



## CONSERVATION COMMISSION

78 Main Street, Hudson, MA 01749  
(978) 562-2948

*Paul Byrne, Chairman*

*Joseph Rodrigues*

*Marianne Iarossi*

*David Mercer*

*Emilie Schuler*

*Catherine Childs*

*Brandon Parker*

### Meeting Minutes March 16, 2017

Meeting was called to order at 7:00 PM by chair Paul Byrne

Roll Call: Paul Byrne, David Mercer, Joe Rodrigues, Marianne Iarossi, Catherine Childs, Emilie Schuler, Brandon Parker, Jason Weksner (Associate Commissioner)

Staff: Pam Helinek

### Public Hearings

4 LaFrance Drive, NOI, 190-0603

**Present: Steven Poole, Lakeside Engineering; Greg Boland (abutter - 5 LaFrance Drive)**

The applicant proposes to demolish his existing house and build a larger one, regrade the lot, and cut a number of trees between the house and the Assabet River. DEP comments arrived shortly before the meeting requiring:

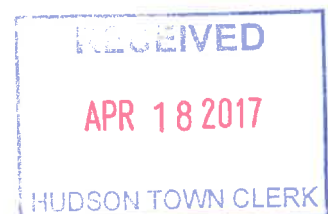
1 – the plan be updated to correctly show the floodplain and compensatory flood storage be provided as mandated.

2 – an existing and proposed tree line be added to the plan

3 – the applicant calculate existing and proposed degraded areas and show that the proposed degraded area does not exceed the existing amount of degraded area.

4 – the applicant must register all underground infiltration chambers with the MassDEP Underground Injection Control (UIC) program

Paul Byrne said that there is much more floodplain on the site than is shown on the plan. He also said that it looks like more trees were cut on the property than had been permitted under the recent Determination of Applicability and that the Commission may require the planting of new trees as mitigation. Joe Rodrigues expressed concern with the location of the proposed erosion controls. He also said he believes that the applicant has already filled floodplain without permission by regrading parts of the yard. Steve Poole has an old plan from 1992 and he will compare the elevations shown on the plan with existing elevations. Paul Byrne said that the entrance to the old well/underground storage area on the property should be covered for safety reasons.



Paul Byrne said that the hearing will need to be continued until the applicant complies with DEP's requirements. Steve Poole said that the stormwater management system is not required for single family houses and that if DEP requires it to be registered, he will remove it from the design. He will speak to DEP for clarification of their comments. Jason Weksner requested that tree protection be provided to protect the root zone of the trees from damage by heavy machinery. Joe Rodrigues said that no trees should need to be cut, and that if they cut all the trees that had been flagged there would be nothing left. Steve Poole said that a number of the trees were damaged and that there were a number of Norway Maples and that they would plant new trees in the area. Jason Weksner said that over 50 dbh was flagged for cutting and that it would be very difficult to replant that many trees. He said there might be four trees that were structurally deficient but he saw no reason to remove more than that.

Abutter Greg Boland stated that he supports building a larger house on the property but that he wants to be sure it is done in a way that does not damage the vegetated Riverfront Area or destroy habitat for the wildlife he sees there.

Paul Byrne moved to continue the hearing until April 6 at 7:00. Second by Emilie Schuler, vote 7-0-0.

### **Administrative Business**

#### **Emergency Certification – 244 and 231 Washington Street**

Pam Helinek reported that there had been a gas spill during an overnight delivery at Tuck's Service Center. The delivery company sent their Environmental Services company who worked with the fire department to contain the spill. Work was done in the wetland and further follow up work will need to be done as well. It appears that no contamination reached the wetland. An Emergency Certification needs to be issued for the work. Paul Byrne moved to ratify the Emergency Certification, second by Joe Rodrigues, vote 7-0-0.

#### **Discussion – Gerwick Property**

Pam Helinek reported that DPW estimates \$7867.50 for materials and bobcat rental to construct the parking area and pedestrian access path to the Gerwick Conservation Parcel. Remaining CPC administrative funding will pay for the bobcat rental and some of the materials, however we may be short up to \$4000. Pam Helinek requested that the Conservation Commission approve the use of up to \$4000 from their Conservation Fund to pay the remaining costs. Paul Byrne asked about other sources of money such as the \$150,000 mitigation account from Westgate Condominiums. Pam Helinek said that would require BOS approval and the time frame would be too long. The Conservation Fund can be replenished by Town Meeting if it gets low. Paul Byrne moved to approve up to \$4000 from the Conservation Fund to be used for completing the access to Gerwick Conservation Parcel. Second by Joe Rodrigues, vote 6-1-0.

**Minutes** – Paul Byrne moved to accept the minutes for March 2, 2017. Second by Emilie Schuler, vote 7-0-0.

### **Discussion – Tripps Pond, Highland Commons**

#### **Present: Selectman Fred Lucy**

Pam Helinek reported that the Parks Commission had discussed Tripps Pond and felt that the cost of dredging was too high, although they would like to meet with Gene Crouch of VHB to fully understand the situation. Gene Crouch has not responded to an email asking the cost of his attendance at a meeting and it is uncertain who would pay for the consulting time. Fred Lucy stated that although he thinks dredging the pond would be a very good project, the costs are too high. The Commission discussed other options for the Highland Commons mitigation money but had no immediate use. Paul Byrne moved to ask Benderson to give the remaining funds to the Commission to spend as they find appropriate and to set up a new account for the money. Second by Catie Childs, vote 7-0-0.

### **Discussion – Proposed Wetlands Bylaw**

Marianne Iarossi and Emilie Schuler reported that they have emailed the Fort Meadow Commission and that they are planning to attend a meeting of the Lake Boone Commission, possibly next week, for the purpose of discussing concerns about the proposed bylaw. They requested a summary sheet of the changes introduced by the Bylaw. Pam Helinek will send them existing summary sheets and will edit if necessary to make them more useful or complete.

### **Discussion – MACC Conference**

Emilie Schuler reported on the MACC Annual Conference. She received some helpful suggestions about good bylaws from other towns, and attended an interesting workshop on vernal pools. She is planning to work on certifying some of the Potential Vernal Pools in Hudson. Emilie Schuler moved to use funds from the Conservation Commission Revolving Fund to pay for a Commission membership to MACC. Second by Marianne Iarossi, vote 6-1-0.

### **Discussion – GPS Records of Tree Cover**

Paul Byrne asked Emilie Schuler if she would be able to record the current tree line using GPS at the solar site, to use in case of any future conflicts over tree cuttings. Emilie Schuler said she could record a baseline but that it wouldn't be accurate to determine the cutting of individual trees. Paul Byrne asked Pam Helinek to check if the tree line is shown on the plans and also if a chain link fence will be going along the tree line. If it is, it should be shown on the as-built plan.

### **Adjournment**

Paul Byrne moved to adjourn the meeting. Second by Catie Childs, vote 6-0-0. The meeting was adjourned at 8:30 PM.