

**HOLDEN CONSERVATION COMMISSION**

**Wednesday December 7, 2022**

**1196 Main Street**

**Town Hall**

**7:00 p.m.**

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

**Not Present:** Hannah Lipper

**Others Present:** Glenda Williamson, Conservation Agent; Sara Flagg, Recording Secretary; Tom Larson, Martelli Construction, Greenwood Estates; Kristin and Bob Olson, 40 Village Way, Daniel Stroe, Jefferson Mill; Elizabeth Pino, 870 Princeton St, Bill George, Mike George, Wingspan Properties, Elmwood Ave; Dorothy Lawrence, Greg Russell, VHB, Shrewsbury/Doyle Improvements

M Scott opened the meeting at 7:00 pm

**GREENWOOD ESTATES – STABILIZATION PLAN**

Tom Larson updated that the concerns from last month have been addressed and stated that H Parry and G Williamson did a walk-through of the site. There was some silt fence that was down at Stephanie Dr and that has been repaired. T Larson also stated that G Williamson had noted an area at the corner of Stephanie Dr behind the houses and they have added new silt fence and hay bales as requested. G Williamson said that she did a site visit on Monday and observed that the area to the right of Stephanie Dr behind the homes was concerning and would like to see rip rap added at the start of the channel. G Williamson shared some site photos.

D Nyman commented that there have been discharges multiple times due to the slope. He would like to see an erosion and sediment control engineer review the area to develop a plan before the project is completed. T Larson replied that they have spread loam and seed and dug a trench to direct stormwater. In the Spring they plan to grade and stabilize the area above Basin 3-1.

**NOTICE OF INTENT – 1665 MAIN STREET**

Dep File # 183-0696. Assessing Map 100, Parcel 94. Construction of a residential parking lot associated with an existing building and repairs to the concrete slab. A portion of the work is located within the 100-foot buffer of Mill Pond, LUWW, Riverfront Area and BLSF. Jefferson Mills LLC; Julian Votruba, NEED.

J Votruba updated that fourteen comments from the previous hearing have been addressed in a letter to the Commission. He reviewed those responses. The structural evaluation plan for the repair of the concrete slab has been submitted to the Commission. This included a description of the hand work to be done on the piers. J Votruba stated that the slab would have a skim coat of concrete. K Strom asked if there was any drainage for the slab. The Commission looked at the detail for the slab repair.

D Nyman stated that there is a resource area beneath the slab and work related to the repairs to the base of the eroded piers could result in impacts to the stream. He also pointed out that there was no discussion of the impacts to LUWW or narrative of the work plan to protect the stream from

construction activities; also, the temporary impacts to the stream associated with work activities and the coffer dam/dewatering were not addressed in the NOI submittal. J Votruba responded that any debris will have to be hand raked and removed. D. Nyman stated that measures must be taken to prevent and debris from entering the resource area and that any and all debris must be removed from the streambed. M. Scott stated that native materials must be replaced following the work on the piers and that any debris must be removed. L Boucher stated that repair methods and protective measures for the slab and pier repairs must be added to the final plan. J. Votruba stated that notes were added to the plan in regard to the protection of LUWW area during construction.

D Nyman stated that the NOI needs to be updated to indicate both temporary and permanent impacts to all of the resource areas associated with the project. He said that a work plan must be prepared and submitted to the Commission describing preventative measures to be taken during construction and restoration efforts post construction.

D Nyman stated that a consultant must provide information on the appropriate time of year to do the work as Asnebumskit Brook is an ORW because it is a tributary to a public water supply and a cold water fishery. G. Williamson recommended contacting the MA Dept. of Fisheries and Wildlife for this information.

D Nyman also noted for the applicant's information that as work is proposed in LUWW associated with an ORW, a 401 Water Quality Certification may be required by the DEP.

Comment number two addressed the Office of Dam Safety's (ODS) recommendation that the pipe to the old building be sealed. J. Votruba said that they would follow the recommendations of the ODS and that there will be a notation added to the plan.

J Votruba stated that they submitted a report from the MA Register of Historic Places, pages 16 to 25, confirming that the site is considered a Historic Mill Complex. M. Scott asked if there was a determination as to the location of previously existing buildings between the brook and Main Street pre-flood map. J. Votruba stated that buildings were present when the flood map was made.

D Nyman stated that a notation should be added to the plan that the mill is a Historic Mill Complex and therefore exempt from the Riverfront Area requirements per CRM 10.58(6)(k). He said that a notation to this effect must be added to the plan.

