

**HOLDEN CONSERVATION COMMISSION  
HOLDEN TOWN HALL  
NOVEMBER 2, 2022  
MEETING MINUTES**

**Members Present:** Michael Scott, Chairman; Kenneth Strom, Elizabeth Parent, David Nyman, Heather Parry, Luke Boucher

**Not Present:** Hannah Lipper, Sara Flagg

**Others Present:** Glenda Williamson, Conservation Agent; Tom Larson, Martelli. Greenwood Estates; Julian Votruba, NEED, Tim Adler, Jefferon Mill, 1665 Main Street; Kristin Olson, 44 Village Way, James Ohara, 22 Village Way, 31 Hilltop Ave, Mark Elbag, 479 Quinapoxet St; Rafael Schmidt, USA Excavating, Sunshine Ridge.

M Scott opened the meeting at 7:00 pm

**GREENWOOD ESTATES – STABILIZATION PLAN**

Tom Larson with Martelli Construction stated that they are sweeping the road at the end of every day. He stated that they have started on more house foundations, the wall has been completely rebuilt and is now a 2:1 slope and all the rip rap is in. They are beginning work on the retaining wall along Lot 58. Soil for the lot is being taken from the upper slope above Deanna Drive. K. Strom asked if they had placed filter fabric during the wall construction, T. Larson replied yes. T. Larson stated that they have stabilized the slopes of Basin 3-1. G. Williamson stated that the walls of Basin 3-1 were still in need of repairs, there is a large accumulation of sediment. M. Scott asked about the dewatering efforts, T. Larson replied that they are keeping the basins drawdown and the catch basins clean. G. Williamson asked if the Commission would like more frequent reports from Graves. T. Larson stated that Graves has been providing reports after heavy rain events and SWPPP reports are being submitted by NEED. He stated that the upper slopes have been stabilized and planted with grass seed. M. Scott asked if the upper slopes would be left alone once stabilized, T. Larson replied that they will not be touched until home construction starts on the upper slope during the next phase. H. Parry stated that she did an inspection earlier in the day and noted some areas of erosion.

**NOTICE OF INTENT – 1665 MAIN STREET**

Dep File # 183-0696. Assessing Map 100, Parcel 94. Construction of a residential parking lot associated with an existing building and repairs to the concrete slab. A portion of the work is located within the 100-foot buffer of Mill Pond/Eagle Lake. Jefferson Mills LLC; Julian Votruba, NEED.

G Williamson read the Legal Ad into record and displayed the plan.

J. Votruba explained that they are proposing to expand the small parking area along Main Street to create 23 parking spots and that there are two existing curb cuts on the Main Street. They are proposing to expand the existing retaining wall along the new parking

area. They have designed stormwater measures including catch basins, a Stormceptor and subsurface infiltration chambers for the impervious area and discharging to a rip rap apron with eventual discharge to the brook. The second part of the project is the repairs to the existing concrete slab. They would like to retain this area and use it as a landscaped courtyard. The main repairs would be to the slab piers where there is deterioration on the base. He stated that they have addressed DEP's comments in regard to Standard 7, redevelopment for stormwater must demonstrate an improvement over existing conditions. M. Scott asked how the repairs to the slab would be made. J. Votruba explained that they will add sandbags at the spillway and install a flume pipe to redirect flow. Repairs would be made from the top and from below the slab. D. Nyman asked if we had plans for the slab repair. G. Williamson said she did not receive engineering plans. J. Votruba stated that they would provide these plans and information as soon as possible. M. Scott asked if we received the Stormwater Report and if anyone has reviewed it. G. Williamson stated that she had e-mailed the report but did not include it in the packets.

D. Nyman stated that there was a previous NOI for the work and asked if the Order for the previous file number should be closed out. M. Scott asked if work from previous projects was completed. G. Williamson stated that she would review previous file numbers to see if work has been completed.

The Commission requested more information on the re-use of the repaired slab area and what materials would be used during construction. D. Nyman stated that measures should be taken to prevent materials falling into the brook during construction. L. Boucher asked about the ponding of water and where water would flow if Stormceptor was overtopped. J. Votruba stated that he would check the elevations of the structures again. J. Votruba said that he would provide more detailed plans for the repair of the slab and piers.

