

Conservation Commission Minutes 1/12/2022 7:30 PM

Present:

Commission Members: Chairman John Sullivan, Tim Holiner, David Stapleton, Sarah Monaco, Amey Moot, Jim McLaughlin. Absent: Christy Violin

Assistant to the Commission: Lori Hagerty

Consultant Agent to the Commission: Janet Bowser

Applicants/Representatives: Scott Goddard and Tom Schutz, Goddard Consulting LLC, Debbie Anderson, wetland scientist, Dan McIntyre, McIntyre Engineering.

Owners/Applicants/Abutters: Alan Gopen, Connie Roberts, Peter Goodall, Laura Kunkamueller, Kristen Scalabrino, Robert Zockoff, Brendan McCarthy, Sandra Boynton

Minutes

Rev. 11/10/21, 9/8/21, 8/25/21

All minutes tabled to 1/26/22.

Requests for Determination of Applicability

Troutbrook Rd., Edgewater Dr., test pits for septic – Goddard Consulting, LLC

Having been duly published, the hearing for Troutbrook Rd and Edgewater Dr. was opened.

Present was Scott Goddard and Tom Schutz of Goddard Consulting. Agent Bowser visited the site and described the application for septic test pits. She discussed individual filings and tree removal. Scott showed an Ortho photo map and said all the lots are under the same ownership. He described the wetland areas and said he would be on site for the testing. He said in event any small trees are damaged during testing, he will note on a report and send to the Agent and Commission. He does not believe there is any Army Corp land and will provide documentation if necessary. The Commission asked if soil testing for delineation showed any indication of fill. Scott said there was fill on Troutbrook Rd., the soil is not natural on the top. He said pre-1983 filled areas are the cut off for jurisdiction for filled areas. He said this neighborhood pre-dates that. Agent Bowser recommended the added condition of approval that the test areas are staked out and she will inspect for a tree count. The Commission asked if the lots are assessed as buildable? Scott did not know. There was discussion of testing in the 70' no structure setback if the Commission does not grant a waiver within the 70'. Scott said the testing impact will be diminimus. Scott added under Title V septic the system needs to be 50' from BVW and 100" from a tributary. Agent Bowser noted that the BOH Regs prohibit septic systems on undeveloped lots within 100' of a wetland. Motion made and seconded to close the hearing. Roll Call vote: Jim-Yes, Amey-Yes, Dave-Yes, Sarah-Yes, Tim-Yes, John-Yes. Motion made and seconded to issue a Negative Determination of Applicability for testing on 4 parcels on Troutbrook Rd. outside the 50' no disturb setback and no implication of any approval of anything else but testing. Roll Call vote: Jim-Yes, Tim-Yes, Sarah-Yes, Dave-Yes, Amey-No, John-Yes.

11 Brookfield Rd., fence within riverfront, Gopen/Roberts-Debbie Anderson, Wetlands Scientist

Having been duly published, the hearing for 11 Brookfield Rd. was opened. Present was Debbie Anderson and homeowners Alan Gopen and Connie Roberts. Debbie Anderson showed the plan dated 11/22/21. She said there is a 6" gap at the bottom of fence for wildlife movement. There is also a shed that will be repaired or replaced within the current footprint. The applicants requested a waiver to allow the fence between the 50' no disturb setback and 70' no structure setback. The shed is also located within the riverfront. Brendan McCarthy, an abutter, spoke about the location of his barn and an existing carpath from Troutbrook Rd. to Brookfield Rd. His driveway covers a portion of the carpath and it then continues over the Gopen property. His family has used the path since 1974. The proposed fence will block

access for use of the path. He also said he could show Commission members the area where water flows during rainstorms. Another abutter on Troutbrook agreed there is an existing cartpath. Connie Roberts said the 7' high vinyl fence is proposed for privacy. She stated that her deed does not show any easement. She expressed concerns about people in her yard late at night, dirt bikes on her property, and said that is the reason for the fence. The Chairman said the Commission will rule on any negative impact on the wetland from the fence, that is their jurisdiction. Agent Bowser visited the site with the Chair and recommended approval with the 6 special conditions listed in her memo dated 1/9/2022. The applicant requested a waiver from the waiver fee for a fence within the 50'-70' no structure setback. There was further discussion of a drainage channel by the abutter. Agent Bowser and Debbie Anderson did not observe a drainage channel during their site visits. Agent Bowser suggested Mr. McCarthy have his expert supply input if he so desires. The Commission said 1963 subdivision plans do not show a cart path. The Commission said if work has been done in the riverfront, it should be documented and come before the Commission. The Chairman added the 6" gap at the bottom of the fence will allow for any water flow that occurs. The Commission believes it is the fence that is within their jurisdiction and any easement is outside their jurisdiction. Motion to close the hearing made and seconded. Roll Call vote: Jim-Yes, Tim-Yes, Sarah-Yes, Dave-Yes, Amey-Yes, John-Yes. Motion made and seconded to approve the waiver of setback for 70' no structure zone and waive the waiver fee as requested by the applicant. Roll Call vote: Jim-Yes, Tim-Yes, Sarah-Yes, Dave-abstained, Amey-Yes, John-Yes. Motion made and seconded to issue a Negative Determination of Applicability for construction of a fence within a jurisdictional area with 6 special conditions as listed in Agent Bowser memo. Roll Call vote: Jim-Yes, Tim-Yes, Sarah-Yes, Dave-Yes, Amey-Yes, John-Yes.

