

**HOLDEN CONSERVATION COMMISSION  
1130 MAIN STREET, HOLDEN SENIOR CENTER  
MINUTES  
April 3, 2019**

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

**Others Present:** Glenda Williamson, Conservation Agent; Ken Knowles, Eaglebrook Engineering; Robert Tanning, CRA; Scott Verrier, Holden Baseball; Doug Morse, Waterman Design; Katie Stukowski, 16 Preservation Lane; Vincent Vignaly, DCR; Matt Varrell, Lucas Environmental; Clea Blair, Craig Bacon, Julian Votruba, Greenwood Estates.

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

**REQUEST FOR DETERMINATION OF APPLICABILITY** – 16 Preservation Lane. Assessing Map 165, Parcel 49. Katie and Mark Stukowski. Construction of an in-law addition with a single car garage. The work is located within maintained lawn area and within the 100-foot buffer of a Bordering Vegetated Wetland (BVW).

Doug Morse with Waterman Design Group was present to represent the homeowner. Doug indicated the proposed location of the addition on the plan, the location of the resource area, the 100-foot buffer line, the existing drainage easement along the property and the detention basin at the rear of the lot. Doug stated that they are proposing to pick up any stormwater runoff with a shallow swale to be constructed along the edge of the property just inside the fence line. The swale would direct stormwater to the basin at the back of the property.

R. Lowell asked if the wetland area to the west of the lot was a BVW. Doug stated yes, that it is a replicated wetland area that was constructed for wetland impacts associated with the development of the subdivision. R. Lowell asked if there were any questions from the Commission on the proposed project. K. Strom asked if there would be increased pavement area to accommodate the garage. Doug stated that the garage is approx. 200 square feet with a total increase in impervious area of approximately 1200 square feet. This includes the garage, addition and additional paved area in the driveway.

R. Lowell asked what type of erosion controls would be used. Doug responded that they proposed siltation fencing and staked straw wattles and indicated the details and locations on the plan. G. Williamson asked if the purpose of the swale was to collect the rooftop runoff. Doug stated yes, and to take any additional runoff from the new driveway area. R. Lowell asked what was on the other side of the swale. Doug stated that there is an existing 4-foot white vinyl fence and that the 25-foot no disturb zone is approximately 12 feet from the fence. R. Lowell asked how the swale was to be maintained, if it would be rock-filled or vegetated. Doug responded that it would be grassed for easier maintenance

and mowing. R. Lowell asked the type of soils present along the proposed swale location. Doug stated that they are B type soils.

R. Lowell asked if there were any additional questions from the Commission or from the public. There were no additional questions from the Commission and no members from the public with questions. Motion by D. Nyman seconded by K. Strom to close the public hearing for 16 Preservation Lane.

Motion by D. Nyman, seconded by K. Strom, it was UNANIMOUSLY VOTED TO CLOSE THE PUBLIC HEARING FOR 16 PRESERVATION LANE. MOTION BY D. NYMAN, SECONDED BY K. STROM TO ISSUE A NEGATIVE 3 DETERMINATION FOR 16 PRESERVATION LANE, CONSTRUCTION OF AN IN-LAW ADDITION IN THE 100-FOOT BUFFER.

**NOTICE OF INTENT – Chaffins Recreation Association (CRA) -Holden Baseball – DEP File # 183-0659.** Assessors Map 15, Parcels 211-1 and 211-51. Removal of an existing parking area for the construction of a new baseball field. Construction of a new parking lot with assoc. grading and stormwater management system. Reps: Eaglebrook Engineering/Waterman Design.

G. Williamson read the legal ad into record. Ken Knowles with Eaglebrook Engineering was present to represent the Chaffin's Recreation Association. Bob Tonning and Scott Verrier with Holden Baseball were also present. Ken described the major features of the project located at 459 Main Street. He presented the existing conditions for the project, indicating the locations of the parking areas, fields, access roads and structures. Ken stated that there are two existing fields, an adjacent wooded lot, a basketball court and two concrete buildings.

Ken indicated the location of the Bordering Vegetated Wetland (BVW) along the toe of the slope along Chaffin's Pond and stated that it surrounds the existing baseball fields. He stated that there is a Zone A tributary located just off the site and a floodplain that is not elevation specific. He stated that they overlaid the location of the floodplain onto the topo map and that it is at an elevation of 710.5. The 25-foot no disturb zone follows the edge of the BVW around the fields. He stated that the wooded buffer was located 30-feet away from the BVW in most locations.

