

**HOLDEN CONSERVATION COMMISSION  
REMOTE MEETING  
June 3, 2020**

**Members Present:** Anthony Costello, Kenneth Strom, David Nyman, Mike Scott, Luke Boucher, Beth Parent

**Not Present:** Cathy Doherty

**Others Present:** Glenda Williamson, Conservation Agent; Julian Votruba, New England Environmental Design (NEED); Tom Larson, Martelli; Isabel McCauley, Holden DPW; Paul McManus, Scott Morrison, White Oak Land Conservation Society (WOLCS); Dan Marinone, George Kersus, Friends of Eagle Lake; Pamela Harding, Holden Planning.

**NOTICE OF INTENT**

Greenwood Estates Subdivision - Individual Lots. Jackson Woods Investments  
Julian Votruba, New England Environmental Design (NEED).

1. DEP File # 183-0668. Lot 46R, 47R, 49R, 50R - *continued*
2. DEP File # 183-0667. Lot 48R - *continued*
3. DEP File # 183-0669. Lots 56R, 57R, 58R, 61R

The hearings for the Greenwood Estates lots were continued to a special hearing date on July 22<sup>nd</sup>, 2020, exclusively to discuss the individual lot development at Greenwood Estates.

Motion by D. Nyman, seconded by K. Strom, it was **VOTED 6-0-0 TO CONTINUE GREENWOOD ESTATES LOTS TO JULY 22<sup>ND</sup>, 2020 MEETING DATE.**

**GREENWOOD ESTATES UPDATE**

Construction, Grading Plan, Replication Area, Stormwater

Tom Larson provided an update on Greenwood Estates project. Pump station roof is currently being built and they are applying epoxy to the interior of the wet well. Grading plan for stabilization has been done and is awaiting approval from Graves Engineering and then that will proceed. Replication area had final inspection by Matt Varrell with Lucas Environmental today. They will apply stump grindings for stabilization and water from the upper basin will be directed to the area along the access road to the area. Basin 1-5 was reviewed by DCR and a sediment measuring device has been added per their request. M. Scott asked if the basin was performing as intended. T. Larson replied that there is minimal water in the basin and there is no water discharging. T. Larson stated that he cleaned the forebay out and added new rip rap to the flared end of the discharge pipe.

T. Larson stated that Matt Varrell also did an inspection on the DCR property below Basin 1-5 where soils had washed into the resource area. He said that the cleanup is complete and further inspections were not needed. M. Scott asked G. Williamson for her

opinion on how things looked in the wetland area and slopes. G. Williamson said that everything looks satisfactory.

T. Larson went through the phases of the stabilization. They will work on three lots at a time and will leave stumps in the ground where grading is not required. K. Strom asked about the grading plan that was sent if it had been approved by Conservation Commission at a previous hearing. M. Scott said that the grading areas were outside of the Commission's jurisdiction.

D. Nyman asked if the Commission could have a drawing that is more detailed indicating the specific lots that are being discussed. M. Scott replied that the colored plans are not clear enough and agreed that a clearer plan would be helpful.

T. Larson said that Graves Engineering has asked for an erosion control plan and that will be more detailed to show the changes that will affect the ponds. He will forward the plan to the Commission once complete.

**NOTICE OF INTENT - Bullard Street Culvert Replacement – Holden DPW**

Assessing Map 119, Parcel 2. The replacement of an existing culvert with new 60" embedded culvert. Work is located in Land Under Water and Inland Bank. Patrick Wood-Project Engineer-Holden DPW – *continued from 5/6*

Isabel McCauley, DPW, provided an update from the last meeting. The current pipe has a 4 percent slope based on the measurements they could get. The width is variable but at the inlet side it is about 4 feet. For the different types of material: they have been looking into the options, but they still believe the HDPE is the best choice. After testing, the top of the water main is about 6" from the bottom of the culvert so they will not be able to increase the pipe diameter and will need to replace with a pipe of the same 48-inch diameter.

