

**HOLDEN CONSERVATION COMMISSION
MEETING MINUTES
Wednesday January 11, 2023**

Present: Michael Scott, Chairman; Kenneth Strom, Elizabeth Parent, David Nyman, Heather Parry, Hannah Lipper

Absent: Luke Boucher

Others Present: Glenda Williamson, Conservation Agent; Sara Flagg, Recording Secretary; Tom Larson, Martelli Construction, Greenwood Estates; Tim Adler, Julian Votruba, Jefferson Mill; Mark Elbag, Elbag Engineering, Elmwood Ave; Diane Bombard, Stone House Hill Rd.; Elizabeth Pino, Princeton St; Denise Cummings, 1040 Princeton St; Scott Morrisson, EcoTec, Fisher Rd; Bill George, Wingspan Properties, Elmwood Ave.

Mike Scott opened the meeting at 7:01 pm

GREENWOOD ESTATES UPDATE

Tom Larson, Martelli Construction, updated that since the last meeting, communication between himself, Graves Engineering and G Williamson will be improved so everyone is up to date on current site conditions. He will be meeting Graves new project manager and G Williamson will be included in ongoing concerns. T Larson said that finding motivated help for clean-up has been challenging, however he has requested contractors that contribute to any mess be responsible for the clean up. G Williamson shared photos of an area at Basin 3-1 that was of concern. Everything on the Graves report has been completed as of today. M Scott asked if there is someone actively walking the site to look for potential breaches. T Larson said yes with the exception of upland areas. M Scott asked for Graves to inspect the area of pipe that was discussed. T Larson updated that on Lot 9 Stephanie Dr, part of the silt fence was down but the materials were hand shoveled today and they are planning to reinforce with hay bales.

NOTICE OF INTENT – 1665 MAIN STREET

Dep File # 183-0696. Assessing Map 100, Parcel 94. Construction of a parking lot associated with an existing building and repairs to the existing concrete slab. A portion of the work is located within the 100-foot buffer of Mill Pond/Eagle Lake, BLSF, Land Under Water Bodies and Waterways, and Riverfront Area. Jefferson Mills LLC; Julian Votruba, NEED. (*Con't from Dec. 7th*)

Tim Adler, Principal of Bluestone Residential, spoke in regard to the overall project and that this development has been on-going for several decades. T Adler stated that they are a hands-on developer and that they are better suited to get involved with a challenging project like this. The previous developer had proposed 66 parking spaces within one of the existing buildings, but many of these spaces were not feasible due to the space occupied by columns within the structure. The parking under the building has been reduced to 44 spaces. Phase 2 would encompass the buildings fronting Main St. and they hope to be working there this summer. Since they lost a portion of the parking spaces under the building, they are exploring limited options.

T Adler reviewed the historical data and showed the site plan indicating the three buildings that previously occupied the area. Buildings 1, 2 and 3 were built in 1850 and the slab for the third building was constructed in 1918.

The flood zone has been overlaid on the plans showing the boundary of Zone A flood zone. Archived blueprints for the construction from 1917 were shared along with photos of the building that was built on the slab. They also provided documentation showing the site being on the MA Register of Historic Places.

H Lipper inquired about the number of units and the configuration of apartments. T Adler responded that there will be 34 units in this phase and 29 units proposed in Phase 2. Phase 1 is primarily 2 bedrooms and Phase 2 would have a greater diversity of units. T Adler stated that there will not be low income units as this is not a requirement for the project.

M Scott asked if the new proposed parking area was to serve Phase 2 and offset some of Phase 1. T Adler said they have sufficient parking for Phase 1 and this would be to make Phase 2 work.

M Scott asked for an update on additional drainage structures on the portion of the proposed parking currently designed to drain toward Main St. T Adler answered that MassDOT has looked at the drainage relative to the road and concurred with the current design. To alter the design to intercept drainage and direct it into the on-site system would be challenging as it involves adding the catch basin, doing an additional stormwater analysis, and upgrading the infrastructure. He said that it is not feasible due to the cost. They are trying to do a combination of improvements and working within the limits of the site.

