

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

March 19, 2015

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

Members and Staff Present: Michael Lesser, Kelly McClintock, Carol McGarry, Jessica Pettit, Andrea Stiller, Bridget Graziano (Conservation Agent/ Administrator), Kaitlyn Kutzer (Administrative Assistant)

Members Absent: Alex Dowse, Steve Gaskin

Guests: Stephen Duplessie, Joyce Hastings (GLM Engineering), Marie Evans-Esten, Fred Fahey, Paul Hutnak, Paul Marchionda, Jim Murphy, Dennis Nackoney, Eliot Taylor

Mr. Lesser called the meeting to order at 7:19 pm.

Mr. Lesser asked for any items not reasonably anticipated within 48 hours of the meeting.

The Agent informed the Commission that a meeting will need to be scheduled for discussion on the development titled "The Fields at Sherborn".

Determinations

139 Woodland Street- Proposal to perform soil testing

No one was present to represent the applicant. The Agent is still waiting for the snow to clear to the point that the site can be properly assessed for distances to wetland resources, which have been recognized to be present on the property. The Agent noted that the applicant submitted a 21 day waiver with the application. Mr. Lesser moved to continue the determination to April 2, 2015. Ms. Stiller seconded and it was voted to approve 5-0.

Broadmoore Sanctuary-Request to reroute two sections of trail away from wetlands and wet areas of the trail

Mr. Lesser reviewed the proposal to relocate two sections of the trails due to wetness and being within wetlands. The new trails were proposed to be within the 0'-50' no alteration zone. The Agent recommended a Positive 2b, 5 and Negative 3 with conditions. All proposed locations of trails changes shall be reviewed and approved by the Agent and/or

the Commission prior to construction/removal of vegetation. All work shall be completed by hand or with the use of hand tools only. The Agent shall be contacted once all work is completed to ensure that all work was done without alteration of the wetland resource. There shall be no change in grade or addition of fill to the wetland resource, no removal of vegetation over 1/2", and all work shall be done during dry season. The applicant shall place new signage at the old locations of the trails within the wetland resource, the sign will note "Trail Closed for Wetland Restoration Project. Please use new Trail" or other language that will ask hikers to discontinue use of trail within wetlands resource. Mr. McClintock moved for a Positive 2b, 5 and Negative 3 with conditions. Ms. Stiller seconded and it was voted to approve 5-0.

Certificate of Compliance

12 Ames Drive-Request for Certificate of Compliance for indoor riding ring and gravel drive

No one was present to represent the applicant. The Agent stated that a site visit will be performed when the snow conditions allow for proper assessment and therefore proposed that the hearing being continued. Mr. Lesser moved to continue to the meeting on April 2nd, 2015. Mr. McClintock seconded and it was voted to approve 5-0.

Public Hearings

Public Hearing #1 - 5 Speen Street (DEP #283- 0362) proposal to demolish existing dwelling and construct a new single family home

Mr. Lesser opened the hearing at 7:30. Mr. Duplessie, the applicant, was present, and Ms. Hastings arrived during the hearing. The Agent summarized the proposed project and stated that it will take place within the previously altered 50'-100' buffer zone of a wetland resource with limited temporary access of the 0'-50' No Alteration zone used for construction. The project would result in less impervious area on the buffer zone. It was also noted that the existing shed in the no-alteration zone had never been permitted. She also noted the wetland flags that were not approved on the plan were as follows: 1-4, 23, and 24.

As part of the discussion, the Commission asked if the existing shed could be removed given its location, and Mr. Duplessie agreed. Mr. Lesser asked for clarification on how the drainage from house would be handled and Ms. Hastings stated it would be just around house and running away from the foundation into lawn. The Agent also asked if the applicant would add a vegetative barrier (consisting of native species) at the western edge of the lawn that abutted the edge of the wetland to the plan in order to deter activity in the wetland. Mr. Duplessie agreed to do this. Mr. Lesser moved to continue the hearing on April 2nd, at 8:30. Ms. Pettit seconded and it was voted to approve 5-0.

