



Town of Hudson

CONSERVATION COMMISSION

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

Meeting Minutes
October 19, 2023

Meeting was called to order at 7:02 PM by Chair James Martin

Roll Call: James Martin, Heidi Graf, Brandon Parker, Debbi Edelstein, Paul Osborne, Brooke Warrington, Jacob Millette

Staff: Pam Helinek, Conservation Agent

Public Hearings

Brigham Street, continued ANRAD, #190-06xx

James Martin moved to continue the hearing to November 2, 2023 at 7:00PM, second by Debbi Edelstein, vote 7-0-0

Lot 3 Washington Street, NOI, 190-0686

James Martin moved to continue the hearing to November 2, 2023 at 7:00 PM, second by Paul Osborne, vote 5-0-2

Town Line Estates (Old County Road Subdivision) House Lot NOIs,

- **Lots 4-7 Town Line Road: 190-06xa, 190-06xb, 190-06xc, 190-06xd**
- **Lots 8-13 Shoreline Drive: 190-06xe, 190-06xf, 190-06xe, 190-06xf, 190-06xg, 190-06xh**
- **Lot 21 Old County Road: 190-06xi**
- **Lots 22-23 Main Street: 190-06xj, 190-06xk**

Present: Tom DiPersio, Brian Jacobs (applicants)

Public: Dan Barstow, Tina Grosowsky, Carmen Picillo, Beth Wallace, Tom Greene, Marie Dodd, Alyssa Jacobs, Jocelyn Milton, Conray Wharff, Hank Tarbi, Dan Nick, David Gray

Documents:

- **NOI – Lot 4 Town Line Road in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.**
- **Site Plan Lot 4 Town Line Road in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'**
- **NOI – Lot 5 Town Line Road in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.**
- **Site Plan Lot 5 Town Line Road in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'**
- **NOI – Lot 6 Town Line Road in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.**
- **Site Plan Lot 6 Town Line Road in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'**

- NOI – Lot 7 Town Line Road in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 7 Town Line Road in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 8 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 8 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 9 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 9 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 10 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 10 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 11 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 11 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 12 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 12 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 13 Shoreline Drive in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 13 Shoreline Drive in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 21 Old County Road in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 21 Old County Road in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 22 Main Street in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 22 Main Street in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'
- NOI – Lot 23 Main Street in Town Line Estates; dated 10/2/23; prepared by Thomas DiPersio, Jr.
- Site Plan Lot 23 Main Street in Hudson, MA; dated 10/2/23; signed and stamped by Thomas DiPersio Jr. PE#40077, PLS#54259; scale 1"=20'

James Martin explained that there would be initial discussion tonight about the project as a whole, at the end of which the Commission would schedule a site visit with the developer to look at the individual lots and at the additional trees that are proposed to be cut. He expressed concern about the limit of work going right to the boundary of the No Disturb Zone on all the lots.

Tom DiPersio presented the project as a whole, reminding the Commission that as a condition of the Subdivision permitting, the applicant had committed to deed restrictions on each property specifying a 30-foot No Disturb Zone (NDZ) and 50-foot No Build Zone in perpetuity. The applicant plans to construct a bio-infiltration swale, planted with native shrubs, along the boundary of the NDZ to receive runoff from the lawn and landscaped areas and infiltrate it. The swale is proposed to be 2 feet deep and 3 feet wide with a low berm along the back side, and filled with appropriate soil media. Drywells will provide infiltration for roof runoff. Driveway runoff will be directed towards the roadway via grading. All septic will be located outside of the 100-foot Buffer Zone. A five-foot wide footpath will be established through the NDZ down to the lake on each lot. The footpath will be constructed by hand using woodchips and located to avoid trees and vegetation as much as possible. An additional walking path along an easement at the edge of Lot 7 is proposed to provide access for non-lakefront homeowners in the subdivision.

James Martin expressed concern about the permanence of the bio-infiltration swale and said that the size of the plantings will need to be specified. Debbi Edelstein asked for confirmation that the bioswale is outside of the 30-foot NDZ. Brooke Warrington specified that blueberries planted as shrubs should be high-bush blueberries. She asked about maintenance of the bioswale so that it would continue to infiltrate correctly. Tom DiPersio confirmed that the swale would be outside of the NDZ and said he would provide an Operations and Maintenance Plan, although there shouldn't be a lot of maintenance and it would be done by hand.

Brooke Warrington asked about the grade of the proposed foot paths and whether erosion could be a problem. Tom DiPersio said he didn't anticipate an issue, but the Commission could look at the grades during the site walk and discuss any issues at a later meeting.

