



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 September 12, 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

Centennial Beach, continued NOI, 190-0630

Present: Dan Hannon, Hudson Recreation Division; Michael Easler, Weston&Sampson Documents:

- Centennial Beach Renovation Project; prepared by Weston & Sampson; dated August, 2019; final revision August 29, 2019; scale 1"=30'

The hearing was continued from April 19, 2019. The project now has Planning Board approval. The applicant discussed the restoration area that the Commission required as mitigation for removing the 750 square foot wetland on the east side of the beach. There will be a number of native shrubs planted, both in an upland area above the original wetland and in a wetter area on the beach near the edge of the property, away from the swimming area. All vegetation will be removed from the wetland and the area will be stabilized with jute netting and rounded river stones similar to other stones in the beach area.

Emilie Wilder noted that the number of shrubs proposed for the restoration areas seemed very sparse. Jason Weksner suggested that an alternative to more shrubs would be larger ones -5 gallon instead of one gallon. Michael Easler said that it is sometimes difficult to find the proposed shrubs in larger sizes and that they don't always survive transplanting. Emilie Wilder said that the number of shrubs should be at least doubled.

The applicant requested that a second wetland of about 850 square feet on the western side of the beach also be removed or cut to allow visibility of the entire swimming area by beach staff. Paul Byrne suggested a condition in perpetuity allowing the vegetation to be cut to a level allowing visibility, although not removed. Emilie Wilder said that the shrubby vegetation is valuable habitat. She suggested shortening the swimming area so that it ends before the vegetated area,

and possibly enhancing with additional plantings to discourage teenagers from hanging out there. Brandon Parker agreed this idea was preferable.

The applicant withdrew their request to alter the second wetland area at this time. Paul Byrne moved to close the hearing and issue an Order of Conditions, second by Joe Rodrigues, vote 5-0-1. Special Condition: a new mitigation planting plan be submitted that at least doubles the number of shrubs in the restoration areas, with 25% of the shrubs being a larger size if possible. The final planting plan must be approved by the Commission.

43 Rolling Lane, RDA

Present: Cristian Rodrigues

The applicant is requesting to cut several trees in Buffer Zone to Bordering Vegetated Wetlands along the Assabet River. The applicant has already done significant regrading of his yard and a large amount of soil had been pushed down the hill towards the wetland. Pam Helinek required him to install silt fence and to pull back the soil and remove it from the property. He complied immediately, although a lot of soil still remained on the slope.

Originally the applicant was planning to cut a number of trees and install a pool on the property. Pam Helinek gave him permission to cut 6 of the requested trees – 3 dead or dying pines, 2 leaning Norway Maples, and one tree that was near the house and a good distance from the Resource Areas. She told him he would need to file an NOI for the additional 8 trees he wanted to cut and the in-ground pool. The applicant subsequently decided not to install the pool, and to limit his request to a patio and sidewalk near the house and the cutting of 3 additional trees.

Brandon Parker and Joe Rodrigues both visited the property. They agreed that the three trees could be cut. Brandon Parker was very concerned about the instability of the soil on the slope and said that the rain was already washing it towards the wetland. The applicant showed pictures of additional erosion control in the form of silt fence which he had installed. He said that he was planning to chip the trees when they were cut and spread the wood chips over the soil to stabilize it. He said he was willing to plant some ornamental trees to replace the trees he was cutting and to plant pachysandra on the slope in the spring. Emilie Wilder said pachysandra was invasive and that a different plant should be chosen. The applicant agreed to try planting juniper in the spring.

Paul Byrne moved to issue a Negative Determination, second by Joe Rodrigues, vote 6-0-0. Conditions: soil on the slope must be stabilized with wood chips for the winter and planted with native vegetation such as juniper in the spring.

