

**HOLDEN CONSERVATION COMMISSION  
VIRTUAL MEETING  
April 7, 2021**

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

**Not Present:** Cathy Doherty

**Others Present:** Glenda Williamson, Conservation Agent; Isabel McCauley, Holden DPW; Matt Wzorek, Tighe & Bond, Main St Drainage Improvements; Jody Trunfio and David Nader, TEC, Howard Gelles, 169 Quinapoxet Street. Quinapoxet Street Culvert Replacement; Anne Sullivan, 50 Donald Ave, Gordon and Sue Whiteman, 54 Powers Rd, Main St Drainage Improvements; Doug Andrysick, Andrysick Land Surveying, 242 Bailey Rd; Mike Wilander, Tony Craig, Jason Magoon and Brad Ross, NEMBA, Trout Brook.

**Notice of Intent – Main Street Drainage Improvements**

DEP File #: 183-0681. Drainage system improvements including the placement of approx. 2600 linear feet of drainage pipe and the installation of stormwater outfalls. A portion of the work is located within buffer zones to regulated resource areas off Bancroft Rd. and Powers Rd. Isabel McCauley, Holden DPW; Tighe & Bond, Inc.

I. McCauley, Holden DPW, said Tighe and Bond has been hired in a joint effort with MassDOT to design improvements and they are about 75% completed on the design. They had hoped that the project would have been done last year but there was additional design work needed over the winter.

Matt Wzorek, Tighe and Bond, shared the plans and reviewed the details of the project including the 3 key outlets and their intention to reroute and bring as much of the drainage facilities possible back onto Town land vs. private property for maintenance purposes. He shared the plans for Powers Rd. and indicated that DPW/MassDOT will be trying to work within public right of way, which would require work in the 25' no disturb zone of the wetland. For the outlet at Williams St. and Bancroft there is a pipe going through and would be replaced and regraded. Volume would be unchanged at this section.

M. Scott said that E. Parent would be recusing herself.

H. Parry asked about the outfall locations.

M. Wrozek shared the plans, Bancroft and Williams shows an existing outfall and a new one would be put in the same location. At the outfall behind the bank they are unsure of where the outlet goes to so there will be a brand new one.

K. Strom asked if G. Williamson had walked the site. G. Williamson has and shared photos. K. Strom suggested for public safety a demarcation be added where the 4 foot drop is. M. Scott asked if the Town will be reclaiming and reshaping the roads. I. McCauley said there is intention to reclaim the roads that would be in the scope of work.

Anne Sullivan, 50 Donald Ave, is an abutter of Powers Rd and works for Mass DOT. She asked if the dirt road would be loamed and seeded after. Matt indicated the existing gravel road would be left in its current condition, but the remaining work area would be seeded. Ms. Sullivan also expressed concern about the velocity at the outfall. M. Wzorek replied that the sizable scour hole will help dissipate the velocity and there is no increase from the current volume.

Gordon and Sue Whiteman, 54 Powers Rd, have concerns that there are damaged trees that have never been cleared and with the increased water flow behind their property it is very concerning. I. McCauley explained that the Town doesn't have rights to the easement and if they could be granted a maintenance easement then long term they would be able to improve and maintain the conditions of the culvert area. I. McCauley also said that drainage has been the same as shown on plans from 1960. G. Whiteman said that in the past 30 years there has been no upkeep of the waterway resulting on encroachment of the water on multiple properties. M. Scott explained that if the Town has no obligations or rights then it would be up to the homeowners to maintain and there would be permitting involved but the Town can help to determine what could be done; however, the Town may not have rights to access it. S. Whiteman commented that the main water way going down Bailey Rd. has been blocked and is now eroding their property. M. Scott suggested a site visit be done to review the characteristics. G. Whiteman asked how it is determined if the drainage can take the additional water volume proposed. M. Wzorek explained that there is no new impervious area being added they are just relocating one of the outfalls downstream. There will be a slight decrease in volume as a result. S. Whiteman said that from the plans it appears that additional volume would be crossing more to their property. M. Wzorek shared the plans which show that the discharge from the downstream side is still going through the existing culvert and effectively the same amount of water will be going through larger pipes than what is currently there. M. Scott said there may be a slightly quicker flow but for a shorter period of time which is why they have indicated there would be no overall volume increase. I. McCauley added that they will review the area of the culvert in relation to the downstream conditions. She also stated that they have been in contact and approved for right of entry for design and will do another approval for right of entry for the construction.

D. Nyman agreed that the abutter has a legitimate concern and would like to see an impact report based on the peak flows and volume, along with a site review so that they can report back at the next meeting.

There was discussion about the silt coming from the runoff from the parking lot near Talbots.

K Strom asked if the Whitemans would grant access to their property for review of the conditions. The Whitemans agreed and a time may be set up.

Motion by D. Nyman, seconded by K. Strom to CONTINUE THE HEARING FOR MAIN STREET DRAINAGE IMPROVEMENTS TO THE COMMISSION'S MAY 5<sup>TH</sup>, 2021 MEETING DATE. Approved by a vote 5-0-2 (E. Parent abstained, C. Doherty not present).