D. Nyman stated that they are going to add ten feet of fill for the parking area and asked if any soil borings were done to check the stability of the area. The fill and new retaining wall would also be close to an existing building foundation that could be subject to impact from the proposed fill. J. Votruba responded that the structural engineer for design of the retaining wall would be responsible for investigating subsurface conditions.

D. Nyman stated that there is an abandoned tailrace and there may be a conduit for flow from the dam area. T. Adler stated that there is an existing pipe with very low flow, this pipe will be blocked up with concrete as a precaution. If this is the low-flow outlet from Mill Pond this pipe may need to be maintained, however, the Office of Dam Safety (ODS) recommends that this pipe be filled and abandoned. T. Adler is to forward the ODS report to the Commission.

D. Nyman asked if the DPW and MassDOT have approved the main parking area entrance. T. Adler stated that he will have approval from MassDOT soon. The proposal for the parking area will require approval by the Planning Board.

D. Nyman stated that the stormwater management standards in the Wetlands Protection Regulations require redeveloped areas to meet the standards to the maximum extent practicable. The area adjacent to Main Street will still be allowed to drain untreated to the street. It appears to be practicable to add an additional catch basin just inside the property line near the main entrance to capture more stormwater flow and direct it into the treatment system.

J. Votruba stated that there is a low channel that directs flow from the proposed new stormwater outlet to the rip rap area along the brook. D. Nyman noted that this would require the drainage to cross a proposed sidewalk, and asked for additional design information for the area around the sidewalk.

D. Nyman asked if the building complex is on the MA State Register of Historic Places, T. Adler replied yes. D. Nyman stated that if the site is registered the facility is a historic mill complex and they are not subject to the Riverfront regulations. He would like documentation that the site is registered and a note added to the plan.

D. Nyman explained the FEMA mapping for the property. The effective FEMA map is from 1981 and shows a Zone A along the brook. A more recent preliminary FEMA work product shows the location of Zone A in greater detail. This information indicates that there is BLSF on the site and contains the main mill building and the area of proposed work. Neither work product shows elevations of the flood surface. No FEMA flood profile has been published for this area. Therefore, under the Wetland Regulations, the extent of BLSF must be determined either by evidence of the greatest extent of flooding observed or recorded, or by an engineering study. The applicant needs to provide the flood elevation information and they may need to provide compensatory storage on the site. He stated that BLSF must be addressed and they may contact FEMA for additional data. M. Scott stated that in his opinion, if they can establish that the now demolished building was constructed before they did the flood study, it would be a non-issue.

D. Nyman showed an aerial photo of the site. He stated that the site is significantly vegetated in the photos. He asked how the applicant is using no vegetation present for the Stormwater calculations. D. Nyman asked for more justification on the vegetation and existing conditions. This vegetation should be taken into account in the stormwater calculations.

D. Nyman said they show a wetland line on the edge of Mill Pond. He asked if we should use the historic lake boundary or the actual boundary since the drawdown. L. Boucher said they should add a date of delineation on the plan.

D. Nyman stated that the wetland resources affected by this project are considered Outstanding Resource Waters (ORW's).

B. Parent asked about the slab area and she would like to see design point 4 and 5 combined. She also indicated that seasonal high ground water elevation should be indicated. M. Scott would like to see the elevation of the spillway and dam structures.

M. Scott asked for comments from the public. Kristin Olson, 40 Village Way stated that the planning board should not allow the construction of the proposed parking area. M. Scott stated that this is a Planning Board issue. She would like to know if the applicant will be going in front of the Planning Board. K. Olson said she was concerned about drainage patterns changing in the Spring with the snowmelt because her condo overlooks the pond and this will affect them. M. Scott stated that they will need to look at the structural report, the timing of the work and how much flow the diversion pipe can handle. M. Scott stated that work could be done under low-flow conditions.

Residents from 31 Hilltop Avenue stated that there were more problems with the spillway than with the dam and asked if the work on the slab would make the dam safer. K. Strom stated that there is a ten square mile drainage area that goes to the dam. They would like to know if the new owners were looking for the dam to be reclassified to a safer condition and if there were plans to expand the spillway in the future. M. Scott stated that these are questions for the Office of Dam Safety.

