drafted.

3. Conservation Administrator's Report

A. Sucker Brook Projects Status - Keyes Parker Dam And Culvert And Heald Street Culvert

Terrasi reported there are two projects on Sucker Brook, the dam and culvert replacement at Keyes Parker and the culvert replacement on Heald Street. The state has funding available and they have been evaluating both projects together. Both projects are receiving funding from MA Division of Ecological Restoration (MA DER). Terrasi received a Restoration Monitoring Plan late this afternoon from the MA DER which details the monitoring efforts that have taken place on Sucker Brook and the Nissitissit River. This includes mussel monitoring, temperature monitoring, fish assessments, vegetation monitoring, and sediment monitoring. Dinsmore asked if the dam removal project had been approved. Terrasi said the dam removal project has been through the Environmental Notification Form process. She provided a copy of the ENF and the plan at the 70% design stage earlier. MA DER is now completing the Ecological Restoration Notice of Intent. The project will come before the Commission soon. Dinsmore asked if the dam and culvert were together. Terrasi said yes. MA DER's efforts are focused on stream continuity, which includes both the culvert and the dam. Dinsmore asked if they have to be together. Terrasi stated MA DER's efforts in evaluating the stream included both the culvert and the dam. Dinsmore asked if the Commission had provided approval. Terrasi said the Commission gave the approval to move forward with work in 2018. Terrasi read the original motion: "Motion made by Masterson, seconded by Rand, with all except Elliott voting in favor, the Commission gives approval for the proposed Trout Unlimited project as it stands for dam removal, preliminary design, access road culvert replacement, associated data collection, and preliminary design process". Steeves said he remembers the Motion. Dinsmore remembered voting to proceed with the study but he did not recall voting to remove the dam. Dinsmore said Elliott brought up a question early on questioning the removal of the dam. He agrees with Elliott's comment. Elliott said we did not approve a Notice of Intent. Dinsmore is not convinced this will noticeably improve the stream and it will disrupt the environment.

He's done some studying of the brook. Is it best to alter the stream, again? Dinsmore thought it was just the study that was approved, he did not realize it was the removal of the dam. In continuing the discussion, Dinsmore said he has done some walking up and down the brook and it is impounded in so many places. What are the benefits, even in the short term? He is throwing that out for consideration. Terrasi said MA DER is looking to do other projects on Sucker Brook, including Sartelle Street and Brookline Street. Terrasi said she can ask MA DER to come back to a meeting to share information about the benefits. In terms of manmade structures, Pete Steeves counted four impediments. Dinsmore asked if that included the private dam. There are three dams and one impediment. Rand does not feel informed about the data and asked if Dinsmore could supply the data he has. Rand asked where he could find the data. Steeves said he and Suzanna Black monitored temperature data on Sucker Brook for 16 years for the NRWA. Terrasi will provide a link to the data that had been distributed to previously.

4. Master Plan Implementation Update

Terrasi stated that both she and Chairman Elliott received a Request for Status, by April 9, for the 66 recommendations assigned to the Conservation Commission under the Master Plan. Terrasi said she was pleased to see that many of the items have already been addressed or they are items the Conservation Commission is actively working on (ongoing items) or items currently being worked on with other departments/committees. Terrasi will share the status report with the Commission so they can add their input/comments before the status report is provided to the Master Plan Implementation Committee.

5. Matters That May Be Raised That The Chairman Didn't Reasonably Anticipate

Canoe/kayak Launch on River Road – The Wild & Scenic Stewardship Council has funding available for upgrading canoe/kayak launch areas. Terrasi shared a photo of a dock she had seen at Mine Falls. The cost of the dock is approximately \$5,400. The dock itself is 5' X 10'. Rice asked if the dock had to be removed in winter. Terrasi will look into this. Chapter 91 permitting may be required. Dinsmore said he has used something like this and it works. He finds this one is ugly and he was concerned the posts may get in the way. Rand expressed concern with the steepness of the current launch area. The location can be evaluated. Rice agreed about erosion on the slope. Can we find a better location? Some permitting would be necessary. This would be on town land. We are not approving funding, just the location. Mark Mathew from the Master Plan Implementation Committee, who was attending the meeting, provided a link to a brochure from the E-Z Dock Company in the Chat box. Link: www.ez-dock.com If the Commission is interested, we can identify a good location at the canoe/kayak launch area and then determine which model we prefer.

The next Conservation Commission meeting is scheduled for Tuesday, April 6, 2021 at 7:00 PM.

Respectfully submitted

Paula Terrasi/Conservation Administrator