



CONSERVATION COMMISSION

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

Paul Byrne, Chair

Joseph Rodrigues

Emilie Wilder

David Mercer, Vice Chair

Brandon Parker

Jason Weksner

Meeting Minutes October 17, 2019

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

Roll Call: Paul Byrne, David Mercer, Joe Rodrigues, Brandon Parker, Emilie Wilder, Jason Weksner

Staff: Pam Helinek (Conservation Agent)

Public Hearings

14 Elizabeth Rd, NOI, 190-06xx

Present: Kellie and Darrin Woods

Documents:

- Conservation Plan, 14 Elizabeth Road; prepared by Guaranteed Builders & Developers, Inc.; dated 10/10/19; signed and stamped by David E. Teachout, PLS #32659 and Tracy M. Sharkey, PWS #2730; scale 1"=10'

The applicant proposes to demolish an existing house and build a new one in Buffer Zone to Fort Meadow Reservoir. The new house will use the existing foundation and extend past the area of an existing back porch, including a new deck. The new deck will extend to 31 feet from the bank. Limit of work is 21.8 feet from the lake. DEP comments have not yet been received.

Brandon Parker noted that the excavation and regrading required is not shown in the NOI. Emilie Wilder asked how the additional runoff from the larger impervious surface will be mitigated. Paul Byrne suggested drywells or swales to slow down the runoff would be appropriate.

Paul Byrne moved to continue the hearing to November 7, 2019 at 7:00PM. Additional information to include details of excavation and regrading, and information about storm water management. Pam Helinek suggested that it would help if the engineer came to the next meeting. Second by Joe Rodrigues, vote 6-0-0.

27 Worcester Ave, NOI, 190-06xx

Present: Susan Lundblad

Documents:

- Notice of Intent, 27 Worcester Ave; prepared by Sue Lundblad

The applicant proposes to terrace a yard in Buffer Zone to Lake Boon. Work will end at the exiting beach, 13 feet from the bank of the lake. DEP comments have not yet been received. Emilie Wilder noted that the plan is not to scale and does not specify elevations or the amount of fill to be brought in. Brandon Parker noted that erosion controls are not shown.

Paul Byrne moved to continue the hearing to November 7, 2019 at 7:00PM. Additional information to include a detailed plan showing distances from the house and shoreline, placement of erosion controls, original elevations and final elevations. Second by Joe Rodrigues, vote 6-0-0.

77 Cherry Street, continued NOI, 190-0635

Present: David Cowell, Hancock Associates; Adam Hopkins, Hudson Light and Power; Jonathan Moore, Parker Environmental Corporation; Renee Gagnon, Hancock Associates;

Documents:

- **Stormwater Report in Support of Permit Site Plan for 77 Cherry Street, Hudson, MA; prepared by Hancock Associates; dated 10/8/19; signed and stamped by Rene L. Gagnon, PE#48451**
- **Grading and Drainage Plan; prepared by Hancock Associates; dated 10/9/19; signed and stamped by Rene L. Gagnon, PE#48451; scale 1"=20'**
- **Letter Re: Soil Characterization, Transport and Disposal, 77 Cherry Street, Hudson MA; prepared by Jonathan Moore, Parker Environmental Corporation; dated 10/7/2019**
- **Contaminated Soil Management Plan, Hudson Light and Power Department, 77 Cherry Street, Hudson, Massachusetts; prepared by Parker Environmental Corporation; dated August 2019**

David Cowell discussed the submitted plan which includes existing conditions and a grading plan for cuts and fills in floodplain. The project is redevelopment in Riverfront Area, and there are no viable alternatives because of existing underground infrastructure of the power plant. Compensatory flood storage has been provided and new impervious area of approximately 1900 square feet is mitigated with stormwater management consisting of underground infiltration for roof water of an existing garage on the property. Because of the underground infrastructure there was no room for infiltration at the location of the new structures. Contaminated soils that have been excavated will be used to fill areas where cement blocks are being removed from the site.