Public Hearing #2 - (Continued from 7/17/14, 8/21/14, 9/4/14, 10/2/14, 10/16/14, 11/6/14, 11/20/14, 12/4/14, 12/18/14, 1/15/15, 2/5/14, 2/19/15 meeting) 2-4 North Main Street SLB-15-02 for a proposal to construct age restricted units, grading and landscaping, and well water line

Mr. Lesser opened the hearing at 7:40. Mr. Hutnak was present to represent the applicant. Ms. Evans was present as a peer reviewer for the Town of Sherborn. Mr. Murphy was present as legal representation for the application. Mr. Hutnak presented the project to the Commission. He stated it would consist of 18 units. Two existing structures would be refurbished for three units while five additional structures would be built to accommodate the other 15 units. Mr. Hutnak also stated that a trail or easement may be created as a walking path. The Agent stated that if a trail or easement is intended it would need to be indicated on the plan as it is not currently noted. She also stated that the access method for future maintenance to the detention basins and infiltration trenches needed to be indicated on the plan.

The Commission asked Ms. Evans-Esten to review her comments on the project. Ms. Evans stated that many of the points had been addressed at the Planning Board meeting and she would like to discuss those that still needed clarification from Mr. Hutnak. Ms. Evans-Esten discussed the Stormwater Management Plan and the potential issues that may arise from having an infiltration basin that only accommodates a 2 year storm due to recent weather patterns over the last few years. The Commission asked that more investigation be done on the infiltration basin. The issue of basin maintenance was discussed and then the related issue of a new access to the basin through the no-alteration buffer zone that was not in line with the existing permit (order of conditions) for the wells. Other concerns regarded some details missing from the Operation and Maintenance Plan (O&M Plan), such as indicating snow storage and de-icing methods. Mr. Murphy stated that because the development is in its early stages any details the Commission feels need to be written into the Condo Association Bylaw can be discussed as nothing has been finalized.

Another issue discussed was how any resulting order(s) of conditions related to the construction period as well as subsequently on buildings/units in areas subject to Commission jurisdiction would be worded and recorded. This would be further researched by the Agent with Mr. Murphy. Mr. Lesser moved to continue the hearing to 7:00 on April 2nd, 2015. Mr. McClintock seconded and it was voted to approve 5-0.

Discussions

Discussion #1 - 59 Eliot Street Pre-Application Review

Agent stated that this is an informal discussion requested by the applicant. Mr. Fahey, the applicant, and Mr. Marchionda were present. Mr. Fahey stated he does not currently own the property and that he does not plan to purchase it if he cannot get the waivers/variances from the Board of Health (BOH) and Conservation Commission to subdivide the property in order to construct two houses. Mr. Marchionda presented the existing and proposed plans and noted that there was an intermittent stream that had been filled in on the property. The Agent noted that an alteration like this could be elevated to an enforcement order. He noted that 13,000 sq/ft of disturbed area currently exists within the 0'-50' no-alteration zone and that the proposed plan consists of restoring this disturbed area within the 0'-50' no disturb zone, post construction. Mr. Marchionda stated some form of a barrier at limit of grass/lawn would be created to then avoid future disturbance of wetlands and buffer zone. He informed the Commission that the BOH will not grant a

variance for the installation of the septic system because this is new construction and the only way to meet set-backs would be to fill in existing wetlands. The property owner proposed to mitigate the alteration by the creation of new wetlands. The Commission discussed the implications that could develop of approving this type of a project and the issues of wetlands creation. The Agent suggested that Mr. Fahey could file an Abbreviated Notice of Resource Area Delineation so the Commission could do a site visit and the areas in question could be more clearly examined as part of any future thinking. It was also discussed that it was not possible to examine the site until current conditions.

Ms. Stiller left at 9:50

Ms. Stiller returned at 9:53

Discussion #2 - 79 Western Ave Enforcement Order issuance and review with violator Mr. Corrado

No one was present to represent the violator. The Agent presented the possible violations. Mr. McClintock moved to ratify the enforcement order. Mr. McClintock withdrew his motion. The Commission reviewed the findings of the Agent and edited the document. Mr. Lesser stated that until a site visit is performed to confirm the possible violations the Commission should not ratify the enforcement. The Agent stated that a site visit could be scheduled for March 25th.

