

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

10/20/2020 - Minutes

1. Public Hearings, Public Meetings & Appointments

- A. 7:00 PM - Continuation Of Public Hearing Re: The Commission Will Consider A Notice Of Intent Filed By Al Soma Of Stump N' Stone Realty Trust To Fill Approximately 1,800 Square Feet Of Floodplain On Parcel B Lomar Park In Order To Provide The Required 30,000 Square Feet Of Land, Exclusive Of Wetlands And Flood Hazard Areas, To Meet The Zoning Bylaw For Creating A Lot And To Propose A Cut Area On Lot K Lomar Park, Off Nashua Road To Offset The Filling
The Stump N' Stone Trust Public Hearing has been continued to November 17, 2020.
- B. 7:10 PM - Public Hearing Re: Notice Of Intent Filed By New View Remodeling And Construction To Raze A Garage, Shed And Retaining Walls, To Construct 2 Single-Family Dwellings, Decks, Driveways, Replace Fence, Plantings, Lawn Area, Drainage, Grading And Associated Utilities Within 100' Of Bordering Vegetated Wetlands At 33-35 Hollis Street
Doug Lees with Land Engineering and Greg Looney, the applicant with New View Remodeling, were present on the virtual call. MassDEP provided a file number and "No Comments". There is an existing single-family house on the property that will remain. In 2004, an Order of Conditions was issued to construct a berm to protect the wetlands on the property. The proposal is to construct three new buildings. The 50' and 100' buffer are identified on the plan. Structures will not be located within the 50' buffer but there will be work within the 50' buffer. This is the same layout that was issued an Order of Conditions in 2007, but that project never took place and the Order of Conditions expired. Erosion control is shown along the southeasterly property line to the berm. Wetlands were reflagged this year. This is one lot, which existed prior to the Wetlands Protection Bylaw. Runoff from the roadway flows to a rip rap forebay, to a grass swale, then to an infiltration area. The buildings will have roof recharge areas. There will be some reduction in impervious areas as a result of razing the garage and shed but there will be a net increase of approximately 3,000 square feet of impervious area as a result of the new buildings and parking areas. There is extra recharge and improvements in addressing the runoff included in the 2020 proposal. There will be town sewer and water onsite. The Planning Board closed their hearing and voted to issue a Special Permit. Snow storage has now been added to the plan (hatched areas). A supplemental stormwater report was included with the Notice of Intent. A Homeowner's Association will be responsible for maintenance of the stormwater infrastructure and recorded with the Master Deed. Terrasi stated a previous condition (from the 2007 Order of Conditions) required the area from the berm to the wetlands remain natural/undisturbed and this condition, if the project is approved, should be included in the new Order of Conditions to insure it is not overlooked. Elliott said the Grading and Erosion Control Plan should include Standard 8, Construction Period Pollution Prevention and Erosion & Sediment Control Plan, the Construction Sequence, and the Temporary Sediment Control Measures, to insure this information is readily available onsite during construction. The revised plan should include the revision date and this addition to the Plan should be shared with Terrasi for her approval before an Order of Conditions is issued. Elliott asked how Standard 9 for the O&M Plan would be addressed. Lees stated it would be part of the condominium documents and the condominium association will be responsibility for maintenance. On a motion from Elliott, seconded by Rand, that the project be approved providing conditions are included to insure the changes are made to the Erosion and Sediment Plan (and reviewed and approved by Terrasi), all soil brought onto the site will be free of Japanese knotweed and/or other invasives, and a condition be included that the areas from the berm to the wetlands remain natural and undisturbed, all
VOTED: to issue an Order of Conditions.

2. Review Of Draft Minutes

- A. Review Of Draft Minutes Of September 29, 2020
On a motion from Elliott, seconded by Rand, all
VOTED: to approve the draft Minutes of September 29, 2020, as drafted.

3. Conservation Administrator's Report

A. Forest Legacy Application - Wild & Scenic Communities

Terrasi discussed plans by the Nashua Wild & Scenic Stewardship Committee to submit a federal Forest Legacy application sometime late summer or early fall next year. The Stewardship Committee is interested in speaking with property owners of 50 acres or more within the 11 (nine Massachusetts and two New Hampshire) Wild & Scenic communities, and those communities abutting these towns, to determine if they may be interested in protecting their properties through the Forest Legacy Program. Commissioners were asked to provide the names of any property owners they think may be interested or property owners the Committee should follow up with. The Committee hopes to submit a Forest Legacy application for 1,000 acres or more. The process can take up to two to three years. There are requirements for a pre-appraisal, Yellow Book appraisal, title work and more. Property owners who may have an interest in participating in the program, can contact Terrasi.

B. Etchstone Properties - Potential Open Space Donation For Birch Drive

Etchstone Properties has asked if the town would be interested in holding the fee interest in the open space parcels that will be donated as part of the Birch Drive project. Rice mentioned that the Nashoba Conservation Trust, as the abutting land protection property owner, may be more appropriate to own the open space. Terrasi said the open space may contain stormwater infrastructure but an easement would be drafted for the maintenance of this infrastructure. Rice questioned whether the Commission could accept open space that contains infrastructure. Terrasi will request additional details about the proposed donation. Terrasi stated there are two parking spaces to be used for accessing the open space.

C. Draft Restoration Plan For Review And Approval - 128 Brookline Street Enforcement Order

Terrasi said that Matt Marro was close to completing the corrected Restoration Plan for tonight's meeting but he was not able to get the plan sent in time for a review before the meeting. Terrasi expressed concern that the plantings and seeding should be completed this month and an approval at the November 17 meeting would be too late to plant. It was agreed Terrasi will share the corrected plan with the Commission for final review and Rand offered to join Terrasi onsite when the plantings take place.

D. Request For Certificate Of Compliance - 33 To 35 Hollis Street, 259-705

The Order of Conditions for 259-705 is for work that never commenced and the Order of Conditions has lapsed and no longer valid. The Notice of Intent discussed during the 7:10 PM public hearing during this meeting, is the refile of this project. On a motion by Elliott, seconded by Rand, all

VOTED: to issue a Certificate of Compliance, that this is an invalid Order, which has expired, and a new Notice of Intent is required.

4. Other Business

None

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

None

The next Conservation Commission meeting is November 17, 2020.

Respectfully submitted
Paula Terrasi/Conservation Administrator