Ken stated that there is a net reduction in the impervious area in both the 100-foot buffer and within Zone A and a net reduction for the entire project. The site generally slopes towards the pond in most locations, the baseball fields are very flat and that there is only one catch basin on the site and no other existing stormwater controls.

Ken explained that the proposed project includes the removal of the front parking area and the construction of a third baseball field. The middle field will remain in the same location and the rear field will be re-aligned. A new parking area is proposed in a portion of the wooded area on the adjacent parcel (Assessing Map 211-51). The proposed walkways will be finished with stone dust.

The net reduction for impervious area in the Zone A is 36,800 square feet and the total reduction in the 100-foot buffer area is 21,500 square feet. The small concrete block building is to be demolished and the larger main building will remain.

Stormwater controls include deep sump catch basins, infiltration units and catch basins. Ken stated that there will be no grading or vegetation removal within the 25-foot no disturb zone. The gravel access path will encroach slightly into the 25-foot no-disturb zone and that this area is currently grassed.

R. Lowell stated that the Commission exerts jurisdiction within 200-feet of Chaffin's Pond. The 200-foot buffer zone was not indicated on the plan. R. Lowell asked about landscaping plans for the parking area. Ken stated that trees will be planted on small islands throughout the parking area. G. Williamson asked how the required number of parking spaces was determined. Ken stated that there are 185 spaces proposed. G. Williamson asked if the number of spaces could be reduced or the parking areas re-designed to reduce the number of trees that need to be removed on the adjacent forested parcel. Ken stated that they may be able to shorten up the spaces and compact the spaces to preserve more of the trees. R. Lowell asked if the basketball courts would be removed. Ken stated, yes, that the area will be used for parking spaces.

R. Lowell asked about access for fishermen, if the stone dust path led to overlooks or water access. Ken stated that it did not and pointed out the location of an existing 10-foot boat launch area that is being maintained. There is access provided for emergency vehicles via the proposed 10-foot wide stone dust pathway.

John Meyer, a private resident, stated that the existing access is insufficient for fishermen and hunters to get their vehicles/trailers down to the boat launch area. He would like access to remain along the north side of the site. R. Lowell stated that the applicant should consider providing continued access for sportsmen to be able to reach the pond for hunting and fishing as they have been for many years. Ken stated that the matter would be re-visited with the Zoning Board of Appeals at their next hearing on the 25<sup>th</sup>.

Vinny Vignaly with the DCR stated that there had not been an official submittal but that they have reviewed the proposed development and stormwater management plan. Vinny stated that the DCR approves of the increased stormwater treatment methods but there are no alterations allowed within the primary protection zone (0 – 200 feet). There are no stormwater discharges allowed within the Zone A and the applicant would have to provide significant justification for any vegetation removal or alteration in this zone. Ken stated that they are reducing the total impervious area on the site, the fields are flat and pervious so there will not be a lot of runoff from the field.

D. Nyman asked what portion of the stormwater from the parking areas was being directed to infiltration and what portions were being directed to a water quality unit. Ken indicated the portions of the lots that would be directed to catch basins and the portions being directed to water quality inlets. D. Nyman asked about the front parking area and why there was not infiltration proposed here. Ken responded that the Zone A line cut

across the lot in this area. D. Nyman stated that approx. 40 percent of the front parking area is not getting full treatment (to the maximum extent practicable) in accordance with the Stormwater Management Standards. He stated that if they could not meet the standards that they would have to provide an analysis to the Commission and how they explored options for meeting the standards. D. Nyman stated that they have not provided alternatives for meeting the treatment standards for stormwater control. Ken stated that they have addressed the standards to the maximum extent practicable and that infiltration units are not allowed in the Zone A. D. Nyman stated that they should consider adding other treatment methods and alternatives to meet the standards to the fullest extent possible.

D. Nyman asked the size of the existing drain line that discharges into the wetland area. Ken responded that it was 24-inches. Ken stated that he would have to confirm the location and size of the discharge pipe. D. Nyman expressed concerns about changing the volume of flow that would be discharged to the outlet structure within the resource area and impacts at the outlet. He stated that improvements may be needed at the outlet structure to address increased flows. D. Nyman stated that flows could be bypassed as opposed to recharge occurring if the pipe inverts are not correct. The applicant should look more closely at the design of the system to ensure there is sufficient recharge and that the bypasses are designed correctly. Ken stated that there is a weir in the diversion manhole that would redirect low flows toward the infiltration system. Ken indicated the location and details for the proposed weirs. D. Nyman stated that he did not find anything in the stormwater report addressing shut down and containment as required for Standard 6. Dave stated that procedural information should be included for this standard. G. Williamson asked where the final discharge point into the resource area was located. Ken indicated the location on the plan.

