



CONSERVATION COMMISSION

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David Mercer, Chair

Emilie Wilder, Vice Chair

Brandon Parker

Heidi Graf

James Martin

Debbi Edelstein

Paul Osborne

Meeting Minutes June 17, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Hudson Conservation Commission was conducted via remote participation.

Meeting was called to order at 7:00 PM by chair David Mercer

Roll Call: David Mercer, Brandon Parker, Emilie Wilder, Heidi Graf, James Martin, Debbi Edelstein, Paul Osborne, Joseph Mullin (Asst Commissioner), Frank Caserta (Asst Commissioner), Brooke Warrington (Assistant Commissioner)

Staff: Pam Helinek (Conservation Agent)

Public Hearings

MBTA ROW/Central Mass Line Railroad, continued NOI, 190-0647

Present: Denise Barstow, Michael Hager, Dean Bebis (Eversource); Paul Jahnige(DCR); Katie Kinsella, Gene Crouch (VHB); Marc Bergeron (Epsilon Associates); Bary Fogel (Keegan Werlin); Paul McKinlay(WSE); Brian Waterman, Patrick Burke (Waterman Design Associates)

Documents:

- **Questions for Hearing on 6-4; submitted by Hudson Conservation Commission**
- **Hudson ConCom_RTC_6-11-20; submitted by VHB Associates**

Marc Bergeron gave a brief summary of the project. Emily Wilder led the discussion based on questions submitted to the applicant in advance of the meeting. The project was broken into 8 areas, 4 of which were discussed.

Stormwater Management

Stormwater Management questions were based directly on comments received from DEP. The Commission requested increased adherence to MA Stormwater Standards, specifically additional groundwater recharge in Zone II wellhead areas and additional TSS removal by VP1, Fort Meadow Brook, Stream 1 and Stream 3.

Paul Jahnige explained that stormwater on a bike trail is clean with no suspended solids and that typically “country drainage” (no shoulders or curbs, water flows off the sides) is used. Gene Crouch said that the soils are very sandy so infiltration should be good. The path can be pitched away from wetlands so that stormwater goes to the other side. David Mercer expressed concern about recharge to Zone II wellhead areas. Emilie Wilder expressed concern about the close proximity of the path to Vernal Pools and other wetlands. Paul Jahnige said they had looked closely at the Vernal Pool and Zone II areas and that the additional disturbance to install stormwater BMPs would cause more harm than good.

James Martin asked if the concrete casements would affect recharge. Gene Crouch said that water would infiltrate through the fluidized backfill. Michael Hager said that the concrete is light and sandy. It is used to fill in voids and is porous so water can seep through. Brandon Parker asked about the duct bank. Michael Hager said it is encased in thermal concrete. Emilie Wilder asked for the consultants’ opinion on stormwater improvements near the vernal pools. Brian Waterman said he agreed it is best to keep the natural buffer.

Wildlife Management

The Commission had asked about the maintenance and creation of rarer plant communities, specifically near the Desert Natural Area. The applicant has met with SVT and will be adding Scrub oak and baptisia in disturbed areas. Wild lupine is very difficult to propagate. SVT did not think tree removal was necessary.

The Commission asked about the protection of Vernal Pool habitat and whether the TOY restrictions are adequate. The applicant agreed to extend the restriction to June 1. Syncopated silt fence within 450 feet of vernal pools will allow species migration. David Mercer said that if there is a gap before Phase II begins the erosion control should be taken down and reinstalled later. Katie Kinsella said that if there is a gap they will work with the Commission to remove erosion controls.

Plantings and Vegetation Management

The Commission’s questions included concerns about sufficient plantings and habitat restoration, about a possible gap between disturbance by Eversource and final plantings by DCR, and about invasive species management. Marc Bergeron said the seed mix will establish in the required 2 growing seasons. Katie Kinsella said that the NOI was unclear about the timing of the restoration plantings, but that all restoration will be completed during Phase I (by Eversource). She also said that the woody and herbaceous seed mix originally indicated for use only in Riverfront Area will be used everywhere.

Brandon Parker asked how many tons, truckloads, or some other measurable quantity of contaminated railroad ties will be removed. He expressed concern about the number of trucks coming in and out to remove things and bring things in. The trucks will cause disturbance and stir up dust in the sandy soils. Michael Hager said he did not know the answer.

Paul Jahnige discussed invasive plant management, which will be mechanical except in cases that threaten the integrity of the path or the safety of the public, in which case there will be some chemical use. The MOU has not been signed yet but it will mimic the language in the NOI.

Debbi Edelstein asked if there would be monitoring for invasive growth while the new plantings were being established. Marc Bergeron said Eversource will be responsible for checking for invasives in revegetated areas weekly as part of the SWPP responsibilities. Denise Bartone confirmed that Eversource will not use any herbicides.

Emilie Wilder asked about the slope near Ferjulians Farm which she would like to see better vegetated. Anything washing down that slope will go directly into the wetlands. Marc Bergeron said that they cannot control offsite problems and that narrow steep areas were not suitable for additional plantings. Emilie Wilder said that people successfully plant on slopes and that she is not convinced they can only use seed mix there. Small plugs and shrubs would be better options that would help with water infiltration and serve as a buffer for trash. Gene Crouch said that their landscape architects advise against planting on the slopes as the large holes for planting would destabilize the area and the plantings have a low success rate. David Mercer asked what was in the seed mix. It is a mix of both herbaceous and woody species. Emilie Wilder asked to see a specification for the seed mix. Marc Bergeron will provide. Emilie Wilder asked for the consultant's opinion. Brian Waterman said that there are benefits to a seed mix if it is hydroseeded with a bonding agent. Marc Bergeron said that it will be. Emilie Wilder said it is hard to determine the success of a seed mix. Even if there is 75% cover, it may be that only some plant types predominate over others.