**Notice of Intent – Quinapoxet Street Culvert Replacement**

DEP File #: 183-0xxx. Map 88-Pacel 6; Map 102-Parcels 12 and 22. Culvert replacement for the existing Quinapoxet Street roadway over the Warren Tannery Brook. The work is located within regulated resource areas. Isabel McCauley, Holden DPW; David Nader, Tec Inc.

G. Williamson read the legal ad into public record.

I. McCauley explained that they are working on the design and permitting. The overtopping issues have been ongoing and in 2013 a Board of Health had to rule in order to remove a beaver dam which was affecting the surrounding areas. There have been several instances of since then and it needs to be replaced.

Jody Trunfio, TEC, briefly shared the proposed design and photos. Proposal includes a structure that would create a natural stream bed and be an upgrade for the current culvert. They looked at alternatives that may have been preferred for stream crossing standards but they tried to weigh the possibilities for the project and meeting as many of the requirements as they could.

David Nader, TEC, reviewed the resource area impacts. The entire project would take place in the riverfront area and the 25' no disturb area. The plans show the temporary impacts and long term impacts.

D Nyman asked multiple questions related to the extent to which the design addresses the Stream Crossing Standards. These included questions about information provided in the reports and appendices, regarding assessments, calculations and standards used supporting the site design. He also noted that the design does not substantially comply with all applicable Stream Crossing Standards, and that the information submitted does not address the elements of an alternatives assessment listed in the Wetland Regulations. TEC will look into and provide answers to the questions. D Nyman will compile his notes and questions so that Glenda can forward them to the design team.

E Parent commented that she also wants to see more of an analysis and is concerned that it is not sized large enough.

K Strom mentioned that he has lived in this area for 27 years and has observed one storm event which caused flooding.

M Scott opened for public comment.

Howard Gelles, 169 Quinapoxet Street, commented that there is concern about safety at the area of the culvert and if there is consideration about widening the roadway. He also commented that there has been flooding several times. J. Trunfio replied that there is not any consideration for widening the roadway however they would be adding a guardrail.

D Nyman also commented that as a committee member he would have liked the applicant to be forthcoming on what will not meet the standards and have more thorough information to demonstrate that and adjustments and efforts need to be made on the standards.

Motion by D Nyman, seconded by K Strom TO CONTINUE QUINAPOXET STREET CULVERT REPLACEMENT TO MAY 5, 2021 MEETING. APPROVED BY 6-0-1 (C Doherty not present)

**Notice of Intent – 242 Bailey Road** DEP File #: 183-0679. Assessing Map 185 Parcel 10. The construction of a single-family home, driveway and subsurface sewage disposal system. The home, driveway and a portion of the grading is located within the 100-foot buffer. Mark Ferguson; Doug Andrysick, Andrysick Land Surveying.

G Williamson read the public notice.

Doug Andrysick, Andrysick Land Surveying explained that the existing home was demolished. No grading will take place within the 25' no disturb zone for the proposed new two-bedroom home. Septic system is proposed to be well beyond the 100' buffer zone.

Mark Ferguson, said they were before the Commission in 2012 with a similar proposal but the project did not move forward at that time.

H Parry commented that she reviewed the site with G Williamson and that in the wetland near Bailey Rd someone had weed-wacked. That may be something that needs to be clarified in the order of conditions to not cut in that area.

Lou Tella, 245 Bailey Rd, commented that last summer some vegetation was taken out of the wetland, what are the plans to restabilize? Doug replied that they will allow the vegetation to regrow which will restabilize the area. Lou also asked if the stones that were added in the area will have any impact on the water build up in that area. The commission reviewed photos of the areas.

Motion by K Strom, seconded by L Boucher to CLOSE THE HEARING FOR NOI 242 BAILEY RD. Approved by a vote 6-0-1 (C Doherty not present)

M Scott mentioned that this could be standard order of conditions with demarcation at the brush line.

Motion by E Parent, seconded by L Boucher to APPROVE NOI 242 BAILEY RD AND ISSUE STANDARD ORDER OF CONDITIONS AND DEMARCATION AT THE BRUSH LINE. Approved by a vote 6-0-1 (C Doherty not present)

**Notice of Intent – 970 Salisbury Street** DEP File #: 183-0679. Assessing Map 250 Parcel 14. The construction of a subsurface sewage disposal replacement system. A portion of the grading work is located within the 100-foot buffer. Mary-Ellen Rogers; Doug Andrysick, Andrysick Land Surveying.

G Williamson read the public notice.

Doug reviewed the project. There is a 3 bedroom home that is in need of replacement of the existing cesspool however because of the utility easement the replacement system cannot go in that area which is resulting in being closer to the wetlands than anticipated. There would be no work within 50' of the wetlands.

L Boucher asked about the 3<sup>rd</sup> sheet and if it is for reserve. Doug replied that it shows that there is a possibility for a reserve area but it is not required for the size of house that is proposed.

K Strom disclosed he is a member of the abutting White Oak Land Conservation.

