



REGULAR MEETING MINUTES
MARCH 18, 2024

Members Present: Mark Coakley, Ron Aspero, Joe McGrath, Lucas Rose

Members Absent: Jeffrey Walsh

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

The meeting was opened at 7:00 p.m.

Joe McGrath made a motion to confirm April 22, 2024 as the next meeting date; Lucas Rose seconded; all voted in favor; motion approved. Ron Aspero made a motion to approve the regular Meeting Minutes of February 20, 2024; Joe McGrath seconded; all voted in favor; motion approved.

PUBLIC HEARING – Lot 2 Sewall Street (Gulf Street, LLC) – Notice of Intent Application to construct a two-family dwelling, sewer force main, and associated site work. (DEP#115-452)

The hearing notice was read into the record. John Grenier was in attendance. Mr. Coakley noted that the wetland delineation package was missing. Mr. Grenier said Matt Marro flagged it and will have to supply the field data forms. DEP provided a file number with comments. No action will be taken until the field data forms are received. Green cards were provided. Mr. Grenier gave an overview of the project. It's a proposed two-family located on the corner of Sewall and Gulf Street. It will be the affordable housing portion for the proposed over-55 development on Gulf Street. The driveway access is off Sewall Street; it will be serviced by town water; there will be a septic tank and pump chamber which will be pumped over to the common system for the over 55-project. Plans are at the Board of Health for review. The proximity of the two-family to the wetlands 3'-4' off the wetland line; a 3' high retaining wall is proposed. They are 5' off the wall for the foundation which will be a frost wall, not a full depth foundation because it's a walkout. There will be a physical barrier with the retaining wall for usable yard area which will deter the residents from expanding the yard area. In terms of the force main, there is an intermittent stream that runs under Gulf Street. The work would be done at the same time as the over-55 project. The water line will be extended down Gulf Street. Where they will be doing the 2" force main, there will be a temporary crossing for the sleeve; there will be a diversion channel. It will be done during the dry season. Straw wattles along the perimeter will be used for erosion control; a gravel construction entrance is proposed.

Mr. Coakley said the DEP comments characterize the intermittent stream as perennial on their map. Mr. Grenier said it is definitely intermittent. Mr. McGrath said he will have to provide the Commission with evidence. Mr. McGrath asked if the culvert under Gulf Street was a new culvert and was told it existed. A temporary flow diversion is proposed if necessary. Mr. Grenier said as part of the over-55 project, in addition to the water line being brought down Gulf Street, a sidewalk is proposed along the shoulder to the corner, a small bus stop is proposed, and a new headwall is proposed along the shoulder beyond the sidewalk. Beyond the headwall is where the force main will be run under the stream channel; there will

be a coffer dam. Mr. Grenier said they will excavate across the channel and install the sleeve to run the force main through it. Mr. McGrath said we will need some restoration information.

Mr. McGrath asked if the new headwall was included on the plan submitted. Mr. Grenier said it wasn't and that it was part of the over-55 Gulf Street filing. Mr. McGrath said there is close flag between wetland flag B2 and what is flagged as the side of the intermittent stream channel. He asked why they included the cutback and didn't go straight across and leave more open space. Mr. Grenier said he wanted to give a little yard area. Mr. McGrath said it may have to come out if it is deemed a perennial stream. It was found that the headwall, sidewalk, or shelter was not included on the Gulf Street filing DEP#115-435. Mr. Grenier said the project was originally denied by the Planning and as part of the negotiations to approve it, the Planning Board wanted those things. Mr. Coakley said the headwall needs to be added to Gulf Street filing DEP#115-435; it's the same owner and you can't segregate parts of the plan in an NOI to avoid filings of a project to avoid thresholds. Mr. Grenier will provide a detail sheet for the headwall, construction sequence, and erosion and sediment controls. Graves Engineering is reviewing the septic system. EcoTec will be asked to review. Mr. McGrath said we will need an independent review of the flagging because it's so close to the house. We will need Mr. Grenier's response to the DEP comments. DEP questioned why they needed a force main there at all. Mr. Grenier said that has to do with the septic and explained that you could technically put in a septic under DEP Title 5 regulations, but the local bylaw is 100'. Mr. McGrath wasn't sure how it would work because even though this is a separate filing and a separate piece of land, it's connected to the development that we have a stormwater permit on. Do we need to amend the stormwater permit to include the stormwater structure from an O&M perspective because we are going to have to condition it to have markers for the edge of the BVW? Are we comfortable considering it completely separate because if we do, it will require a stormwater permit. Mr. Coakley said the way the bylaw is written, you can't break up the lot to sidestep the required filings. The O&M would need to include both. Mr. Grenier will need to file for an amended Stormwater Permit to SCP#2021-1. Mr. Grenier requested a continuance. Joe McGrath made a motion to accept the request for continuance to April 22, 2024 at 7:05 p.m.; Lucas Rose seconded; all voted in favor; motion approved.

