

**HOLDEN CONSERVATION COMMISSION  
1130 MAIN STREET, HOLDEN SENIOR CENTER  
MINUTES  
July 10, 2019**

**Members Present:** Kenneth Strom, David Nyman, Cathy Doherty, Luke Boucher, Mike Scott, Anthony Costello.

**Members Not Present:** Rob Lowell, Chairman

**Others Present:** Glenda Williamson, Conservation Agent; Gerry and Kathy Kersus, Friends of Eagle Lake; Scott Morrison, Conor Boyan, Ralph Peck, Wayne Jacobsen, Richard Callahan, WOLCS. Clea Blair, Greenwood Estates.

R. Lowell called the meeting to order at 7:01 PM.

**NOTICE OF INTENT - 2226 Main St.** Assessing Map 82, Parcel 13. DEP File# 183-0661 Demolition of a single-family house and replace with a two-family house, septic systems, municipal water service connections and underground electrical systems. Owner: Mark Sadowski. Reps: Eco-Tec/Quinn Engineering.

The applicant requested a continuance to the Commission's August 7th public hearing. The public hearing for this project was opened on June 5th, 2019.

**PROJECT UPDATES:**

**GREENWOOD ESTATES** - DEP File # 183-0612 - Jackson Woods Investments.

Clea Blair, was present to discuss the on-going site work. He brought in a revised sediment and erosion control plan for review. Clea stated that there were some concerns by the Commission that were discussed during the Commission's group site inspection. Clea stated that the majority of the concerns have now been addressed. The basins are all sized properly now, they still have two basins to design.

K. Strom and L. Boucher asked about the stabilization of the site and how the erosion control barriers were functioning and if there were any problems after the heavy rain event a few days prior. Clea stated that they did not have any problems and everything is holding up well.

Tom Larson, the new site supervisor for Martelli Construction, introduced himself to the Commission. He stated that he has been on the job for about a month and started by reviewing everything that needed to be addressed on the site. The loam stockpile has been seeded on the downhill side, they were removing a portion of the pile to make room for blasting for the utility installation and once everything is moved they would seed the entire pile. The upper entrance and downslope area in this area has been seeded and grass was established. He stated that he walked the site with G. Williamson and they checked the entire erosion control line in the vicinity of stormwater basin 1-5. He stated that most of the pipes used by the vac truck to do the cleanup on DCR's property have been removed, and the rest will be taken off site in the next few days. They met with Matt from Lucas Environmental and Vinny from DCR to review the clean-up of the DCR

slopes and resource area. There are a few more 5 gallon buckets of soil that still need to be removed from the wetland area. The clean-up of the upland slopes has been completed to DCR's satisfaction. There is a section of silt fence below basin 1-5 that need to be replaced and this will be done when the company comes to install the erosion controls on the lower entrance area off Union Street. Stakes have been placed at the 25 foot no disturb zone in the lower cutting/wetland crossing area off Union Street. The tree cutting will be completed by this week Friday. The erosion controls will be installed next week and the Agent will conduct another site inspection. The temporary detention pond will be dug after the erosion controls have been placed and sand bags will be installed across the wetland if needed to divert water toward the basin.

Tom stated that the fire department requested an emergency access into the site. Tom stated that they will improve the upper entrance road off Union Street and would like to construct it down to Deanna Drive. Tom stated that the entrance off Highland Ave. will be blocked due to blasting activities and an alternate entrance is required for safety purposes.

Tom provided an updated construction schedule for the Commission's review. G. Williamson stated that she would like the timing for the cutting of the replication area to be added to the schedule and who would be doing the cutting and grading of the area. Tom Larson stated that they were still working out the details and that the area still needs to be surveyed. G. Williamson suggested that they have Lucas review the wetland crossing area to determine where and if there are suitable soils that could be removed and used in the replication area. Clea said that they would have Lucas look at the area again to make this determination.

G. Williamson stated that Lucas Environmental should be on site to supervise the work done on the replication area and to determine if the final grades are adequate based on the groundwater levels. There was a small amount of erosion into the buffer zone violation area; accumulated sediments needed to be removed from the silt fence and a portion of the controls replaced. Tom stated that they should smooth out the ruts in this area and would remove any remaining brush. He dug a trench upslope of the area to redirect flows away from the slope above the buffer area. G. Williamson suggested they let the disturbed buffer zone area alone to re-vegetate naturally.

G. Williamson stated that there is needed stabilization of the Basin 1-5 discharge area, that water is ponding along the silt fence and hay bales in this area. Tom stated that they are constructing a block retaining wall for the pump station and there would be more soil disturbance in the area. After the wall is constructed, they would be stabilizing the basin slopes and replacing the erosion controls surrounding the discharge area.

K. Strom asked if there was still a forebay area in the basin. Tom stated yes and that they would be adding straw bales to the inside of the basin to hold and slow flows and allow sediments to drop out prior to reaching the 4-inch discharge pipe.

Tom asked if the Commission was ok with the construction of the emergency access connection to Deanna Drive. K. Strom stated yes, that they may need to add stone or logs as the area is very sandy.

#### **EAGLE LAKE- DEP File # 183-0642 - Drawdown Status/Maintenance**

K. Strom and A. Costello recused. M. Scott led the discussion for the Commission. Scott Morrison was present to discuss the status of Eagle Lake. S. Morrison stated that they sent an update of the drawdown status earlier today. All the flashboards are up and there are some large rocks in front

of the dam that are slowing flows down a bit. They will remove the remaining metal stop logs, pile them near the dam and will ask the town to store them at an appropriate facility for future use if needed. Scott stated that the beavers are creating a dam across the old Mill Pond dam. There is some debris in front of the main dam that needs to be removed. It consists of mud, stones, branches and old beaver logs. There is concern that the brush could get washed downstream and block the stream.

