

Present: Elliott presiding, Boeing, Masterson, Rand, Rice, Steeves Absent: Dinsmore

4/3/2018 - Minutes

1. Public Hearings, Public Meetings & Appointments

- A. 7:00 PM Public Hearing Re: Notice Of Intent Filed By Etchstone Properties For The Roadway, Supporting Infrastructure, Utilities And Stormwater For Work Within Jurisdictional Areas Under The MA WPA For A 40B Project Referred To As Birch Drive Extension, Which Has Been Identified As Assessor Map 14, Parcels 37, 214-215, 219, 227-230.

7:00 PM – Public Meeting Re: Notice Intent filed by Etchstone Properties for the roadway, supporting infrastructure, utilities and stormwater for work within jurisdictional areas under the MA WPA for a 40B project referred to as Birch Drive Extension, which has been identified as assessor map 14, parcels 37, 214-215, 219, 227-230.

The legal ad was read, all fees have been paid, proof of notification to the abutters was provided, but comments and a file number from MassDEP have not been received. The project includes municipal water and sewer and Etchstone Properties will ask the town to accept the roadway as a public way. Etchstone Properties was represented by Joe Peznola of Hancock Associates. Peznola stated that this NOI is for 20 lots and is similar to the previously filed NOI, which was denied by the Conservation Commission and the denial upheld by MassDEP. The new NOI will address compliance with Stormwater Standard's for projects within an Outstanding Resource Water (ORW). Peznola stated that the Commission, with DEP's validation, have identified the entire site to be within the Sucker Brook ORW. Rapid infiltration requires treatment of 44% TSS prior to infiltration. The project requires a 401 Water Quality Certification.

This proposal includes filling a 500' linear fingerlike projection caused by the original excavation for the roadway. There is a 1250 square foot replication area, proposed by Bob Prokop, their prior wetland scientist. Etchstone will terminate the waterline at the point where it can be routed within the cul-de-sac, but abandon the remainder of the line, reducing the amount of temporary wetland disturbance. Rice suggested a letter from Ken Kalinowski, Town Engineer, with the specific agreement Etchstone and the town have reached regarding the waterline termination as well as details of the maintenance responsibilities by Etchstone and the town for the proposed stormwater BMPs.

The wetland replication plantings were discussed at the previous hearings for the first NOI for this project and comments provided. Peznola and David Cowell, Hancock Associates' Wetlands Scientists, will review the comments and Minutes of the previous meetings and update the earlier wetland replication proposal letter. Reference to addressing the removal of the waterline will be removed. Terrasi will provide copies of the earlier Minutes to Peznola and Cowell. Rice emphasized the importance of selecting plants that are local, preferably from onsite.

Peznola was asked why drainage from roof drains above and to the left of wetland B were not discharging to wetland B. Peznola said the front half of the roofs will be directed to the cul-de-sac and the rear of the roofs will be discharged to lawn (disconnected impervious). Peznola will look into this. During the last site walk, Meghan Selby/MassDEP asked that two small wetlands be mapped. Cowell stated he believes they are not wetlands because the soils are not hydric. Cowell said Meghan Selby was only able to get 3" deep with the auger and that she was only able to get an inch and a half of soil. He thinks Selby was getting false indicators of redox, not anaerobic conditions. Cowell used a sharp shovel and dug to 20". Cowell said the reason for the wetland indicator plants (Canada Clearweed and Smartweed) was the earlier efforts to install a roadway and waterline created depressions. Cowell said he confirmed there was no connectivity to wetlands on either side of the roadway. Cowell provided a report, which was included in the many pages of the NOI as Isolated Wetland Investigation as part of Superseding Order of Conditions but stated "his apprehension" to mapping was that these are not jurisdictional wetlands. The dominant wetland plants could be mapped but they are not jurisdictional wetlands.

The question was raised whether a plan profile had been submitted with the NOI. What did the Town Engineer use to review the drainage?

The construction sequence should include more detail, especially with temporary sediment basins. Work to grub the site and build the retaining wall is proposed while a significant amount of grading is going on at the same time. It was suggested Etchstone adjust the sedimentation basins and give the basins different names and numbers so they can be identified. It was suggested that Peznola explain

temporary swales and how they are being created.

The NOI addresses the roadway and supporting infrastructure but there is encroachment from the roadwork shown on the front of many of the lots. Peznola should show how grading on each lot will be addressed. The plans should clearly show the limit of work. What type of earth work is required to support the roadway? There is a great deal of grading and regrading that has not been included but needs to be included.

Peznola said six individual NOIs were approved but they will ask for modifications to the Orders of Condition. On three of six house lots, the houses will not move. The other three houses will move further away from the wetlands.

The retaining wall has a 2' wide wall with a 3' leveling pad, with wattles less than 2' from the wetlands. The face of the wall is at the wetland line but construction will take place from the non-wetland side of the wall. The disturbed area will be vegetated immediately after completing the wall. The construction sequence will be added to insure the wall is constructed and the area stabilized as quickly as possible. Per Kevin Slattery, owner of Etchstone Properties, there will be a Project Manager on site and the road contractor and all workers will be reputable. Slattery will take full responsibility. Slattery confirmed the wattles will act as a limit of work. A realistic view of the erosion control will be added. There will be no-disturb markers installed on several lots. When asked about tree removal, Peznola said the area where grading is shown on the plans identifies where trees will be removed. Etchstone should provide additional detail on the plans including the Limit of Work for this NOI, the plan and profile, the existing grading plan, a detailed construction sequence, existing finish grade, temporary sediment basin details, retention wall details, rough grading, The Public Hearing was continued to April 17 at 8:00 PM.

## 2. Review Of Draft Minutes

### A. Review Of Draft Minutes Of March 20, 2018

On a motion from Elliott, seconded by Rand, all  
VOTED: to accept the draft Minutes of March 20, 2018, as amended.

## 3. For Signature: Schedule Of Bills Payable

None

## 4. Conservation Administrator's Report

### A. Robinson Hollow OSRD, 110 South Rd. - Request For Comments Due April 23, 2018

The 8-lot Robinson Hollow OSRD project has been submitted to the Planning Board. A request for comments has been sent to all town departments and comments are due April 23, 2018.

### B. Public Forum - Wild And Scenic Designation Of Nashua, Squannacook, And Nissitissit Rivers. April 10, 2018 At 6:30 PM, Conference Room A, Town Hall

In preparation for the Annual Town Meeting vote on May 7, the Wild & Scenic Committee will be holding a public forum for anyone interested in learning more about the proposal to designate the Nashua, Squannacook, and Nissitissit Rivers as Wild and Scenic.

### C. Wild & Scenic - Request For Warrant Article Support

On a motion from Rand, seconded by Boeing, all  
VOTED: to support the Warrant Article accepting the Stewardship Plan and designating the Nashua, Squannacook, and Nissitissit Rivers as Wild and Scenic Rivers.

### D. Breakfast With The Birds - May 12, 2018 Heald Street Orchard

Mark your calendars for Breakfast with the Birds on May 12 at 6:30 AM.

## 5. Other Business

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

Respectfully submitted,

Paula Terrasi