D. Nyman asked if they have looked at constructing the parking area at the floodplain level. J. Votruba stated that they did not want traffic where pedestrians would be crossing and general safety concerns. There is an existing driveway that may be wide enough to access the parking area. D. Nyman stated that a narrative should have been included that mentions some of the alternatives that were considered.

No further comments or questions from the public.

Motion by K. Strom, seconded by B. Parent to continue the hearing for NOI – 1665 MAIN STREET - DEP FILE NUMBER 183-0696 TO THE COMMISSION'S WEDNESDAY DECEMBER 7<sup>TH</sup> HEARING. Approved by a vote of 6-0-0.

**REQUEST FOR DETERMINATION OF APPLICABILITY-479 QUINAPOXET ST** Assessing Map 104, Parcel 57. Repair of an existing subsurface sewage disposal system in front of the home. The work is located within the 100-foot buffer of BVW. Owner, Dawn Lussier; Rep. Mark Elbag, Elbag Engineering.

Mark Elbag, Elbag Engineering was in attendance to present the project. He stated that the new septic will be placed within the limits of the old septic. He stated that the work was in the 100-foot buffer of the top-of-bank of an intermittent stream. K. Strom asked why they were not tying into the existing sewer. M. Elbag stated that there is no gravity sewer main in the street. It would be more difficult to install - and the DPW would not accept a low-pressure force main tied to an existing force main. M. Elbag stated that the soils were good out there and that the proposed grades match the existing grade. G. Williamson asked what the work would entail. M. Elbag stated that the tank and the leaching field would be completely replaced. G. Williamson stated that there are BVWs along the stream.

M. Elbag stated that the owners would be closing on Friday and how soon they could get the determination. G. Williamson stated she would have something for him in the

morning. M. Elbag stated that the tank would be crushed in place and that extra materials would be taken off-site. M. Scott asked for additional comments from the Commission. No further questions or comments.

Motion by D. Nyman, seconded by L. Boucher to close the hearing for RDA- 479 QUINAPOXET STREET AND TO ISSUE A NEGATIVE 3 DETERMINATION. Approved by a vote of 6-0-0.

**REQUEST FOR FINAL COC – 70 NELSON STREET**

DEP File #: 183-0671. Assessing Map 227, Parcel 42. Construction of a single-family home and driveway. A portion of the work is located in the 100-buffer of BVW. Peter Spring, Owner, Goddard Consulting.

G Williamson stated that she did a site inspection and that everything is stabilized at this time. A boulder demarcation has been placed at the 25-foot no disturb zone and the rocks are difficult to see as they are covered with Japanese Knotweed. She stated that the Commission had previously granted him permission to construct an additional home on the subdivided parcel without a filing to the Commission. The second home will be built close to the street and she pointed out the location on the photograph.

Motion by L Boucher, seconded by D Nyman to ISSUE A FINAL COC FOR 70 NELSON STREET. Approved by a vote of 6-0-0.

**REQUEST FOR FINAL COC – 17 ERIN’S WAY**

DEP File #: 183-0549. Assessing Map 160, Parcel 113. Construction of a single-family home and driveway. A portion of the work is located in the 100-buffer of BVW. Paul Conger, Dover Services.

G Williamson stated that she did an inspection and that the site is sufficiently stabilized, there were large retaining walls constructed along the back and side of the lot. There is a detention basin to the left of the home that is being maintained.

Motion by L Boucher, seconded by H Parry to ISSUE A FINAL COC FOR 17 ERIN’S WAY. Approved by a vote of 6-0-0.

**REQUEST FOR PARTIAL COC – 32 SHADY LANE**

DEP File #: 183-0458. Assessing Map 118, Parcel 51. Subdivision roadway, utilities and stormwater management. Final Order issued 4-12-2002, Extended to 4-12-2015.

G Williamson reported that the lot is not located within the 100-foot buffer and that an individual filing was not required for home construction on the lot. She stated that the final COC was never issued for the subdivision, although the Town has accepted the road. M. Scott stated that they would not issue a partial COC for this lot since it is outside the 100-foot buffer. If they need a partial COC to close on the home, final as-builts will need to be submitted to the Commission for the entire subdivision. G. Williamson is to write a letter to the realtor stating that the home is not located within the

100-foot buffer, an individual filing was not required for this lot and the lot is not subject to the WPA.