The WOLCS did a survey for invasive species and found Reed Canary Grass, Glossy Buckthorn and some common reed across the street in Stump Pond. S. Morrison stated that they would continue to monitor for invasives. There are some aquatic invasives present but chemical treatments are not allowed. G. Williamson asked about the monitoring plan and if they would be sending us reports.

S. Morrison asked how often the Commission wanted monitoring reports. G. Williamson suggested a report in the Fall of 2019 and then again in the Spring, 2020.

Wayne Jacobsen was present from the public. He stated that they never received notice of the drawdown and that it is an ecological disaster. He couldn't believe that the Commission can grant this. He stated that the proposed work would be a disaster the history, the neighborhood, migrating geese and blue herons. He recommended that we call this a temporary drawdown, do some maintenance on the dam and fill the lake back up. He read a lot of the concerns from the Office of Dam Safety, the old stone dam, the two reservoirs before Eagle Lake and Stump Pond all provide flow control. He believes that the concrete box under the old Mill building is a limiting factor to flow.

M. Scott stated that they went thru the proper notification process at the time of the application. The owners of the dam need to comply with the Office of Dam Safety and the Commission reviewed the permit submittal and granted the Order so the applicant could comply with the DCR requirements. The Order stated that this is not a permanent drawdown, the dam could be repaired and the lake level brought back up. L. Boucher stated that the order says that the stop logs can be replaced as needed if an ownership and maintenance solution can be developed.

S. Morrison stated that they would gladly deed the dam over to any party that would like to take ownership.

Kathy Kersus said that no one has been taking care of the dam. M. Scott stated that the dam is privately owned and that this is a statewide problem as there are many dams in disrepair. He said that there may be a public solution but that the selectman would have the final vote if the Town were to take the dam over.

Wayne Jacobsen stated that the dam survived the last 100-year storm fine. S. Morrison said he met with the Office of Dam Safety (ODS) and Tighe & Bond, they are doing a study of 14 high hazard dams across the state. The study has not yet been released, but it may provide recommendations for funding the removal or repair of the dam, recommend regulatory changes, and potential funding for restoration.

Dick Callahan said that this was a great opportunity for a high school group or Eagle Scout to study the ecological succession that would result from the drawdown. Dan Marinone with the Friends group stated that he and Gerry Kersus met with the ODS as well and they spent a lot of time getting information on Eagle Lake. He said he saw his first dead fish the weekend prior and

was getting concerned over the lake level. There is a 20-foot beach line now and trash is being exposed on the shore. He had volunteers come out to clean-up the old cans and exposed branches.

Gerry Kersus asked if the owners would be required to do repairs on the dam now that the water has been drawn down. M. Scott replied, that is a question for the ODS, it would not be required by the Commission. Gerry stated that there were specific requirements for repairs that needed to be completed in various reports.

Scott Morrison stated that the WOLCS is open for discussion with whoever is interested in coming to a resolution. They went to the town manager and selectman but the town is not interested in taking over the dam.

G. Williamson stated that in her town, there are various lake associations that contribute to dam maintenance. Perhaps the Eagle Lake residents would consider forming their own lake association. Stiles Reservoir in Leicester was used as an example of how the residents came together to pay for dam repairs. There are only six private residents on Eagle Lake, WOLCS, the town and MA Audubon have the remainder of the land, so there may not be enough private ownership to fund the repairs.

## **PROJECT UPDATES:**

### **91 CENTRAL TREE ROAD**

G. Williamson stated that she issued another enforcement order to the homeowner at 91 Central Tree Road. They are running a landscaping business out of the property. There is more stockpiling of debris in the 25-foot no disturb zone and disturbance around the pond. The neighbor at 165 Cannon Road called in the violation. The DCR also visited the site and asked them to pull the brush near the road out and to stabilize the site. The Commission discussed the possibility of a fine if the clean-up work was not completed within thirty days. The Commission said to copy the Rutland Conservation Commission to let them know that there is a violation in the buffer zone and to also copy DEP and DCR. L. Boucher suggested contacting Judy Schmitz with the DEP to inform her of the violation prior to issuing the enforcement order. L. Boucher suggested letting the zoning board know that they may be running landscaping businesses out of the property.

### **109 ARIZONA AVE. - Dep File # 183-0528**

The wetland crossings are in, the foundation for the home has been excavated, DEP has been out to the site to monitor the work. The replication areas are at final grade and will be planted with trees next Spring.

**REQUEST FOR CERTIFICATES OF COMPLIANCE** - Oak Hill Subdivision: 84, 85, 86, 91 Jordan Road. Assessing Map 244, Parcels 20, 46, 20 and 44. Single Family Homes. Oak Hill Subdivision.

G. Williamson stated that she did not do site inspections on these properties yet. This item will be addressed at the next hearing in August.

## **MINUTES** March 2019, April 2019

There are no minutes to review at this time, these will be deferred to the Commission's August hearing.

G. Williamson reported that the next public hearing for the Commission would be on Wednesday, August 7th.

Motion by L. Boucher, seconded by K. Strom, it was UNANIMOUSLY VOTED TO ADJOURN THE JULY 10TH HOLDEN CONSERVATION COMMISSION MEETING AT 8:25 PM.

APPROVED: \_\_\_\_\_