Notice of Intent

144- 2 Raleigh Rd., septic, well and garage addition, Kunkamueller, McIntyre Engineering
No DEP number had been issued at the time of the hearing. Having been duly published, the hearing for 2 Raleigh Rd. was opened. Present was Dan McIntyre, McIntyre Engineering. He presented the plan dated 12/6/21. The septic system is within the 50' no disturb setback and the leaching field is outside the 50' no disturb setback. The new leaching field will be raised to be above groundwater. The lawn area will be restored with plantings. The plan also proposed a new well in the lawn area with access to be through the lawn area. The garage renovation is for living space and added garage space. They propose to remove 1,000 sq. ft. of driveway to reduce the driveway impervious surface area and replace with roof runoff infiltration trenches. Agent Bowser inspected the site and reviewed her comments and concerns outlined in her 11/9/22 memo.

3 Waivers are being requested:

Waiver for wetland delineation after Dec. 2

Waiver for tanks and septic within 50'-70' no structure setbacks

Waiver from waiver fees

There was discussion of removing the wetland delineation from the plan as shown in the left corner of the lot. Agent Bowser agreed based on her field observations during her site inspection. Scott Goddard affirmed the wetland line. An abutter asked about proximity to his well location. Dan McIntyre said if there is a discrepancy in the abutter well location and what he has documented on the plan from the Board of Health, he wants to straighten that out. He requested to meet on site with the abutter to confirm exact well location. Agent Bowser suggested erosion control to prevent run off to the road. The Commission said compost sock is adequate. Dan McIntyre requested a continuance to the meeting of 1/26/22 and will send that in writing. The Commission agreed to the request.

144- 871 7 Claybrook Rd. Cont. NOI – Debbie Anderson, Wetland Scientist requested a continuance in writing to the meeting of 2/23/22 and the Commission granted the request.

Minor Change

144-815 6 Sterling Dr., Kristen Scalabrino

Agent Bowser said Joyce Hastings of GLM Engineering requested a small change to the footprint of the pool and moved it further from wetland. Agent Bowser labeled it a minor change. She recommended the Commission vote to accept the de minimus change. Motion made and seconded to accept the change. Roll Call vote: Jim-Yes, Tim-Yes, Sarah-Yes, Dave-Yes, Amey-Yes, John-Yes.

Discussion

The Commission discussed Wylde Woods trail improvements.

Lori submitted the Annual Report to the Commission for approval. They recommended adding the number of acres to the CR acquired during the past year. The Chair will review Agent Bowser's recommended changes prior to submittal.

Agent's Report

1. Updates on Active Order of Conditions, Permits, Compliance, Enforcement and Wetland Protection Issues-Agent Bowser stated that the volume of OOC monitoring and compliance work and needed oversight remains high.

2. Update Re: Agent's Application in Response to Town RFQ for Consulting Services-Agent Bowser updated the Commission that a draft contract will be sent to her and the Chair for review, to be followed by review and a vote by the Commission, then the Selectmen will vote to ratify her contract.

3. Update on proposed 0 Pleasant St. Subdivision/Cluster Development in Natick Abutting Dover Wetland Resource Areas-Agent Bowser said Meadowbrook Rd. residents are concerned and there was discussion of cluster plans in general.

The Commission received a quick update on Hale Reservation from Amey Moot. She said the CR would be for 660 acres.

Meeting adjourned at 10:45 PM

Documents:

Agent Bowser recommendation memos dated 1/9/22.

RDA & memo Troutbrook Rd./Edgewater Dr., Goddard Consulting, dated 11/24/21
Response memo Goddard Consulting, dated 1/11/22 in response to Agent memo 1/9/22
Legacy Engineering Plan, Troutbrook Rd., Sept. Test 11/6/21 stamp by Daniel J. Merrikin, P.E.

2 Raleigh Rd.-

NOI Narrative McIntyre Engineering 12/13/21

NOI Waiver Request McIntyre Engineering 1/7/22

Septic System Design Plan McIntyre Engineering 12/6/21, rev. 1/11/22

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1/11/22 McIntyre Eng. Response to Agent Comment Memo dated 1/9/22

11 Brookfield RDA, Memo, Narrative 12/27/21
Proposed Fence Plan, Cheney Eng. 11/22/21

GLM Engineering Minor Change Request for 6 Sterling Dr., 1/5/22

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