K Strom asked if the FEMA did a flood study for this area. J Votruba replied no. D Nyman shared some examples of flood damage from large storms around the country where historic mill buildings had flooded. D Nyman stated that the buildings will hold flood water and expressed that he does not agree that removing a building would provide needed flood storage.

D Nyman shared flood maps and stated that there is a misunderstanding that FIRM maps have regulatory standing in the WPA Regulations. The regulation says that you determine BLSF based on flood insurance profiles published by the National Flood Insurance Program. He said that the regulation states that when there is no flood profile available, you can use the greatest extent of flooding observed or recorded. Absent any of this information, or in the event of a difference of opinion regarding extent of flooding, the regulations require an engineering study to establish the boundaries of BLSF.

D Nyman further explained that the problem with this site is that there are no flood profiles available for this area of Asnebumskit Brook. He suggested three options; 1) come up with an alternative scheme for parking that doesn't require fill, 2) assume that all proposed work is below

BLSF flood elevation and provide compensatory storage according to the regulations based on that amount of fill or 3) do an engineering study following the regulations to define the flood elevation and provide compensatory storage as required.

D Nyman stated that there was a flood evaluation done by Tata & Howard for the dam structure that might have some useful information that could be used for such flood study.

J Votruba continued with the review the memo items. L Boucher commented that as a re-development it doesn't make the project exempt from the Stormwater Standards. J Votruba said that you have to take the economics into consideration. L Boucher said that under the Stormwater Standards, you are subject to certain standards only to the maximum extent practicable as a redevelopment.

Comment number 7 was in regard to adding a catch basin near the main entrance and the northeast property line. J Votruba said that a catch basin in this location is not necessary since they are not changing anything here and that the Mass Highway had no issues with the drainage in this area. L Boucher said that this was not a requirement he suggested for peak rate attenuation. L Boucher stated that the applicant is subject to Standard 4 to the maximum extent practicable. Stand 4 refers to treatment. L Boucher stated that the DOT is not reviewing this project for treatment or for compliance with the Stormwater Standards. He said that Standard number 4 is not to treat the increase in impervious area, but to treat all of the impervious area on the site for water quality and 80 percent TSS removal. L Boucher stated that there should be no untreated stormwater exiting the project site and that they could tie the new catch basin into the Stormceptor. J Votruba asked if he has to go through the entire stormwater analysis again. L Boucher replied yes.

Comment number 8 requested that the Stormwater calculations be re-done taking into consideration the existing vegetation on the site. J Votruba stated that the site of the proposed parking area is a cracked, asphalt impervious area and he used the calculation for a degraded area.

D Nyman stated that a note should be added to the plan stating that any pavement or unsuitable soils encountered below the infiltration chambers must be removed prior to the placement of fill.

J Votruba stated that they provided revised drainage calculations for the drainage swale around the sidewalk area. They added four 4-inch pipes under the sidewalk directed to the drainage outflow area at a low point. K. Strom asked if they re-ran the stormwater calculations and asked what stormwater event it passed. J Votruba responded that this information is in the revised report.

The date of the delineation has been added to the plan.

E. Parent's concern in regard to combining design points 4 and 5 was addressed; J Votruba said that the revised Stormwater Report incorporated pipes under the sidewalk and that watersheds 4 and 5 eventually discharge to the same point of analysis.

J Votruba explained that the seasonal high ground water elevations have been added to the Stormwater Report for the proposed parking area. Elevations for the brook and dam structures, spillway have been added as well. J Votruba indicated that he looked at the high water lines in the brook channel to determine the elevation and that there is no indication of high water at all within the parking lot area.

The square footage for the area of disturbance has been added to the plan; the work consists of 11,608 sf. of work within a previously disturbed area.

The Commission discussed the date of the next meeting and agreed that January 11<sup>th</sup> 2023 would work best for everyone. J Votruba requested a continuation to the January 11, 2023 meeting.

Motion by E Parent, seconded by L Boucher to continue the meeting for 1665 Main Street to the January 11<sup>th</sup>, 2023 meeting date. Approved by a vote of 6-0-0.

**NOTICE OF INTENT – ELMWOOD AVE**

Dep File #'s 183-067 to 183-0704. Assessing Map 42, Parcel 1. Construction of 8-residential house lots with driveways, septic, wells, utilities, and associated grading. The lots are located within the 100-foot buffer of BVW and isolated wetlands regulated under the local bylaw. Wingspan Properties LLC; M A Elbag Engineering.

G Williamson read the Legal Ad into record.

