



CONSERVATION COMMISSION

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

Paul Byrne, Chair

Joseph Rodrigues

Marianne Iarossi

David Mercer, Vice Chair

Emilie Wilder

Brandon Parker

Jason Weksner

Meeting Minutes March 1, 2018

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

Roll Call: Paul Byrne, David Mercer, Joe Rodrigues, Marianne Iarossi, Emilie Wilder, Jason Weksner

Staff: Pam Helinek (Conservation Agent)

Public Hearings

MBTA ROW/Central Mass Line Railroad, NOI, 190-06xx

Present: Denise Bartone, Eversource; Katie Kinsella, VHB; Marc Bergeron, VHB; Paul McKinley, VHB; numerous abutters

Documents:

- Sudbury-Hudson Transmission Reliability Project, Hudson, Massachusetts, Proposed Conditions Plans for Notice of Intent Submittal, sheets 1-24; prepared by VHB; dated February 14th, 2018; scale 40'=1"
- Notice of Intent: Eversource Energy Sudbury-Hudson Transmission Reliability Project Subsurface Investigation, Hudson, Massachusetts; prepared by VHB; dated February 2018
- Subsurface Investigation Notice of Intent, Sudbury-Hudson Transmission Reliability Project, Supplemental Submission – Riverfront Area Vegetation Clearing; prepared by VHB; dated February 21, 2018

The applicant proposes to conduct test borings in order to complete the engineering design for the Eversource Sudbury-Hudson Transmission line. 101 borings are planned with 7 of these within Conservation Commission jurisdiction: 2 in Land under Water Bodies (LUW) and 7 within Bordering Land Subject to Flooding (BLSF). One tree will be cut in BLSF. Test borings in Buffer Zone or Riverfront Area are exempt from the Wetlands Protection Act; however vegetation clearing in Riverfront Area is not exempt. Five trees within Riverfront Area are to be removed for access to test sites. Trees will be hand cut by a certified arborist.

Paul Byrne asked for the total number and size of trees being removed for access, including those outside Conservation Commission jurisdiction. Katie Kinsella will obtain that information. He also asked to see reports of contaminated soils from all the borings. Denise Bartone said she would need permission from MBTA to distribute results, but that any results that exceed DEP thresholds will be reported.

Joe Rodrigues asked for trees that are proposed to be cut to be flagged.

Marianne Iarossi asked why the trees needed to be cut. Katie Kinsella said that drilling rig would go down the tracks, but there were some small trees that have grown into the tracks. Emilie Wilder asked how cut trees and shrubs would be disposed of. They will be left on the side of the tracks unless the Commission has a different preference. Dave Mercer asked how sampling would be done in LUW. Samples will be taken from a kayak using a clamshell device to grab sediment.

The floor was opened to abutters. Greg Opp of 109 Ft Meadow Drive pointed out that the NOI is missing the property owner signature. Eversource is obtaining a signed letter from MBTA approving the NOI. The Commission will not issue an OOC without the signature.

Elissa Pearmain, 127 White Pond Road, asked why this was being proposed before the project site was approved by the EFSB. Marc Bergeron suggested that the Commission could condition the work to require restoration for cut trees if the project is not approved. Steve Kaplan, 104 Parmenter Rd, said that the Commission should not allow the project to go forward before the EFSB decision. Paul Byrne said that the Commission does not have grounds to deny the project, and if they do so it will be appealed to the state. The state would override the denial and the Commission would lose control of the project.

Brian O'Neill, 31 Parmenter Road, asked who will be the Environmental Monitor. It will be VHB. He said that spring was a bad time of year to disturb wildlife. Katie Kinsella said a turtle protection plan was in place for Priority Habitat. Marc Bergeron said each boring would only take about 4 hours so they would not be disturbing any one area for that long. Brian O'Neill asked about the depth of borings in Zone 2 wellhead areas. Katie Kinsella will get the information. Brian O'Neill expressed concern about disturbance to the water flow to town wells. Marc Bergeron said a hydrological engineer is working with DPW, that the borings are very small holes and the aquifer soils are mostly glacial drift so there should be no impact to water supply or quality.

Selectman John Parent asked why not wait and do this work only if the ROW is approved as the project site. VHB said they need the information to advance their engineering design.

An abutter asked about salamander migration to the vernal pools. Marc Bergeron said that the migration should be done by the time they start and that they work during the day but the migrations are at night.

Most of the Commissioners could not attend the site visit that occurred on Thursday Feb 22. A site visit was scheduled for Saturday April 7th at 8AM. Abutters asked to attend the site visit. Pam Helinek said the property owner (MBTA) would need to agree. Denise Bartone will contact the MBTA and ask permission to include town residents on the site visit. Pam Helinek will email meeting attendees and the town mailing list with the MBTA response.

Paul Byrne moved to continue the hearing to April 19th at 7:00 PM, second by Joe Rodrigues, vote 6-0-0.

Administrative Business

Violation update – 90 Cherry Street

Pam Helinek reported that the property is exempt from Riverfront regulations because it is a historic mill site; however it is almost entirely flood plain. Original elevations were recorded on an ORAD, 190-0485. The property owner has agreed to have the new parking area surveyed to determine current elevations. Once the change to flood storage is determined, he will file either an RDA or NOI as appropriate.

Violation update – 295 Cox Street

Pam Helinek visited the property. The property owner has begun cleanup of the area, but has left large piles of dirt on the edge of the wetland. Pam Helinek warned him that the piles needed to be moved or covered before the heavy rains this weekend. He has promised to do so and will send pictures tomorrow.

Discussion – Expectations for Town Filings

The Town's consultant for the South Street project, 190-0614, submitted a letter responding to the Commission's concerns after the hearing last week. Paul Byrne and Joe Rodrigues said that the town has to be held to the same requirements as other applicants.

Discussion – Dirt bikes on conservation land, signage for Danforth and Old North Road

Pam Helinek has received a number of complaints about dirt bikes on Danforth Falls trails. She would like to spend Conservation Commission funds to have signs posted at the main entrance and popular secondary entrances saying "No motorized vehicles". The Commission agreed to have signs made for Danforth and Old North Road Conservation parcels stating: no motorized vehicles, no open fires, and clean up after your pets

Minutes – Paul Byrne moved to accept the minutes of February 15, 2018. Second by Marianne Iarossi, vote 6-0-0.

Adjournment

Emilie Wilder moved to adjourn the meeting. Second by David Mercer, vote 6-0-0. The meeting was adjourned at 8:40 PM.