R. Lowell asked how often the fields were fertilized, if there was a protocol for this and if they had an operation and maintenance plan for this. Bob Tanning responded that they did not fertilize.

L. Boucher asked the condition of the existing forested area and baseball fields. G. Williamson responded that there was a heavy layer of pine needles and leaves (duff) on the ground in the forested parcel. L. Boucher said that the model labeled this area as "fair" and questioned the validity of the model used to evaluate the existing conditions on the site.

A. Costello asked about the resolution to access for sport. He suggested adding a boat ramp to the western side of the site. Ken responded that the slopes in this area are too steep and erosion would be an issue. C. Doherty asked if access could be up closer to Main Street. Ken stated that they would have to revisit the site to look at the slopes in these areas. A. Costello stated that a lot of people use the pond and that there may need to be emergency access to the water.

The applicant requested a continuance to the May 1<sup>st</sup> public hearing to provide additional time to respond to the Commission's comments and concerns.

## **PROJECT UPDATE**

### **Greenwood Estates**

The Commission issued an enforcement order for a violation that occurred on the site. G. Williamson stated that the enforcement order required that the applicant submit an impact evaluation and restoration plan.

Matt Varrel with Lucas Environmental was present to discuss the impacts and the restoration plan. Matt stated that sediment was washed down the slopes and off-site on to DCR property during a heavy rain event during a thaw when the ground was still partially frozen. Stormwater carried sediments down the slopes, depositing onto the slopes and into the resource area below the development site.

Matt stated that there were three separate sediment areas that were evaluated, two on the slopes in the 100-foot buffer of the resource area and one where sediments accumulated on the slope and down into the wetland area. Matt flagged the impact areas and was conservative in his estimates. The depth of sediments in the resource area averaged 2-4 inches and occurred in the low spots. Woody debris on the slopes trapped some sediments before moving downslope. R. Lowell asked where the vernal pool was in relation to the vernal pool. Matt stated that the vernal pool area is further to the northwest on the site and was not impacted by the event.

Matt stated that the restoration would require cleaning the sediments out with hand shovels and buckets and that they would focus on the deepest areas of accumulation first. Matt stated that a vac truck may be utilized to move the sediments back up slope more easily. R. Lowell stated that it would be best to get the sediments out as soon as possible before another storm event could dissipate the sediments and carry them further downslope.

DCR issued an order of non-compliance requiring that all of their impacted property be restored. Vinny Vignaly with DCR expressed his concerns about the violation. He stated that the DCR would like the sediments removed immediately. Vinny stated that by leaving even an inch of material in the impacted areas would result in 92 cubic yards of material that would remain on the property. He stated that they wanted the site restored to pre-violation conditions. Vinny stated that the DCR was satisfied with the impact evaluation and the majority of the restoration plan prepared by Lucas Environmental. Vinny asked if they would be using boardwalks or mats to minimize ground disturbance during the clean-up and requested a more detailed proposal from Clea Blair outlining the specific methods to be used for the clean-up. The DCR does not want any trees removed in order to gain access to the impacted areas. Clea stated that they would not be removing any vegetation and would consider the use of a vacuum truck to complete the majority of work.

R. Lowell asked what site controls were currently in place to prevent another discharge. Julian Votruba with New England Environmental Design (NEED) stated that the high velocity flow originated from the Harrington Ave stormwater flow located above Deanna

Drive and that they are currently re-designing the outlet flow pipe (currently 24-inches) and flow direction to reduce elevations and slow flows originating from the adjacent development at Harrington Ave. R. Lowell asked again about preventive measures and existing erosion controls. Craig Bacon with Martelli Construction stated that they have stump grindings in place, check dams and that disturbed areas have been mulched. D. Nyman asked if they analyzed how the flow re-direct would impact the site. Julian replied that they would provide an analysis with calculations.

G. Williamson asked the Commission to refer to a deadline letter dated April 3, 2019 that was sent to Clea Blair. The letter outlined 9 items with due dates for various items that the Commission and the DPW have been asking for months. She stated that Julian had addressed item 7, to provide a permanent solution to the Harrington Ave/Appletree Lane stormwater discharge.