Discussion #3 - Sassamon Trace Golf Course Peer Review

Rescheduled for 4/2/2015

Discussion #4 - Native Plant Booklets from University of Connecticut Arboretum

Ms. McGarry informed the commission that the booklets had been delivered and suggested composing a formal letter and list of species that thrive in the town of Sherborn to send with the booklets to aid in planting, especially for projects approved by the Commission.

Mr. Lesser left at 10:09

Mr. Lesser returned at 10:11

Discussion #5 - Review of MACC Conference Materials- Commissioner Site Visits

Rescheduled for 4/2/2015

Approval of Meeting Minutes

Minutes from 3/5

Mr. McClintock moved to accept the minutes as edited. Mr. Lesser seconded and it was voted to approve 5-0.

Warrant: signed by Michael Lesser

Conservation Administrator/Agent Report

- **Administrative Approval**

- **12 Maple Street** - Proposal to perform soil testing and installation of septic system

- **132 Woodland Street** - Proposal to perform soil testing for new lot

The Agent stated that the Administrative Approvals are on hold due to the snow conditions.

- 66, 68, "70" South Main Street - 2013 installation of septic systems and proposed single family home-Postponed
- Set a date to meet with Ben Stevens to discuss development of Fields at Sherborn: Mr. Lesser suggested having Mr. Stevens attend a future meeting for further discussions and to inform him of any comments the commission has developed after the review that took place on 3/5/2015. The Agent suggested 4/16/2015. Additionally Mr. Lesser suggested having a discussion on what the Commission would like to see in Request For Qualifications that will be issued by the ZBA.

Mr. Lesser moved to adjourn. Mr. McClintock seconded and it was voted to approve 5-0. The meeting was voted to adjourn at 10:43 pm.

Respectfully submitted,

Kaitlyn Kutzer

Documents Presented at the March 19, 2015 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Determinations**139 Woodland Street- Proposal to Perform Soil Testing**

- Application

Certificate of Compliance**12 Ames Drive-Request for Certificate of Compliance**

- Application

Public Hearings**Public Hearing #1 - 2-4 North Main Street SLB-15-02 for a proposal to construct age restricted units, grading and landscaping, and well water line**

- Peer review by Marie Evans-Esten of Loon Environmental titled, "Review of the Proposed Site Development on Abbey Road, 2 North Main St., Sherborn MA" (January 6, 2015)
- "Operations and Maintenance Plan: Abbey Road, 2 North Main Street Sherborn, MA" by Andrews Survey & Engineering, Inc. February 18, 2015.
- "Stormwater Management Report: Abbey Road, 2 North Main Street Sherborn, MA" by Andrews Survey & Engineering, Inc. Revised February 25, 2015.
- "MASTEP Technology Review: HydroGaurd HG6 Hydrodynamic Septarator. Hydroworks, LLC." by UMASS Amherst, Water Resources Research Center, January 29, 2009.

Discussions**Discussion #1- 59 Eliot Street Pre-Application Review**

- Plans titled, "Site Plan: 59 Eliot Street, Sherborn Massachusetts" by Snelling & Hamel Associates, Inc. June 6, 2014.
- Hand Drawn Plans titled, "Property of Joshua Friendson, 59 Eliot Street" Unknown Engineer, Unknown Date.

Discussion #2- 79 Western Avenue (Harrington Ridge Road) Enforcement Order

- WPA Form 9: Enforcement Order

Cc: Board of Selectmen, Board of Health, Planning Board, Building Dept., Town Clerk, Town Forest, Town Counsel, Sherborn Library, Advisory Committee, D/S Press, Zoning Board of Appeals, Sherborn Garden Club, Forest & Trail Assoc., Assessor, Groundwater Protection Committee, Farm Pond Advisory Committee

