

**HOLDEN CONSERVATION COMMISSION  
MEETING MINUTES  
April 5, 2023**

**Members Present:** Kenneth Strom, Elizabeth Parent, David Nyman, Heather Parry, Hannah Lipper

**Not Present:** Michael Scott, Luke Boucher

**Others Present:** Glenda Williamson, Conservation Agent; Sara Flagg, Recording Secretary; Tom Larson, Martelli Construction, Greenwood Estates; Chris DeMoranville, Holden DPW, 200 Salisbury St; Mark Elbag, Elbag Engineering, 597 Malden St; Scott Morrison, Eco-Tec, Colleen Abrams, Wachusett Greenways, MCRT; Tim Adler, Bluestone Residential, Inc; Julian Votruba, NEED, Josh Rosenberg, RMA GeoEnvironmental, 1665 Main St, Jefferson Mill.

K Strom opened the meeting at 7:02 pm

**GREENWOOD ESTATES UPDATE**

**Jackson Woods Investments LLC; Tom Larson, Martelli Construction**

Tom Larson updated that during the review and construction of Lot 61R Deanna Drive they noted an issue with the amount of cover over the sewer and drain pipes along the easement. The construction plan has been revised to allow for a deeper excavation and pipe placement. Two manholes were added to account for the increase in grade. DPW has expressed concerns about future maintenance along the easement and the potential for encroachment into the 25-foot no disturb zone.

The Commission reviewed the revised plans and told Mr. Larson that the erosion controls must be replaced with new staked entrenched silt fence and straw wattles and to avoid any encroachment into the no disturb buffer. An erosion control inspection is required prior to the start of work.

Motion by D Nyman, Seconded by H Parry to APPROVE THE REVISED EASEMENT PLAN AS A MINOR CHANGE AND THAT AN AMENDED ORDER IS NOT REQUIRED. Approved by a vote of 5-0-0.

**REQUEST FOR DETERMINATION – 200 SALISBURY STREET**

The removal of trees located to the south of the Holden Town pool located at the Dawson Recreation Area, Map 198, Parcel 5. The work is located within the 200-

foot jurisdictional buffer of Dawson Pond. Chris DeMoranville, Supervisor of Operations, Holden DPW.

C. DeMoranville, Holden DPW, explained that tree removal would be done along the eastern fence boundary of the pool and within an area located just south of the pool all the way up to the edge of Shrewsbury Street. The majority of trees to be removed consist of very large, dead red pines and that many of the pines had already fallen over. The remaining vegetation consists of very small (4 to 6 DBH) hardwood trees consisting of red maple, black cherry, red oak and black oak. He stated that the parcel of land is currently owned by the DCR but there is a land swap being worked out so that the Town will eventually own this property. He stated that they must apply for and receive a temporary access permit from the DCR before starting any work. He explained that DCR had previously removed approx. 75 dead red pines around the basketball courts.

Motion by E Parent, seconded by H Parry to ISSUE A NEGATIVE 3 DETERMINATION FOR PROPOSED TREE CUTTING WORK LOCATED AT 200 SALISBURY ST WITH THE FOLLOWING CONDITIONS:

- Obtain permission from DCR to work on property
- Mark the limits of cutting
- Individual trees must be marked and approved by the Agent prior to cutting

Approved by a vote of 5-0-0.

### **REQUEST FOR DETERMINATION – 597 MALDEN STREET**

Assessing Map 135, Parcel 6. Expansion of the existing septic system and the construction of an addition. A portion of the work is located within the 100-foot buffer of BVW associated with an intermittent stream. Owners, Michael & Greere Chilton; Rep. Mark Elbag, M.A Elbag Engineering.

Mark Elbag, Elbag Engineering, explained that the proposed project is for an addition to the house which will need a septic system expansion to accommodate four bedrooms. A small amount of grading work will be required and all of the work is located within existing lawn area. Mark shared the plans outlining the work and location of the downslope BVW.

H Parry asked about the area of grading. Mark answered it is 50-75-feet away from the resource area.

Motion by D Nyman, seconded by E Parent to ISSUE A NEGATIVE 3 DETERMINATION FOR WORK AT 597 MALDEN STREET WITH A CONDITION TO INSTALL AN EROSION CONTROL BARRIER AT THE LIMIT OF WORK.

Approved by a vote of 5-0-0.

**REQUEST FOR DETERMINATION – MASS CENTRAL RAIL TRAIL (MCRT)** Construction and upgrade of a multi-use trail between Manning Street and Wachusett Street. The trail will consist of an 11-foot wide compacted gravel trail. Colleen Abrams, WachusettGreenways. Scott Morrison, Eco-Tec, Inc.

K Strom recused himself. Scott Morrison, Eco-Tec shared plans for the new trail section. He stated that the goal is to add length and to decrease the steepness to a grade of 5 percent or less in accordance with ADA requirements. He identified and flagged one isolated wetland and one hillside seep. He explained that both areas are jurisdictional under the Town's local bylaw but not regulated under the MA Wetland Protection Act (WPA). The trail will be routed around the wetland areas and will be located outside the 25-foot no-disturb-zone.