COMMISSION BUSINESS

Consider issuing Certificate of Compliance for DEP#115-442 (Lot 11 (#6) Longley Hill Road) and Stormwater Control Permit SCP#2022-2 – James Tetreault was present. Paul McManus' (EcoTec) letter of March 15, 2024 was reviewed. It did not recommend or support a Certificate of Compliance. Mr. McGrath said it appears there are a lot of open soil areas and erosion on the site but did feel that all that's left is to get the areas stabilized and clean the fines in the road. Graves Engineering previously responded saying they were comfortable. Mr. Coakley wasn't sure what they would be doing with the ponding area on the leach field. Mr. Tetreault thought they suggested a few wheelbarrows of more soil to let it soak into some more topsoil, but he doesn't like giving water any particular outlet because it will cause more erosion. Mr. Coakley said they could put in wetland tolerant, something hydrophilic. This will be on the next agenda in the hopes that the area is stabilized.

Consider issuing Certificates of Compliance for Compass Pointe DEP#115-394 (Lot 9A); 115-395 (Lot 9B); 115-396 (Lot 10C); 115-397 (Lot 11C); 115-398 (Lot 12C); 115-399 (Lot 13C); 115-400 (Lot 13D); 115-401 (Lot 14C); 115-402 (Lot 15C); 115-403 (Lot 16C); 115-404-(Lot 16D); 115-414 (Compass Circle amended OOC) Lots 24B, 45B & 46B – No action tonight. Matt Marro requested a continuance.

Review Northborough Reservoir Dam Partial Removal Project in Boylston and Shrewsbury letter – No new information has been received. The Environmental Impact Statement is still under review by the state. Mike Andrade (Graves Engineering) will have comments for our next meeting.

5 Barnard Hill Road (Masoud Rahimi Razin) to discuss permission to remove trees located in the NHESP designated zone – Mr. Coakley would like EcoTec to visit the site for their opinion on which trees are a hazard and which are not, as well as the functions and values if they are removed. There is also a detention basin that needs work, erosion and sediment control barriers that need work, and they're missing placement of some of the wetland markers. Joe McGrath made a motion to request EcoTec to review the entire site to be funded by the applicant's 53G account; Ron Aspero seconded; all voted in favor; motion approved.

25 Ethan Allen Drive (Mike Kewley) email regarding flooding on his property – Mr. Kewley said last year he met with the Board of Health, Selectmen, Town Administrator, DPW, Conservation, and Michael Morelli from Mass Wildlife. Melanie told Mr. Kewley that the Board of Health met this morning and did not deem it a public health hazard. He said last year the town spent \$5K to remove sticks out of the culvert when they could have been trapping the beavers. Mr. Coakley told him there is an open season on beavers and he could trap them; Mr. Kewley agreed. Mr. Coakley said it is not jurisdictional to the Commission and suggested he take advantage of the open season or hire a licensed trapper or contact Mass Wildlife.

Self-Evaluation and Transition Plan for Compliance with the ADA – Mr. McGrath will fill out the form and it will be forwarded to the Town Planner.

Mr. Aspero said the Chair of the Community Preservation Committee is asking all boards to see what CPC could do for them. The Master Plan does have a goal to develop a written lake phosphorous control plan and implement all control measures which CPA funds could be used. Mr. Coakley suggested paper surveys for town-owned land. Mr. McGrath said Tighe & Bond has been working with us and has collected all of the private and commercial property information that we have on offsets for the phosphorous calculations. Additional engineering will be needed eventually. At some point we'll have to assume custodianship for Bethlehem Bible and Camp Harrington. There was discussion about using CPC funds for a Conservation Agent, but it was agreed that should come from the General Budget. Mr. McGrath commented on CMRPC about the Low Impact Development changes that they're proposing to the stormwater regulations and said that 90% of what they are proposing we have already done in our revisions to the regulations last year. We could possibly ask CPC to offset the funding for Tighe & Bond. Creating a database of all the filings, scanning plans and getting away from paper copies would be a priority. It would be very valuable to the Commission to come up with a plan to turn our paper filing system into an electronic filing system. Mr. Aspero said we would need to provide a cost to the CPC which could be possibly \$15K or \$20K.

Having no further business to discuss, Mark Coakley made a motion to adjourn; Ron Aspero seconded; all voted in favor; motion approved. The meeting was adjourned at 8:13 p.m.