M. Scott stated that he has been to the site and observed what I. McCauley is talking about with the slope and width of the area.

D. Nyman said that his past concern would no longer be an issue if they are just doing an in-kind replacement due to the water main.

M. Scott asked if there are any plans by the town to replace any water main in that area in the next 10 years? If that is the case it may be advantageous to look at replacing while the culvert work is being done.

I. McCauley replied that she doesn't believe it is that old because of the material that was used.

K. Strom and B. Parent both understood the Town's position with the cost and possible issues that could happen from a water main replacement.

M. Scott also mentioned that erosion from rainwater is visible over the existing culvert and this should be reviewed if work is being done in the area.

I. McCauley mentioned that they are aware of the erosion and they plan to try and stabilize this a bit. Also, they will be working to divert some of the water at the downstream side by leveling it a bit.

B. Parent expressed concern about the plunge pool adjustment, she recommended to leave the pipe at the 4 percent slope. I. McCauley agreed with her.

M. Scott asked for a plan for review, I. McCauley stated that they were not planning to revise the plans because it will be done by the Town and the changes are minor. M. Scott requested the plan for review prior to approval. G. Williamson asked for a copy of the 401 application.

Motion by D. Nyman, seconded by L. Boucher, it was **VOTED 6-0-0 TO CONTINUE TO THE JULY 8<sup>TH</sup> MEETING WITH A REQUEST FOR AGE OF EXISTING WATER MAIN AND FINAL PLANS.**

**REQUEST FOR DETERMINATION OF APPLICABILITY – Causeway St. Drainage Improvements. Holden DPW.** Assessing Map 113, Parcel 2. The installation of approx. 450 linear feet of drainage pipe within the existing right-of-way and the installation of a stormwater discharge point. A portion of the work is located within the 100-foot buffer of Eagle Lake. Patrick Wood-Project Engineer-Holden DPW. *continued from 5/6*

Isabel McCauley, DPW, provided an update on the Commission's request to add a bioretention pond in lieu of the hydrodynamic separator. Due to the disturbance of approx. 175 cubic yards and the design requirements and regulations, the DPW has some concerns with that alternative. A much larger area of trees would have to be removed to create a bioretention area.

M. Scott asked about D. Nyman's site visit and asked I. McCauley about the sewer placement. I. McCauley replied that one of the manholes is paved over and won't be located until they excavate, and the depth of the pipe is undetermined at this point. The DPW's intention is to do the work with a minimum disturbance.

M. Scott discussed the potential to lower or raise the pipe as needed unless it would cause too much tree removal and disturbance.

D. Nyman is ok with the original proposal but expressed that it would be nice to have the educational aspect of it if it would have been possible.

I. McCauley explained that the runoff from the road went into Eagle Lake so this new piping would correct the pooling of water and help improve the water quality there.

Dan Marinone, 37 Village Way, asked about the 2 signs at the entrance to the Town Beach. I. McCauley replied that their work would not be in the area of the signs or trails.

Motion by D. NYMAN, seconded by K. STROM, it was **VOTED 6-0-0 TO ISSUE A NEGATIVE THREE DETERMINATION WITH A CONDITION FOR EROSION CONTROL, PROTECTION OF SIGNS, MARKING THE WORK AREA AND TREES TO BE CUT AND INFORMING G. WILLIAMSON UPON START OF SITE WORK.**

**REQUEST FOR DETERMINATION OF APPLICABILITY**

61 Willow Brook Road, Assessing Map 185, Parcel 57. David Berglund. Landscaping improvements/slope stabilization. The work is located in the 100-foot buffer of an intermittent stream/BVW.

Applicant requested a continuance to July 8<sup>th</sup> meeting in order to provide more time to find a site contractor to do the exploratory work.