G Williamson shared photos of the site.

Motion by L Boucher, seconded by D Nyman to CLOSE THE HEARING FOR NOI 242 BAILEY RD. Approved by a vote 6-0-1 (C Doherty not present)

Motion by E Parent, seconded by L Boucher to APPROVE NOI 970 SALISBURY ST AND ISSUE STANDARD ORDER OF CONDITIONS Approved by a vote 6-0-1 (C Doherty not present)

Trout Brook Trail Maintenance Discussion of volunteer trail maintenance work at Trout Brook. Wachusett New England Mountain Bike Association (NEMBA), Holden Working Group. Mike Wilander, Tony Craig, Jason Magoon.

Mike Wilander, NEMBA member and Holden resident, commented that on the Bob Elms trail there are sections that are unsafe and the stream area is encroaching on the trail. They are proposing for NEMBA to be allowed to build some bridges and reroute sections of trail. NEMBA does have experience with this type of work and would do things in the best interest of preserving the area. Section 1 would have a bog bridge structure to go over the puddling. Section 2 there is a proposed re-routing of the trail to the right to allow the intermittent stream to be undisturbed by people using it. In Section 3 they are considering a boardwalk to be built to prevent people from spreading 20' feet outside of the marked trail.

G Williamson said that this is a good opportunity and the DPW said an RDA might need to be considered and a negative 2 which means work is being done in a resource area but not impacting it. G Williamson and K Strom are in support of the proposed work. K Strom commented that this trail isn't utilized as often as the others because it is so wet.

D Nyman asked if there has been any consideration given to using open grating to allow light to filter through. Brad Ross, NEMBA, commented that they have seen it but the budget is not that high for this project. They could gap 1" to 1-1/2" to allow light and water through.

The Commission discussed funds that are put aside for Conservation projects and G Williamson is going to look into the status of that with the Town Manager.

M Scott asked G Williamson to look into if the Committee has the authority to allow this work. G Williamson said that she will discuss with DPW and the Town Manager.

M Scott asked what the desired timeline would be for NEMBA. The representatives replied that it would need to be done in phases and depending on the manpower it could be done in a couple of weekends.

D Nyman asked if the reroute could be flagged and a more definitive narrative for the Commissions review. They are in support of the project.

This will be continued to a future meeting.

**Request for Determination of Applicability – Providence & Worcester (P&W) Railroad** Renewal DOA for the P&W Railroad's 2021-2025 Vegetation Management Plan. Portions of the management work are located within the 100-foot buffer to resource areas. Tom Lewis, TEC Associates.

G Williamson explained that the representative had another meeting so this will be continued to next month.

E Parent said that the link from TEC showed the plan as not available until the end of the month so they will not be able to review it until then.

Motion by D Nyman, seconded by L Boucher to CONTINUE RDA PROVIDENCE & WORCESTER RAILROAD TO MAY 5, 2021 MEETING. Approved by a vote 6-0-1 (C Doherty not present)

**Request for Final COC – 715 Main Street** DEP File # 183-50. Map 187-Parcel 7 (currently LCU Bank). OOC issued April 19, 1985 and recorded at Book 8700, Page 332.

G Williamson said there is a recorded order that had been issued due to filling in a resource area.

D Nyman asked if it would make sense to request a photo of the property for the file. G Williamson explained the challenge is there is no original paper documentation from the time of the issue and work. Therefore they cannot determine the exact area in question.

Motion by K Strom, seconded by L Boucher to ISSUE THE FINAL COC FOR 715 MAIN ST. Approved by a vote 6-1-1 (D Nyman abstained, C Doherty not present)

**WETLAND BYLAW – Review proposed changes/vote**

Motion by L Boucher, seconded by K Strom to ACCEPT THE PROPOSED CHANGE TO THE WETLAND BYLAW. Approved by a vote 6-0-1 (C Doherty not present)

**DISCUSSIONAL**

-Open Space and Rec. Plan – Meeting next Monday

Other items – Quinapoxet Transfer is underway. G Williamson said everything is looking good so far.

**MINUTES**

July 22, 2020

August 5, 2020

Both sets of minutes will be continued to the Commission's May 5<sup>th</sup> meeting.

**BAILEY ROAD SUBDIVISION – ORDER OF CONDITIONS**

D Nyman expressed that the applicant must come before the Commission no later than September meeting there should be a plan presented to show stabilization of the site for the winter. Absent such a plan anything disturbed and not stabilized must be seeded.

Motion by D Nyman, seconded by K Strom to ISSUE AN APPROVAL FOR BAILEY RD SUBDIVISION WITH THE CONDITIONS AS DISCUSSED TO PROVIDE WINTER STABILIZATION PLAN AND CORRECTED DATES ON UPDATED PLANS. Approved by a vote 6-0-1 (C Doherty absent)

Motion by K Strom, Seconded by L Boucher TO ADJOURN THE MAY 5, 2021 CONSERVATION COMMISSION MEETING AT 11:19 PM. APPROVED BY VOTE 6-0-1