Julian stated that they have to provide drainage calculations for the open disturbed areas in order to properly design the stormwater ponds. This is one of the requirements under the Construction General Permit (CGP) and the Stormwater Management Standards. R. Lowell referred to item number two in the letter; what measures are being taken to prevent sediments from entering Basin 1-5? Craig Bacon replied that there is a rip rap lined channel that directs stormwater to the basin. There are rip rap check dams within the channel and that graded areas leading to the channel are covered with stump grindings. Vinny Vignaly stated that all disturbed soils must be stabilized within 14 days if they are areas not to be used during active construction. He stated that the SWPPP reports being submitted by NEED must contain more detailed information on site stabilization and erosion controls. D. Nyman stated that there should be benches on the slope to move water sideways along the slope and to direct stormwater to a collection area and that temporary stabilization measures (i.e erosion control matting) should be taken. Craig stated that channels were dug on top of the slope to re-direct stormwater to a collection area. He stated that there is not enough space to construct benches/shelf on the slope and that is not cut to finished grade yet.

Vinny Vignaly stated that the stormwater management activities being done on the site should be put on a plan and submitted to the Commission for review prior to doing the work. Julian stated that the site is constantly changing. R. Lowell asked who was submitting the SWPPP reports and how often. Julian stated that he is on a weekly basis and after every quarter inch or greater rain event. R. Lowell asked about the schedule for the clean-up of the DCR property. Clea stated that they would get right on it and that they are looking for a place in an upland area to move and cover the removed sediments.

L. Boucher stated that the SWPPP is a living documents and that it needs to be updated as often as needed based on changing site conditions and as construction progresses. He said that the SWPPP is not just updated with the inspection reports. Julian Votruba said that he agreed. G. Williamson stated that comment number three in the letter is no longer an issue, the water leaving Basin 1-5 has been very clear and that the water level can be controlled by manipulating the elbow of the 4-inch drainage pipe.

G. Williamson stated that the applicant never provided the Town with a revised Phasing Plan and did not inform the Commission that they would be using a portion of Phase II for a large stockpile area. G. Williamson stated that she received a map from Martelli construction a few weeks earlier showing the proposed stockpile area but that she forgot she had received it. She suggested that they need to revise their phasing plan so that Phase I includes the stockpile area and any other areas under active construction. R. Lowell asked about the direction of the stormwater runoff and the location of the resource areas. G. Williamson stated that the resource areas were more than 150 feet away and drainage would not be an issue. Craig stated that there was not enough space available in Phase I for a stockpile area this large. R. Lowell stated that they would consider accepting a revised phasing plan at a future hearing.

R. Lowell asked if they had submitted a written description of the temporary measures that would be taken to handle the Harrington Ave flow. Clea Blair stated that he would get that to the Commission as soon as possible.

R. Lowell referred to item number 5 in the letter. G. Williamson asked Julian to submit his professional qualifications as a SWPPP monitor. He said that he would forward this to Glenda before the end of the week. No one was present from the public with questions or comments on the development project.

### **Bullard Estates**

G. Williamson stated that Sean Xenos attended a DEP hearing and was fined by the DEP for the violation on his Bullard Street development. R. Lowell asked if the Commission would fine Sean as well. G. Williamson stated no, not unless the Commission thought it would be appropriate. R. Lowell stated that Mr. Xenos addressed the situation immediately and took the necessary steps to contain the sediments during the event. G. Williamson stated that she had concerns in regard to the current condition of the site. She said that he needed to install additional erosion controls at the base of the slope along Lot 1 and Bullard Street. She found two oil buckets on the site at the end of the driveway of Lot 1, they were tipped over and leaking oil. She let the workers on the site know and the buckets were removed immediately. She stated that there are no DEP File numbers posted in front of the lots. R. Lowell asked if there was active construction on the development, G. Williamson stated no, that she just received the building permit for Lot 1 the day before. She stated that she would not sign off on the permit until these outstanding issues have been addressed.

### **Oak Hill Subdivision**

G. Williamson stated that she has been receiving calls from residents in regard to flooding in their basements. She told the residents that this is not a conservation issue and that they would have to work with the developer to come to a resolution. She stated that it could be a problem with the grading or that the bulkheads were not constructed properly. The homes with flooding problems are located within the inside circle of Jordan Road.

G. Williamson reported that the next meeting of Commission would be on Wednesday May 1st.

**APPROVAL OF MINUTES**

Motion by L. Boucher, seconded by C. Doherty, it was VOTED TO APPROVE THE DECEMBER 5TH, 2018 CONSERVATION COMMISSION MEETING MINUTES AS CORRECTED BY A VOTE OF 7-0.

Motion by L. BOUCHER, seconded by C. DOHERTY, it was UNANIMOUSLY VOTED TO ADJOURN THE APRIL 3, 2019 CONSERVATION COMMISSION MEETING AT 9:09 PM

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