

Conservation Commission Minutes 7/28/2021 7:30 PM

Present:

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

Assistant to the Commission: Lori Hagerty

Consultant Agent to the Commission: Janet Bowser

Applicants/Representatives: Mark Arnold, Goddard Consulting LLC, Joyce Hastings, GLM Engineering Consultants, Wes Wirth, Thomas Wirth Associates, Peter Paulis, PH Architects, Eric Rains, Eric Rains Landscape Architecture and Alexander Leventhal, owner 15-19 Strawberry Hill St., Craig Rafter, owner 45 Miller Hill Rd.

Minutes

7/14/21

Motion made to accept the minutes of 7/14/21 with comments added as recommended. Roll call vote: Sarah-Yes, Christy-Yes, Jim-Yes, Dave-Yes, Tim-Yes, John-Yes, Amey-Yes.

Notice of Intent

144-862 159 Claybrook Rd. Cranley, Goddard Consulting, LLC

Having been duly published, the hearing was opened for 159 Claybrook Rd. Present for the homeowners Tracy and Thomas Cranley were Mark Arnold of Goddard Consulting and Wes Wirth of Thomas Wirth Associates. Wes Wirth explained the project work being proposed according to the plan dated 7/8/21. He explained the relocation of fencing is proposed to expand the views of the natural landscape and the river. Mark Arnold of Goddard Consulting outlined the jurisdictional areas of the project. He said there is net benefit to the riverfront. He described the work as redevelopment. He said no removal of native trees is proposed. He requested a site visit of the Commission. Agent Bowser previously visited the site and outlined her concerns according to her memo dated 7/26/21. The Commission scheduled a site visit for Wed., 8/4/21 at 5:15 PM. Agent Bowser requested a meeting on the site prior to that time to discuss wetland delineation with Mark Arnold. He agreed. On behalf of the applicant, Mark requested the hearing be continued to the next meeting on 8/11/21 and the Commission granted the request.

Continued Notice of Intent

144-860 15, 17, 19 Strawberry Hill St. Leventhal, GLM Engineering

Representing the homeowner Alexander Leventhal was Joyce Hastings of GLM Engineering, Peter Paulis of PH Architects and Eric Rains of Eric Rains Landscape Architecture. Joyce explained the project work. She showed decreased sized arenas. She addressed a concern about the sand paddocks with berm along the wetland side to keep sand from coming out toward the wetland. Joyce addressed Agent Bowser's original comments from her memo dated 6/18/21 for the 6/23/21 meeting. Joyce located all trees on the property and showed 3 analysis scenarios with percentages of basal area removal. She said 17 trees in total are proposed to be removed. She'll be requesting waivers for the basal tree count, detention basin within 26' of the wetland, the driveway within the 50' no disturb setback and a stormwater discharge outlet within 27' of the wetlands. She described the detention basin and also the procedure for storage and removal of manure from the site. Joyce requested Commission members visit the site. A site visit was scheduled for Tues., 8/10 at 10 AM. On behalf of the applicant, she requested a continuance to the next meeting on 8/11/21 and the Commission granted the request.

Commission member David Stapleton left the meeting at 9:07 PM.

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Request for Certificate of Compliance

144-825 45 Miller Hill Rd, Craig Rafter – GLM Engineering

Agent Bowser described her comments regarding 45 Miller Hill Rd. She recommended approval of an after the fact retaining wall in the 40' no structure setback since removal of the unpermitted wall would likely negatively impact the wetlands, with a waiver request and recommended the \$500 waiver fee be charged. She also recommended an after the fact waiver request for the unpermitted removal of more than 50% of the basal tree area being removed in 2 tree analysis box areas and an approval with mitigation tree planting. She said 10 large trees were removed without approval.

Craig Rafter explained the reasoning behind the retaining walls was to break the grade of the slope and not have an 8' wall. Agent Bowser said in the wall area 6 trees were removed without approval. Craig said the wall changes were necessary.

Agent Bowser stated the Bylaw Regulations allow for tree replacement on another property such as Conservation Land.

Joyce said the trees removed came from the lawn area. Shrubs were added and they are established. Joyce proposed 10 trees to replace 8 that were removed and 2 that were never planted. Agent Bowser said tree mitigation usually provides an inch for inch tree replacement.

The Certificate of Compliance Request was continued to the next meeting on 8/11/21 to determine the proper amount of trees and the location to be planted.

Discussion

144-837 85A Walpole St., Friel, shed

John and Suzanne Friel submitted a narrative for a minor modification to existing Order of Conditions 144-837 with a revised proposed location plan for a 10 x 14 tool shed set on crushed stone in an area previously approved for a patio located just outside 100' from the wetland line. Motion made to approve the change to a minor modification previously approved to the shed. Roll call vote: Tim-Yes, Amey-Yes, John-Yes, Sarah-Yes, Christy-Yes, Jim-Yes. Agent Bowser will visit the site.

Conservation Properties – Maintenance

Lori Hagerty will get estimates from Mark Ammons, Hunnewell Farms for maintenance work at Dedham St., Haven St., Springdale Ave behind #46, Valley Farm for mowing, haying and clearing away debris.

Channing Park

Sarah and Jim will visit Channing Park for observance of new beaver activity.

11 Grand Hill Dr.

There was discussion of a resident request for maintenance of a cart path on Commission property at 11 Grand Hill Dr. Agent Bowser inspected the property with the resident and did not recommend maintenance of the cart path due to lack of usage and the Commission agreed.

Update on Clarification of Filing Fees

There was discussion about how to apply the newly revised Bylaw filing fees, specifically what constitutes a single activity within a category. Agent Bowser said the Town of Lincoln with lower fees, imposes a separate fee for each activity in a category. She recommends Dover do the same. At the Chairman's request Lori Hagerty contacted other Towns (Wenham and Hamilton). Like Dover, Wenham models their fee scale according to the State DEP categories. Wenham

Agent stated they judge by areas of work in the same location and if items are related or if they are all part of the same task and category, then they are considered 1 activity. The Agent also said if an invasive management & planting plan is in a separate area or is a large volume of work it is counted as a separate activity. Current examples discussed with Wenham and with the Commission at the meeting were:

1. A pool, patio, spa in the same location of work would be considered 1 activity.
2. A lot perimeter fence, a riding arena with associated fence and a paddock with associated fence would be 3 separate activities.

DEP Northeast Circuit Rider Alicia Geilen was also consulted by Lori Hagerty and she stated the application of filing fees is entirely up to the discretion of the Commission. Agent Bowser asked if the Commission would still like her to draft a fee calculation worksheet? The Chair agreed.

Agent's Report

Agent Bowser reported MA DEP and MWRA are investigating reports of dead fish, noxious odors and surface sheen in the Charles River from Millis to Natick including Dover. She said there are reports of a sale at 43 Strawberry Hill St.

Meeting adjourned at 11 PM

Documents:

159 Claybrook Rd NOI Plan and Narrative dated 7/8/21

15,17,19 Strawberry Hill St. rev. NOI Plan and response to agent comments dated 6/21/21

45 Miller Hill Rd As Built Plan dated 6/2/21

45 Miller Hill Rd GLM memo dated 7/9/21-response to Agent Bowser memo dated 3/7/21

85A Walpole St revised shed location plan/narrative dated 7/25/21

Agent Bowser comment memo dated 7/26/21