Mark Elbag, Elbag Engineering, presented the proposal. He indicated that most of the area slopes away from the road and that they have filed with the DPW for a Land Disturbance (LD) Permit. He stated that the infrastructure would consist of water quality swales, stone swales, deep sump catch basins to sediment forebays to infiltration basins to the receiving water; in this case, the BVWs on the northern side of the property. He has not yet filed for Title 5 yet but the soil testing has been completed. He stated that they would soon be filing an ANR plan and a request to the DCR.

M Elbag indicated that they would likely request a continuance until the LD comments with the stormwater committee have been addressed. An ANR plan will be filed with the Planning Board and a Determination requested from the DCR.

M Scott asked about any previous filings. M Elbag responded that there was an RDA filed by Eco-Tec and a DOA issued to confirm the location and nature of the resource areas associated with the site. M Elbag described the various resource areas; there are two small isolated wetlands (C&E) subject to the local bylaw; wetland A is located along the front, central portion of the site is a BVW; wetland A is not tributary to a drinking water supply. Wetlands B and D are BVW's associated with a mapped perennial stream located to the north of the project area.

M Elbag explained that the 200-foot and 400-foot zones are indicated on the plans and that they are outside of the Zone A which is the 200-foot boundary. He said there are a couple of house lots that fall within DCR's secondary protection zone. G Williamson stated that she does not have any updated plans and requested revised plans. M Scott asked G Williamson if the northern wetlands were included in the DOA and if she walked the area. She responded that they were described in the report but were not part of the Determination. She stated that she looked at the wetland areas at the front of the property with S Morrison and had not yet looked at the northern BVW's.

D Nyman asked about the Riverfront Area. M Elbag replied that no work will occur within the Riverfront Area (200-feet from the off-site perennial stream).

L Boucher asked where the Zone A falls on the site. M Elbag replied that the Zone A is the same

as the primary protection zone and that there is no work proposed within the Zone A.

E Parent had questions about the two basins and stated that both basins have fill embankments and that she did not see a detail on the impermeable barrier for this. She stated that the spillway is within the fill embankment and they should shift this if possible.

M Elbag said that there is very high ground water here and that the entire system is in fill here in order to get the needed separation. In the Stormwater Report under Standard 4 they discuss the amount of treatment achieved and how this was calculated. M Elbag said that they used the TSS calculator from the EPA phosphorous curves. E Parent said that more information needs to be provided on this along with some back-up to say how they are achieving the required 60 percent phosphorus removal. M Elbag stated that he would add this information to the Stormwater Report.

E Parent referred to the watershed maps and questioned why the existing and proposed watershed areas were different in an area where no work was shown. He said the driveway construction changed the flow patterns.

Elizabeth Pino, 870 Princeton St, commented that it is very wet in the area. She asked where the water would be directed. M Elbag explained that the stormwater will be directed to the basins and that the Stormwater was reviewed by the Town's DPW. He stated that the rates and volumes would be at or less than current conditions.

G Williamson asked about Lots 2 and 3 and how stormwater would reach Basin 1. M Elbag said that the basin is downgradient. She also asked why the basins are so far back from the homes. M Elbag explained that he had to work with the elevations to catch all the water.

G Williamson will be doing a site walk in the near future.

Motion by K Strom, seconded by E Parent to continue the meeting for Elmwood Ave lots to Jan 11, 2023. Approved 6-0-0.

#### **NOTICE OF INTENT – SHREWSBURY STREET-DOYLE ROAD IMPROVEMENTS**

Dep File # 183-0705. Safety and maintenance improvements at the Shrewsbury Street/Doyle Road intersection including the reconstruction of the intersection into a roundabout, adding a walking path within the Lincoln Street footprint, improvements to facilitate safer travel paths for multi-modal use and the creation of handicapped accessible sidewalks. A portion of the work is located within regulated resource areas and associated buffers. Town of Holden DPW; VHB.

L Boucher recused himself as he is an employee of VHB.

Greg Russell and Dorothy Lawrence, VHB, reviewed the project. G Russell said that the two main wetland impacts would be in the area of Mountview Middle School and Shrewsbury St/Wachusett St/Lincoln Ave.

D Lawrence highlighted the resource areas including Riverfront and BVW areas. She shared that a small retaining wall over the stream would be reconstructed. E Parent mentioned that the area that shows as wetland may have at one time been a sedimentation basin as referenced on page 238 of the Stormwater Report.