**REQUEST FOR CERTIFICATE OF COMPLIANCE – Lot 1, 705 Bullard Street – DEP File # 183-0658 Assessing Map 134, Parcel 41. Single Family Home. Sean Xenos**

M. Scott stated that he had been by the house and the grass was coming in along with rocks along the driveway. G. Williamson was there June 2, shared photos of the seeded areas and stated that everything has been stabilized at this time.

Motion by K. Strom, seconded by L. Boucher, it was **VOTED 6-0-0 TO ISSUE THE FINAL CERTIFICATE OF COMPLIANCE FOR SEAN XENOS, LOT 1, 705 BULLARD ST ASSESSING MAP 131, PARCEL 41, DEP FILE NUMBER 183-0658.**

**DISCUSSIONAL/OTHER**

**Puffer/Heininger Property**

Pamela Harding, Director of Planning & Development, gave an update on this project. Due to the fact that it will be open space conservation, they are looking for the Commission's support.

Paul McManus, WOLCS, explained these two lots are near Fox Hill and Mark Circle, 150 acres that the owners wanted to preserve and create a nest egg. They plan to build 6 small lots on the Salisbury St frontage and work with the Town to preserve 115 acres.

G. Williamson shared the plan view with everyone.

P. McManus explained that WOLCS has hired an appraiser and that is ongoing and should be concluded within a few weeks.

M. Scott asked if there are other parcels adjacent that would be potentially available?

P. McManus replied that there is a great vision for the area but there are no other deals lined up at this time. There are desirable areas that would be nice to possibly add down the road.

P. Harding stated that it would be beneficial to have the Conservation Commission's support in purchasing and protecting the parcel.

M. Scott asked if there are any resource areas? P. Harding shared that there are wetlands on both parcels, particularly the Heininger parcel. P. Harding shared additional plans.

M. Scott asked if there would be any road development. P. McManus stated no, the access to the lots would be on the frontage of Salisbury St.

M. Scott requested a letter of support to be drafted and sent to the Commission.

Motion by L. Boucher, seconded by D. Nyman, it was **VOTED 6-0-0 TO DRAFT A LETTER OF SUPPORT TO BE REVIEWED BY THE COMMISSION PRIOR TO THE ANNUAL TOWN MEETING.**

### **Eagle Lake**

G. Williamson reviewed that the beaver activity has been a concern and stated that there are some members present to update on the work the Friends of Eagle Lake have been doing. She shared that a large oak tree was downed near the beach and the Light Department is going to begin removing it. She shared photos of the area. Other things that were noticed on her recent visits were that some geese deterrents were put in place and signs regarding the beaver dam area water level is back up.

Scott Morrison stated that WOLCS is concerned about the beaver dam and damage that could be caused. The Town has been contacted about potentially trapping the beavers to help control the damage but no development to date on a resolution. This has also been reported to the Office of Dam Safety.

Neighbor, Dan Marinone with the Friends of Eagle Lake, said that their community of over 900 people has grown and there has been a lot of community interest in the area. String along the shoreline has helped keep the geese away. The beaver dam was tampered with in early January and the camera was damaged. New cameras were put in and there have not been any issues. On April 14<sup>th</sup> the beaver dam was washed away by a storm, but the beavers have rebuilt. Residents have discussed the beaver activity and there are a few options.

George Kersus with the Friends of Eagle Lake stated that even if you remove one of the beavers there are several beaver lodges in the area that may result in the need for an ongoing removal plan.

M. Scott asked for clarification on the objective.

S. Morrison replied that they are hoping for the Town to take over the ownership of the dam.

M. Scott asked if the other owners have been contacted as well?

S. Morrison stated that one has been cooperative, mill owner, and one stated they have no interest in ownership of the dam. G. Williamson suggested that the Office of Dam Safety should be able to help if WOLCS continues to try to contact them.