Brandon Parker asked if the tree canopy would be allowed to grow back. Paul Jahnige said that hazard trees would be removed but otherwise the canopy will reestablish, since the transmission lines will be underground. The shoulder of the bike path including the additional 5 feet of duct bank will be mowed bi-weekly.

Debbi Edelstein said that the seed mix should be pesticide-free. Denise Bartone said that Eversource had agreed to that at the first hearing and that they will provide the source and specification. James Martin asked if there was fertilizer in the hydroseed mix. MB said there was not. James Martin said there were errors in the seed mix and fertilizer specifications.

Emilie Wilder asked about the layout of plants in the post-construction planting plan for both sides of Fort Meadow Brook. They will be planted in a naturalized distributions. She asked about the small number of 2 inch plugs for aquatic herbaceous plants, only 8 on each side, which seems inconsequential in such a large area. Katie Kinsella said the project would not be disturbing Land Under Water. Emilie Wilder said this should be given further consideration.

Soil and Water Contamination

Questions from the Commission included barriers to be installed over the soil, details about the environmental monitor, procedures for dust control, concerns about PFAS contamination near Precision Coating, additional soil and water testing, concerns about dewatering, and the reuse of soils along the ROW.

The construction platform will be covered with pavement or 12 inches of clean fill and the duct bank will be covered with a fluidized thermal backfill. Brandon Parker asked about the use of the thermal backfill material and whether the temperature gradient could have an impact on vegetation and wildlife. Michael Hager said that it dissipates heat and should have no impact.

Brandon Parker asked for an estimate of the cubic yards of fill along the ROW. Paul Osborne asked about the fluidizing agents and whether they are safe to use near a wetland. Michael Hager will provide the technical specification.

Brandon Parker asked about construction hours. Work may occur between 7AM and 5PM although it will generally end around 3PM. Brandon Parker asked for confirmation of the actual planned work hours. He also requested that the construction sequencing plan be submitted prior to the start of construction.

Brandon Parker asked whether the environmental monitor would have any other responsibilities. The environmental monitor will only be concerned with environmental compliance. Brandon Parker asked for confirmation that the environmental monitor is qualified and that a secondary monitor has equal or better qualifications. Brandon Parker said that a qualified monitor must be on-site at all times during construction hours.

Emilie Wilder asked about appropriate evaluation and handling of PFAS contamination from Precision Coating. Barry Fogel said when initial soil and water tests were done the PFAS contamination was not yet known. The applicants are in contact with the LSP from Precision Coating and that they will incorporate his results into their soil and water management plan if necessary. They will ensure that Precision Coating conducts sampling to the ROW before excavation and construction begin.

James Martin asked about “clinkers” found along the ROW. Dean Bebis said that they had made observations and had collected soil but did not find any reportable amounts of contaminants.

Brandon Parker requested submission of the soil and groundwater management plan. He asked about soil reuse. The applicant will use soil removed from residential areas in other residential areas, and soil removed from industrial areas only in industrial areas. Approximately 18,800 cubic yards of soil will be removed from Hudson and relocated. Brandon Parker requested a detailed plan for the relocation of soil

Emilie Wilder asked how data from Precision Coating would impact the soil and groundwater management plan. Dean Bebis said the plan can be updated as data is received. David Mercer expressed concern about wellhead areas and asked if additional monitoring wells would be installed. Dean Bebis said any additional wells would be installed by Precision Coating.

Debbi Edelstein asked if DEP certified the safety of wells. Barry Fogel said that Debbi DEP does not certify wells, and that well safety is an MCP issue.

David Mercer opened the hearing to Public Comment. Ray Philips of Protect Sudbury expressed concerns about PFAS contamination. Rebecca Cutting of Protect Sudbury said that the EFSB submission described 30-foot deep excavations that DEP was not aware of. Denise Bartone said that those excavations were for the Noticed Alternative of above-ground transmission line towers, and not for below ground transmission lines that are in the NOI. Bo Sherman of 8 Parmenter in Hudson expressed concern that the transmission line and rail trial projects had been combined into one permit application. Ray Phillips of Protect Sudbury said that DCR had not

had the required robust public participation required for a new rail trial. Brian O'Neill of 31 Parmenter in Hudson said that the project was opposed by all host communities and should not go forward.

David Mercer moved to continue the hearing to July 16 at 7:00 PM. Second by James Martin, vote 5-0-2 by roll call:

Yes: David Mercer, Emilie Wilder, Brandon Parker, James Martin, Debbie Edelstein

Absentions: Heidi Graf, Paul Osborne

Items to be submitted by the applicant:

- Specification for restoration seed mix
- Identification of source for pesticide-free seed mix
- Reconsideration of addition of shrubs/trees to planting plans and additional aquatic plugs near Fort Meadow Bridge
- Specifications for thermal backfill and fluidizing agents
- Details of construction sequencing
- Confirmation of construction schedule/work hours
- Environmental Monitor qualifications
- Final soil and groundwater management plan
- Detailed plan for soil relocations

Adjournment

Brandon Parker moved to adjourn the meeting, second by Emilie Wilder, vote 7-0-0 by roll call. The meeting was adjourned at 10:41 PM.