D Lawrence continued that at the Doyle Rd and Shrewsbury Street intersection, there is a permanent impact to the edge of the BVW for the widening of the road to create the roundabout. In order to mitigate, they will replicate at a 2:1 ratio. She presented the planting plan and expressed they are open to plant species suggestions. G Williamson asked about drainage on the project near 160 Shrewsbury Street. She explained that there is an outlet and drainage channel at this location that was not indicated on the plans. G Russell shared that the goal is to keep the existing draining patterns by rebuilding the entire basin located at the corner of Holden Street and Shrewsbury Street. G Russel stated that the drainage channel below the basin would be added to the final plan. G Williamson shared some photos of this area.

K Strom asked about the culvert at Shrewsbury St. near Lincoln Ave. G Russell replied that it is an actual bridge and has been inspected and found to be in good condition. D Nyman asked the consultants to discuss the changes in drainage at Design points 8 and 12, where the stormwater report indicates increases to peak flows. G Russel went through Design point 12 and explained that because of the modifications Design point 6 decreases while Design point 8 increases in the impervious area and will go into the wetland through the new outlet in the retaining wall.

D Nyman commented that the report was well done and helpful in concisely identifying the wetland impacts and how they will be permitted.

Motion by K Strom, seconded by E Parent to CLOSE THE PUBLIC HEARING FOR SHREWSBURY ST/DOYLE RD IMPROVEMENTS. Approved 5-0-1 (L Boucher recused)

Motion by E Parent, seconded by D Nyman to APPROVE WITH THE FOLLOWING CONDITIONS:

- Inventory of Invasive Species be provided.
- Additional erosion controls along Shrewsbury Street (adjacent to the property located at 160 Shrewsbury Street)
- A copy dewatering plan for the Lincoln triangle stream must be provided.
- Monitoring reports for replication area
- Re-evaluate the plant species list to replace ALB host species.
- Notify the Agent of the date and time of the pre-construction meeting.

Approved 5-0-1 (L Boucher recused)

#### **REQUEST FOR FINAL COC – 80 CHAPIN ROAD**

DEP File #: 183-0665. Assessing Map 208, Parcel 51. Construction of a single -family home, driveway with wetland crossing, replication, sewage disposal system and well within the 100-foot buffer of bordering vegetated wetland (BVW). Michael & Courtney Carr, owners; David E. Ross Assoc.

G Williamson suggested that they wait until the growing season to evaluate the replication areas.

**REQUEST FOR FINAL COC – THE OAKS – 216-218 RESERVOIR STREET** DEP File #'s: 183-0400/183-0297. Assessing Map 159, Parcel 121. Construction of roadway, condominium buildings and stormwater structures. The Oaks of Holden/Salisbury Management Group.

G Williamson updated that Brad Stone, DPW Engineer visited the site and supplied a memo and

photos. He reported that no major issues in regard to the final stormwater design/maintenance on the property were observed.

Motion by E Parent, seconded by K Strom TO ISSUE A FINAL COC FOR THE OAKS - 216-218 RESERVOIR STREET. Approved 6-0-0.

## **PROJECT UPDATES**

**Fisher Road Upgrades** 17-lot development. G Williamson recommended adding the proposed stormwater structures and lot layouts to the existing OOC with an Amended OOC. She stated that individual NOIs are required for any of the homes within the jurisdictional buffers. The Commission reviewed the plans and discussed the project updates.

### **18 Industrial Drive**

G Williamson stated that she received an update from Chris DeMoranville stating that he recently met with the contractor onsite and he is planning to start the work December 12 as long as the weather holds out. He is expecting the work to take 3-5 days to complete.

**Dawson Rec/Industrial Drive Recreation Complex** - G Williamson verified the delineation and found a BVW adjacent to a stream that was not flagged along with an isolated wetland that was not included. A MassTrails Grant is needed for the walking path and the wetland crossing boardwalk. She is going to sub the grant out to the CMRPC for completion and submission to the State.

All the soil borings have been completed.

**Main Street Drainage Improvements** – G Williamson stated that she contacted MADOT for an update; the work will start up again this Spring and Lynch will be the contractor.

**Quinapoxet Culvert** – G Williamson said that they are still waiting on the engineer to provide a response to the Commission’s comments in regard to alternate pipe sizes/design.

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

Both sets of minutes were continued to the January 7, 2023 meeting.

## **Other Business**

E Parent was re-appointed to another term with the Commission.

Selectman Rick Bates will be attending meetings, the Conservation Commission was assigned as his sub-group.

Motion by E Parent , seconded by L Boucher to ADJOURN THE DEC. 7, 2022 CONSERVATION MEETING AT 10:22 PM, APPROVED 6-0-0.