Brandon Parker expressed concern that water was being infiltrated into contaminated soils, and that contamination would leach into the ground near the river. Paul Byrne asked if the contaminated fill at the old cement blocks will be capped to prevent further leaching.

Jonathan Moore said that most of the contaminated soil has been removed or treated. However, some contamination is still on site and the entire site has not yet been tested. It is unknown

whether the area being used for infiltration contains contaminated soils. Emilie Wilder asked if they would come back after the soil testing is complete.

Brandon Parker asked where the blowdown from the cooling tower goes. Adam Hopkins said it is completely contained.

Emily Wilder moved to continue the hearing to November 21, 2019 at 7:00PM. Additional information to include results of completed soil testing and plans to prevent leaching of contaminated soils. Second by Paul Byrne, vote 6-0-0.

168 River Street: Indian Farm Estates, continued NOI, 190-0638

The applicant has redesigned the storm water system, moving the detention basin out of the Riverfront Area, and plans to withdraw the NOI. Paul Byrne moved to continue the hearing to November 7, 2019 at 7:00, in case Planning Board and DPW do not accept the new plan and more changes are necessary. Second by Emilie Wilder, vote 6-0-0.

Administrative Business

Minutes: Paul Byrne moved to approve the minutes from October 3, 2019. Second by Jason Weksner, vote 5-0-1

COC Request – 4 LaFrance Dr, 190-0603

Paul Byrne and Joe Rodrigues have inspected the property and agree that it is in compliance. Paul Byrne moved to issue a complete Certificate of Compliance, second by Jason Weksner, vote 6-0-0.

COC Request – 8 Exeter Road, 190-0244

The property is in the Brigham Hill Estates subdivision but not in wetlands jurisdiction. Paul Byrne moved to issue a partial Certificate of Compliance, second by Jason Weksner, vote 6-0-0.

Violation - Beach at the end of Lakeside Ave

Present: Conray Wharf, 16 Gately Ave, Hudson; Lori Hawkes, 9 Dawes Road, Stow; John and Alyson Toole, 34 Pine Point Road, Stow; Janet and John Kendra, 32 Pine Point Rd, Stow; Elsie Rodney 30 Pine Point Rd, Stow; Dennis Maroney, 31 Lincoln St, Marlborough; Dana Bursa, 2 Dawes Rd, Stow; Richard Gelpke, 53 Lakeside Ave, Hudson; Susan Brush, 12 Pine Point Rd, Stow

This area is the end of a private road that has never been accepted by the Town and according to Assessors Office, is not owned by anyone. Conray Wharf blocked access to the beach with a berm of sand and rocks, and a chain. Lake Boon abutters removed the rocks and chain and regraded the area to remove their boats from the lake. They have historically used this beach to launch their boats in the spring and remove them in the fall. Conray Wharf said that the entrance is misused by outsiders who bring invasive weeds into the lake and by partiers who litter the beach with beer bottles. He also said that the regrading changed the hydrology of the area so that stormwater now sheet flows to the lake, causing erosion.

Paul Byrne said that legally Mr. Wharf did not have the right to block access to the beach and that his berm and gateposts were a wetlands violation. Similarly the regrading of the area by

abutters was a wetlands violation. There is also an unpermitted dock which should be removed. He suggested that the Commission remove the dock and block the area with large boulders, but it is unclear if this would be legal to do.

Paul Byrne moved that the Commission request a legal opinion from Town Counsel regarding ownership of the private way, the access rights of the public, and the rights of the Town and the Commission. Second by Joe Rodrigues, vote 6-0-0.

Paul Byrne noted that the current grading seems to be close to the original state of the beach, and that the area should be left as it is until the legal opinion is obtained. Second by Joe Rodrigues, vote 6-0-0.

Adjournment

Paul Byrne moved to adjourn the meeting, second by Emilie Wilder, vote 6-0-0. The meeting was adjourned at 8:45 PM.