### **Heritage Lane Pump Station**

G. Williamson updated the Commission that the applicant did submit a planting plan and that during her last visit she observed a really deep excavation that caused the discharging water to be very cloudy and full of silt. Silt was deposited into the ditch and downstream wetland area.

M. Scott asked how far are they discharging from the wetland area?

G. Williamson replied they are dewatering directly into the ditch that runs adjacent to the pump station and railroad tracks. Project manager explained that when they are not dealing with stone the water is clear and they have been changing out the filter 4x per day.

M. Scott said that there should be a tank.

L. Boucher asked if the small pocket is their only storage?

G. Williamson replied that yes, the filter bag is the only storage.

L. Boucher said that their NPDES construction permit should indicate what the temporary sediment basin should be.

D. Nyman said the issue is excavation dewatering and they may be violating their EPA permit by how they are handling this.

M. Scott indicated that an enforcement letter should be sent.

G. Williamson said that Ricciardi brothers developed the planting plan and shared it.

D. Nyman raised concern that 20 trees were taken down and based on the planting plan they would only be replaced with shrubs.

M. Scott explained that the Commission had requested lower plantings rather than full tree for tree replication.

G. Williamson said an enforcement order for the dewatering could be issued.

M. Scott replied that they definitely need to come forward with a plan regarding that.

L. Boucher said that some towns carry a requirement for maximum turbidity in their standard order of conditions but there is no precedence in this area. Marlborough is the closest town that comes to mind. [BL1]

M. Scott requested an enforcement order to be issued and a plan brought forward within a few days to deal with the sediment before proceeding.

G. Williamson said that she would do that the following day so that they come up with an immediate solution.

#### **EMERGENCY CERTIFICATION – DCR- Malden St. Beaver Dam**

G. Williamson said she issued an emergency certificate because DCR contacted the Board of Health about a beaver dam off Malden St that they trapped the beavers and now want to breach the dam. DEP had 10 days to review this and came back to deny that claim that it was a threat.

G. Williamson received an email from the Dept. Of Fisheries and Wildlife that an engineer went and said it is a hazard to public health and safety.

K. Strom asked the height of the dam.

G. Williamson replied that it is 8-10' high.

M. Scott asked if there are any private properties that it connects to?

G. Williamson said there are no houses in that area, DCR owns land on both sides. She shared a map of the area it is close to Wachusett and Malden.

#### **350 Chapel St – Proposed Tree Removal**

G. Williamson said the applicant wants to cut trees in the 100' buffer zone in order to build a play area in backyard for his family. No removal of stumps, some of the trees are already dead. 6-8 trees total, shared photos of the area.

K. Strom and M. Scott stated their concern with removing good trees near the wetland area. Homeowner should submit a Request for a Determination of Applicability to see the plan and reasoning for removing the trees.

#### **DPW Maintenance Activities**

G. Williamson said that they want to know if they should give a 3-year plan of maintenance?

M. Scott said they had discussed before and requested a written plan for the next year's work.

G. Williamson said it has been frustrating asking for information.

M. Scott asked G. Williamson to draft an email to them requesting and cc him in the email so that he can support her effort. It's important to formalize a list in order to help avoid issues.

**AMENDMENTS TO TOWN OF HOLDEN WETLAND REGULATION**

G. Williamson said the Town Clerk's office will no longer require applicants to submit original applications to their office due to space constrictions. The Commission will need to reword the regulations to eliminate requiring the applicant to submit the original to the Town Clerk's office.

Motion by L. Boucher, seconded by K. Strom it was **VOTED 6-0-0 TO ACCEPT THE REVISIONS TO THE TOWN OF HOLDEN WETLAND REGULATIONS.**

**MINUTES**

November and December 2019 meeting minutes continued to the next hearing to allow the members more time to review.

Motion by K. Strom, seconded by D. Nyman, it was **VOTED 6-0-0 TO ADJOURN THE JUNE 3, 2020 CONSERVATION COMMISSION MEETING AT 10:18 PM.**