Brandon Parker said he likes the proposed swale, but commented that he doesn't think it needs to be 2 feet deep, and that the plantings need to be approved. Debbi Edelstein agreed that digging that deep would cause unnecessary disturbance. She asked for confirmation that the swale had been designed for the current storm data.

Brandon Parker asked for an O&M plan for the roof drainage systems. He also said that the contour lines were not clear, and that it was difficult to see if Lot 9 actually pitched towards the road as claimed. James Martin agreed that the contour lines were unclear and asked how much regrading would be required on Lot 10 and if retaining walls were necessary.

James Martin said that "densely planted" was not specific enough for the swale plantings and more details would be required. He expressed concern about woodchips on the path ending up in the lake and particular concern about dyed woodchips. Brooke Warrington said that a replacement plan for the swale plantings should be a condition in perpetuity. James Martin said that a 2-year monitoring period would be required before the COC was granted.

Dan Barstow asked about the plan to replant trees. James Martin said that a planting plan, to be approved by the Commission, would be required for each property. Tom DiPersio pointed out that the Planning Board had allowed for a more natural street planting plan than is usual. Dan

Barstow also asked how future homeowners will be notified about the deed restrictions. Pam Helinek said that the deed restrictions would be included as Conditions in Perpetuity on the Orders of Conditions. He also expressed concern that homeowners would want to build docks at the end of the walking paths. Pam Helinek said docks would require permits from both the state and from the Conservation Commission. Conray Wharff said they would also require permission from the Lake Boon Association.

Tina Grosowsky said that planting new trees will not replace the carbon absorption lost by the many older trees that were cut and asked how the Commission would protect the remaining trees. James Martin said that the Commission would look at the trees proposed to be cut at the site walk and in future public hearings would try to save as many trees as possible. Tina Grosowsky also asked how the houses would be heated and cooled and encouraged the avoidance of fossil fuels. Brian Jacobson said that no decision had been made about heating and cooling, but he was open to exploring different alternatives.

Alyssa Jacobs requested full landscaping plans for each lot and asked that the plans more clearly demarcate the limits of grading. She also requested permanent markers at the 30-foot No Disturb Zone be detailed on the plans. James Martin said that the Commission will be requiring clear grading and permanent markers to be shown on the plans and that final landscaping plans be submitted for approval. Alyssa Jacobs also asked about DEP comments on the subdivision plans stating that Standard 2 of the Stormwater Standards had not been met. Tom DiPersio said that stormwater had been reviewed by the Planning Board's consultant and that the stormwater basin had been revised to address the comments.

Tina Grosowsky asked about oversight of the project during construction. Alyssa Jacobs said she was concerned that a NPDES permit had not been obtained for the subdivision and that she recommended an environmental monitor be required in the OOCs. Tom DiPersio said he had corresponded with the EPA and that since there were no discharges to a water body, a NPDES permit was not required. Heidi Graf expressed surprise that a NPDES permit was not required and said she would support a monitoring requirement.

Conray Wharff pointed out that the Lake Boon Commission is lowering the lake right now, exposing a lot more shoreline. Tom DiPersio agreed to confirm the line shown on the plan for the shoreline of the lake was determined correctly.

A site walk for the Commission was scheduled for Monday October 23, 2023 at 4:00 PM.

James Martin moved to continue all 13 hearings to November 2, 2023 at 7:00 PM, second by Paul Osborne, vote 7-0-0.

Administrative Business

Tree removal at 303 Brigham Street

Present: Nicole Diabakerly

Nicole Diabakerly requested permission to cut a number of trees on her property in Buffer Zone to Bordering Vegetated Wetlands. There were several trees that the Commission refused administrative permission to cut. Ms. Diabakerly offered to plant replacement trees or shrubs but

said that the pines were causing problems with her driveway, shed, and roof and growing into power wires. Heidi Graf said that she would consider the request if an RDA were filed, Brooke Warrington agreed.

COC Request – Centennial Beach, 190-0630

Pam Helinek has performed a site visit and reported that the project had been completed according to the approved plans and that the mitigation plantings were doing well. Heidi Graf moved to issue a Certificate of Compliance, second by James Martin, vote 7-0-0. The Commission discussed continuing erosion at the beach. Pam Helinek will discuss the possibility of a nature-based solution with Recreation Director Steven Santos.

COC Request – 8 Hosmer Street, 190-0666

Pam Helinek performed a site visit and reported that the project had been completed according to the approved plans. James Martin moved to issue a Certificate of Compliance, second by Debbi Edelstein, vote 7-0-0.

Minutes – James Martin moved to approve the minutes from October 4, 2023, vote 6-0-1.

Adjournment

James Martin moved to adjourn the meeting, second by Brandon Parker, vote 7-0-0. The meeting was adjourned at 8:59 PM.