Relative to proposed work within Bordering Land Subject to Flooding, M Scott said that FEMA mapping shows the site located within a Zone A which hasn't been studied in detail. We therefore cannot establish the volume, extent, and depth of

flooding during a 100-year storm. This means that the width of the flood plain and depth of flow of the stream as it goes through the buildings needs to be determined.

D Nyman said that another option is to assume that the site floods to the depth occupied by the proposed fill, and find compensatory storage on the site on a foot-by-foot basis. J Votruba said the proposed fill would occupy roughly 1,000 cubic yards.

In reference to one of the buildings removed from the site in the recent past, J Votruba mentioned that no one knows the breaking point of the windows on the lower part of the building and how much flood storage it might have provided. M Scott stated that the regulations say that it must be demonstrated and if not demonstrated then assumed it would flood. They discussed the demolition of the smoke stack 20 years ago and whether that could be considered for some of the storage. D Nyman said that the regulations say that you have to consider the site as it is today, not how it was 20 years ago. He suggested that they complete an engineering study of the extent of flooding, using the hydrology which has been done in recent engineering analyses of the dam and developing a HEC RAS analysis to establish a flood elevation. In lieu of doing that, he would accept the providing compensatory storage for the entire fill volume, as discussed above.

G Williamson asked if the Commission is looking for revised plans with a catch basin off Main St. M Scott requested a document for why that would be a hardship or unfeasible. The Conservation Commission clarified the NOI form needs to be updated. T Adler spoke that the repair work on the slab would be with hand tools only and its not entirely necessary but was mentioned in the dam report. D Nyman stated that the proposed work was not under question, but the issue at hand is that the applicant's NOI submittal has not properly documented the proposed work, areas of impact, and measures to prevent damage to resource areas.

Motion by D Nyman, seconded by K Strom to CONTINUE 1665 MAIN STREET, JEFFERSON MILL TO THE COMMISSION'S FEBRUARY 8, 2023 MEETING DATE. Approved by a vote of 6-0-0.

NOTICE OF INTENT – ELMWOOD AVE

Dep File #'s 183-0697 to 183-0704. Assessing Map 42, Parcel 1. Construction of 8-residential ANR (Approval Not Required) house lots with associated septic systems, wells, utilities and grading. A portion of the work is located within the 100-foot buffer of BVW and buffer of isolated wetlands regulated under the local bylaw. Wingspan Properties LLC; MA Elbag Engineering (*con't from Dec. 7th*)

Mark Elbag, Elbag Engineering, re-capped the project and updated that they should have stormwater approval from the DPW tomorrow and made some minor revisions in relation to their comments; the design has not changed. G Williamson said that she did a site visit and met with Scott Morrison, EcoTec who delineated the wetlands. She pointed out that in the area of wetland flags D-19 to D-20 there is a swale that continues into the uplands and she had questions in regard to why the wetland was ended at this specific location across the swale. S Morrison replied that there is a change in vegetation from primarily wetland to upland plants.

H Parry asked about one of the driveways very near the 25-foot buffer and if there should be a condition to place boulders along the area. M Elbag answered that it was previously discussed to be temporarily marked during construction but it won't need to be marked permanently. K Strom pointed out there is a stone wall there that could act as a demarcation.

Liz Pino, 870 Princeton St, asked if that is the wall that borders her property and how far the home would be from her house. The Commission replied that the setback meets zoning requirements and is not under their jurisdiction to discuss. L Pino inquired about how she can get a copy of the plans and was told she can contact G Williamson for a copy as it is public record.