G. Williamson walked the site with S. Morrison last week. The centerline of the trail as well as the limits of cutting were flagged along the proposed route.

Motion by E Parent, seconded by D Nyman to ISSUE A NEGATIVE 1, 3 and 4 DETERMINATION SUBJECT TO THE LOCAL BY-LAW ONLY WITH THE FOLLOWING CONDITIONS.

1. The easement cleared for the trail should be of a maximum width to reasonably accommodate the 11-foot wide proposed trail, associated grading and stormwater swales. The clearing is restricted to the limit of earthwork plus 2 feet on either side within the 100-foot buffer area.
2. The limits of clearing must be marked along the trail.
3. The erosion control barrier (ECB) must be installed adjacent to the locally regulated wetland areas. The ECB may be installed after tree cutting but prior to any stump removal or grading.
4. An ECB inspection is required prior to the start of work.
5. Proof of CGP/NPDES and a copy of the SWPPP Report must be forwarded to the

Commission prior to the start of work.

Approved by a vote of 4-0-1 (K Strom recused)

### **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 and Riverfront Area. Tim Adler, Bluestone Residential, Inc; Julian Votruba, NEED. (*con't from March 1<sup>st</sup>*)

Tim Adler, Bluestone Residential, presented some historical data of the site, including the location of original building structures next to the Brook. Joshua Rosenberg with RMA Environmental presented the flood study. The study was conducted to determine the elevation of BLSF associated with Asnebumskit Brook.

E Parent asked about the incremental compensatory storage and the regulations.

D Nyman summarized that if the flood impacts don't change on site or downstream then the language of the regulations gives the Conservation Commission some latitude regarding the requirement for compensatory storage. The Commission reviewed the elevations at various points. D Nyman also brought up that the regulations call for unrestricted hydraulic connection to the floodplain which is why he asked about the openness of the building. D Nyman asked if the model showed any change downstream; J Rosenberg answered that there is no impact downstream in the model.

D Nyman recommended that the next step would be for them to demonstrate how the structure would be designed to provide unrestricted hydraulic connection.

Relative to the subject of stormwater management, he also recommended that they look into the additional catch basin recommendation discussed at previous meetings.

Motion by E Parent, seconded by D Nyman to CONTINUE THE HEARING TO THE COMMISSION'S WEDNESDAY MAY 3<sup>RD</sup> MEETING DATE.

### **ENFORCEMENT ORDER – 350 SOUTH ROAD**

G Williamson said that Matt Marrow provided an e-mail update stating that they are currently preparing an impact evaluation. G Williamson suggested that tree planting should be taken into consideration since mature trees and other understory vegetation had been removed in the 100-foot buffer.

## **PROJECT UPDATES/OTHER**

### **Dawson/Industrial Drive Recreation Area Improvements**

G Williamson shared that they received 50-percent progress plans from Weston & Sampson for the proposed improvements. The Commission discussed the various resource areas and potential project impacts. G Williamson stated that there is a potential vernal pool mapped within a BVW located to the east of the Dawson playground. She requested that the Commission approve contacting a wetland scientist to perform an evaluation. The Commission approved using funds to hire a professional to perform an evaluation.

### **Main Street Drainage/Powers Rd**

G Williamson shared that the Powers Road drainage has been fully installed and that the contractor has finished construction on outlet number three.

### **Elmwood Avenue – 8 Lots**

G Williamson updated that she went to the site and silt fences were down in several areas. She spoke with Wingspan and the fences have since been repaired.

### **Sunshine Ridge - Bailey Road**

G Williamson updated that the last inspection was on March 3<sup>rd</sup> and no problems were encountered.

### **DCR Gate 61 - Manning Street**

G Williamson said that a large red oak tree had fallen across the fishing area access road and that the DCR was in contact to let the Commission know that they would be removing the tree and to inquire about the placement/type of erosion controls needed. G Williamson did an inspection to the area and shared photos with the Commission.

### **Brewer Way/Highland Street**

G Williamson and K Strom commented that they had visited the site. G Williamson shared photos of the site and stated that the increase in water level in the drainage swale was a result of routine drainage maintenance such as ditch cleaning, not being performed along Brewer Way. A large accumulation of yard waste and storm debris, i.e. large pine branches, had fallen into or were dumped in the swale.

**FOREST CUTTING PLAN – DCR CH. 132**

**City of Worcester. 54.7 acres off Reservoir Street**

G Williamson shared the report and the Commission discussed the cutting plan.

**Approval of Minutes - December 7th, 2022**

Motion by E Parent, seconded by H Parry to APPROVE THE DECEMBER 7, 2022 MINUTES. Approved by a vote of 4-0-1 (H Lipper abstained).

Motion by E Parent, seconded by H Parry to ADJOURN THE April 5, 2023 CONSERVATION MEETING AT 9:46. Approved by a vote of 5-0-0.