### **DPW FACILITY – 18 INDUSTRIAL DRIVE**

Re-Use of the existing paved area at the western edge (back) of the site. Chris DeMoranville, DPW.

The Commission reviewed the report from the DPW explaining the work to be done behind the new facility. G Williamson stated that a strip of vegetation will be left at the back of the site, there is a grass strip that will remain between the facility and the degraded parking area. M. Scott spoke with Brad Stone with our DPW and he stated that there is a natural berm at the back of the site that will help to direct flows away from the resource area. Soil disturbance must be minimized due to contamination on the site and that a stormwater swale cannot be constructed. The Commission reviewed the stormwater calculations provided by the DPW. There is a reduction in flow and velocity and the re-use area was included as impervious in the Stormwater Report. Monitoring of this area will be included in the SWPPP Report. The DPW must file an amendment to the Stormwater Management Plan that includes the intended uses for this area and related best management practices.

Motion by D Nyman, seconded by L Boucher that WORK ASSOCIATED WITH THE RECLAMATION OF THE DEGRADED PARKING AREA ARE DE MINIMUS IN NATURE AND DO NOT REQUIRE AN AMENDMENT TO THE ORDER OF CONDITIONS SUBJECT TO THE DPW PROVIDING THE COMMISSION WITH A SCHEMATIC PLAN SHOWING THE INTENDED USES FOR THE AREA AND A COPY OF THE STORMWATER MANAGEMENT PLAN FOR THE AREA UNDER DEP FILE # 183-0665. Approved by a vote of 6-0-0.

### **PROJECT UPDATES**

#### **Sunshine Ridge - Bailey Road-Winter Stabilization**

Rafael Schmidt with USA Excavating reported that they are working on cleaning up the wood chip piles on the site and removing the stumps for the construction of the road. Once the wood chip piles are cleaned up, they will begin construction on the temporary sediment basin at the front of the site near the resource area. M. Scott asked about erosion controls on the site. R. Schmidt replied that they have entrenched silt fence and staked straw wattles around the perimeter of the site and they have spread some wood chips on the slopes near the resource area. D. Nyman asked if they would be working during December and January. He stated that they would continue with the site work and would keep an eye on the erosion controls. M. Scott stated that the stumps should remain in the ground on the slope above the resource area until homes and utilities are ready to be built. M. Scott recommended minimizing site disturbance as much as possible in regard to the construction of the temporary basin and work on the slope above the resource area. L. Boucher asked if there was a condition stating that they could not use permanent basins as temporary sediment basins during construction. M. Scott asked R. Schmidt to review the permit requirements with J. Votruba prior to the start of the work

on the basin. D. Nyman requested that J. Votruba attend the Commission meetings to report on the site work and erosion controls.

**Bob Elms Trail Improvements**

G. Williamson reported that the Town donated \$500 for a portion of the bridge materials and that the NEMBA has organized a workday on November 12<sup>th</sup> for the construction of the Ball Brook Bridge.

**The Oaks of Holden**

D. Nyman stated that a site visit was conducted on Tuesday, November 2<sup>nd</sup>. G. Williamson, Brad Stone, Dave Nyman and Hannah Lipper were in attendance. No problems with the stormwater system were encountered, although there were some discrepancies between the plan and what was observed during the visit. D. Nyman stated that the smaller basin behind Building 1 was overgrown with vegetation but that it is still functioning adequately and that no outlet structure was located on this basin. D.

Nyman stated that final As-Builts should not be required for the final COC, as this money could be better spent on maintenance costs.

**APPROVAL OF MINUTES**

Aug 3, 2022 - Motion by D Nyman, Seconded by H Parry TO ACCEPT THE AUG 3<sup>RD</sup> 2022 MINUTES AS AMENDED. Approved by a vote of 4-0-0 (L. Boucher, E. Parent recused)

Sep. 7, 2022 - Motion by D Nyman, Seconded by K Strom TO ACCEPT THE SEPTEMBER 7<sup>TH</sup>, 2022 MINUTES AS AMENDED. Approved by a vote of 4-0-0 (L Boucher, E Parent recused)

**Motion by E Parent, Seconded by K Strom TO ADJOURN THE NOVEMBER 2, 2022 CONSERVATION COMMISSION MEETING AT 9:38 PM. APPROVED BY A VOTE 6-0-0.**

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