Denise Cummings, 1040 Princeton St, questioned the low lying areas of Elmwood Ave that typically flood during storm events. She asked where the water would be re-directed once the trees on the site were removed. M Elbag pointed the areas out on the plans and said that no additional water would flow to the road and that it is going to be directed to a swale leading to Infiltration Pond 1. He clarified that DPW has reviewed the stormwater design and that proposal will not correct the existing conditions but will not add to them either.

Motion by K Strom, seconded by E Parent to CLOSE THE PUBLIC HEARING FOR 8-ANR LOTS PROPOSED OFF ELMWOOD AVENUE. Approved by a vote of 6-0-0.

Motion by D Nyman, seconded by E Parent to ISSUE A STANDARD ORDER OF CONDITIONS FOR DEP FILE #'S: 183-0697 TO 183-0704 WITH THE FOLLOWING SPECIAL CONDITIONS:

1. MARK CUTTING LIMITS ON THE SITE AND CONTACT THE AGENT FOR INSPECTION
2. PERMANENT DERMACATIONS ARE REQUIRED ON LOTS 2, 3 & 8. EROSION CONTROLS MAY BE INSTALLED AFTER TREE FELLING BUT

PRIOR TO STUMPING OR DISTURBANCE

3. **SUBMIT A WINTER STABILIZATION PLAN**
4. **LABEL 25-FOOT WETLAND BUFFER ZONE AND EROSION CONTROLS ON THE PLAN SURROUNDING WETLANDS A & C.**
5. **PROVIDE THE CONSERVATION COMMISSION WITH A FINAL REVISED SITE PLAN.**

Approved by a vote of 6-0-0.

AMENDED ORDER OF CONDITIONS – FISHER ROAD UPGRADES

Dep File # 183-0690. Assessing Map 243, Parcel 1. Upgrades to Fisher Road, installation of stormwater swales and stormwater basins in support of a 17-lot residential development. Steven Striar, Oak Street Realty Trust; Scott Morrison, Eco-Tec, Inc.

G Williamson read the legal ad into record.

Scott Morrison with Eco-Tec reviewed the plans and highlighted the stormwater basins and areas within the buffer zone. D Nyman asked if the intent would be for this to be a public road. S Morrison replied that it would remain a private road.

D Nyman's concern was that in subdivisions of this type where some lots have drainage facilities and others do not, the issuance of COC's to some individual lots can undermine the Commission's ability to enforce compliance with the drainage construction & maintenance requirements by the remaining lots. H Parry pointed out that the DPW comments from the Land Disturbance Permit covered that issue.

Diane Bombard, Stonehouse Hill Road asked how large the retention pond at the very end would be. S Morrison said 160-170-feet long and that it will have a 4-foot fence around it. S Morrison clarified that the gated condition at the end of the road would remain and that there would be no thru traffic to Stonehouse Hill Road.

Arthur Resca, 250 Fisher Rd, stated that he has lived there for 12 years and said that there is flooding that occurs within Fisher Road near proposed Lot 17. S Morrison referred to the plans explaining that water coming off the road will be redirected away from the road and will not contribute to any existing flooding. The Commission discussed the road elevations near Lot 17 in the vicinity of his property. A Resca pointed out note 18 on sheet 10 in regard to a cross culvert. S Morrison recommended that homeowner reach out to Finnely Engineering to discuss.

Motion by D Nyman, seconded by H Parry to CLOSE THE PUBLIC HEARING FOR AMENDED ORDER OF CONDITIONS, FISHER ROAD UPGRADES, DEP FILE # 183-0690.

Motion by K Strom, seconded by D Nyman to ISSUE AN AMENDED ORDER OF CONDITIONS FOR FISHER ROAD IMPROVEMENTS IN SUPPORT OF 17 ANR LOTS WITH THE FOLLOWING CONDITIONS:

1. RE-ESTABLISH THE WETLAND FLAGS
2. MARK THE CUTTING LIMITS WITHIN THE 100-FOOT BUFFER AND CALL THE AGENT FOR AN INSPECTION
3. EROSION CONTROLS MAY BE INSTALLED AFTER TREE FELLING BUT PRIOR TO STUMPING OR DISTURBANCE
4. INDIVIDUAL NOI's MUST BE SUBMITTED FOR LOTS 5, 7 AND 16
5. SUBMIT A WINTER STABILIZATION PLAN
6. SUBMIT A PHASING PLAN
7. PROVIDE THE CONSERVATION COMMISSION WITH A FINAL REVISED COPY OF PLAN

EMERGENCY CERTIFICATION – 944 MAIN STREET

Site assessment, water main repair and sediment removal within the stream. The work is being performed in a former gasoline underground storage tank (UST) area and is performed under MADEP Release Tracking No. 2- 22189.

G Williamson explained that this Emergency Certification was needed for the immediate repair of the water main near Sunnyside Ford on Main Street. H Parry asked about the note on the plan regarding a dry well; the Commission reviewed this and determined that it was most likely related to an old floor drain in the garage. G Williamson said there were about 10 gallons of sediment removed from the stream channel and that the clean-up work was not located within a drinking water tributary and was located outside of the DCR WsPA zones. The Commission members reviewed the WsPA Map.

REQUEST FOR PARTIAL COC– 90 FISHER ROAD, UNIT 30

DEP File #:183-0459. Assessing Map 243, Parcel 17. Construction of a 40-B condominium project with 32 units, roadway, stormwater utilities and grading. Partial COC requested by Barron Law Title and Closings. A portion of the work on this development was located within the 100-buffer of BVW.

G Williamson stated that there have not been any final as-builts submitted by the property owner and that there were outstanding issues with the development. A final

COC was requested by the owner of Unit 30, however, the Order for the entire development was never closed out so that only a partial COC can be issued for the Unit.

M Scott asked if there is a condo association, G Williamson said there is. G Williamson said that the Planning Director is looking into the use of the remaining bond to address any outstanding issues. D Nyman asked if there were any outstanding wetland issues. G Williamson said that the issues were related to DPW utilities and the need for final As-Built plans. The Commission reviewed the plans and discussed that work that has been completed to date and then determined that a partial COC could not be issued. M Scott said that he will do a site inspection this weekend to review the Stormwater basin and related structures. The Agent is to follow-up with the Planning department in regard to the use of the remaining bond.

FOREST CUTTING PLAN – DCR CH. 132

File Number 134-36140-23. Map 15, Parcel 6. 34 Acres off Mason Road.

G Williamson displayed the cutting area on the Town GIS. The Commission didn't have any concerns or comments in regard to the cutting plan.

G Williamson said that she has received complaints from residents about the DCR cutting at the end of Dorothy Ave. M Scott said that the complaints could be addressed only if the areas were within the Commission's jurisdiction.

PROJECT UPDATES

Dawson Rec/Industrial Drive Recreation Complex - G Williamson updated that she needs to verify the revised wetland delineation in the field, the new flags will have to be surveyed and added to the plan.

Sunshine Ridge - Bailey Road-Winter Stabilization - G Williamson updated that they have been on vacation but restarted work this week and were doing a very good job with everything.

Main Street Drainage Improvements - G Williamson updated that contractors have changed and work will be happening in the Spring.

Quinapoxet Culvert - G Williamson updated that they are still waiting on the additional requested information from the DPW.

APPROVAL OF MINUTES Oct 5, 2022; Nov 2, 2022

Motion by D Nyman, seconded by K Strom to APPROVE THE MINUTES AS

AMENDED FOR OCT 5, 2022. Approved by a vote of 6-0-0.

Motion by D Nyman, seconded by K Strom to APPROVE THE MINUTES AS AMENDED FOR NOV 2, 2022. Approved by a vote of 5-0-1 (H Lipper was not present at this meeting).

Motion by E Parent, seconded by H Lipper to ADJOURN THE JAN 11, 2023 CONSERVATION MEETING AT 10:17 PM. Approved by a vote of 6-0-0.