10 Walcott Street, NOI, 190-0636

Present: Brian Nelson, MetroWest Engineering; Jaime and Mary Schier, 10 Walcott St Documents:

- Proposed Site Plan, 10 Walcott Street in Hudson, MA; Prepared by MetroWest Engineering, Inc.; dated August 14, 2019; signed and stamped by Robert Gemma, PE# 31967; scale 1"=10'
- Schier Residence, 10 Walcott Street, Hudson MA; prepared by Hatcher Architects; dated 8/15/19; signed and stamped by T. Andrew Hatcher, Registered Architect # 20888

- Notice of Intent for Proposed Addition and Site Improvements, 10 Walcott Street Hudson, MA; prepared by MetroWest Engineering; dated August 2019

The applicant proposes to construct a garage and expand a driveway in Buffer Zone to Bordering Vegetated Wetland. The new construction will increase impervious area by 455 square feet, 174 in the Buffer Zone. One 14” maple tree will need to be cut. Paul Byrne asked about installing drywells for the roof runoff. Brian Nelson said that there was no practical way to provide recharge. Dave Mercer asked if heavy machinery would be required. It will not – probably a mini-excavator. Jason Weksner requested that a new tree be planted to replace the one that would be cut. Brian Nelson suggested a 2-3” caliper maple. Paul Byrne moved to close the hearing and issue an Order of Conditions, second by Joe Rodrigues, vote 6-0-0. Special Condition that a native tree be planted.

21 Lakeside Avenue, COC Request, 190-0605

21 Lakeside Avenue, NOI, 190-0637

Present: Aaron Banford, Bertin Engineering; Richard Snashall, 25 Lakeside Ave

Documents:

- Subsurface Sewage Disposal System; prepared by Bertin Engineering; dated 8/14/19; signed and stamped by Calisto J. Bertin, PE# 40595; scale 1”=20’

The applicant proposes to build a house and driveway and install a septic system in Buffer Zone to Bordering Vegetated Wetlands. The lot is accessed by a dirt road from Lakeside Ave. The original house and detached garage were demolished under OOC 190-0605, issued August 3, 2017 but the house and septic system on the approved plan were never built. Paul Byrne moved to issue a COC for 190-0605, second by Dave Mercer, vote 6-0-0.

The new proposed plan is further from the wetland, with the house 81.5 feet away and the septic system completely outside the Buffer Zone. Brandon Parker noted that the driveway crosses the abutting lot. Aaron Banford said there is an easement. Brandon Parker asked about the roof runoff, noting that the gutters all discharge to the same point. Aaron Banford said that the soil is very sandy and any water drains immediately. Emilie Wilder noted that there is a lot of trash in the wetland area, and that there is a history of neighbors dumping trash and yard waste. The original OOC required that the wetland be cleaned of trash. Emilie Wilder also asked about natural vegetation on the lot. Aaron Banford said that the lot is small and mostly bare dirt, and that no clearing would be done beyond the limit of work. Abutter Richard Snashall asked if the driveway would be paved over the water line. It will not be paved.

Paul Byrne moved to close the hearing and issue an Order of Conditions, second by Emilie Wilder, vote 6-0-0. Special conditions: 1 - All trash must be cleared from the wetlands before any construction begins, to be confirmed at the pre-construction site visit. 2 – There will be no disturbance beyond the limit of work, marked by straw wattles.

168 River Street, NOI, 190-06xx

Present: Brian Jacobs, Tom DiPersio

Documents:

- Notice of Intent, “Indian Farm Estates”, Hudson and Berlin, MA; prepared by Thomas DiPersio Jr., dated August 23, 2019
- Notice of Intent Plan for “Indian Farm Estates” in Hudson & Berlin, MA; prepared by Thomas DiPersio Jr.; dated August 23, 2019; signed and stamped by Thomas P. DiPersio Jr., PLS #54259

The applicant proposes to construct a road and storm water management system for a planned subdivision. The road is outside Conservation Commission jurisdiction, but the detention basin is in a wooded area of Outer Riverfront to the Assabet River. Tom DiPersio explained that the topography of the land naturally leads to a drainage system in the Riverfront Area, which forms a basin. The area along the river has a trail and will be donated to the Town. The applicant is negotiating with the Portuguese Club to obtain an easement through their property for the water line.

Paul Byrne asked about maintenance of the detention basin. Tom DiPersio said that the plan is for the road to become public and the Town to handle maintenance. Paul Byrne asked Pam Helinek to talk to DPW Director Eric Ryder about preferred access for maintenance. Pam Helinek asked if disturbance to the Riverfront could be decreased through the use of Green Infrastructure, such as a rain garden. Tom DiPersio said the topography was not compatible with a rain garden, but that the basin may have been oversized and could potentially be made smaller if natural infiltration in the house lot yards was included in the calculations. He also suggested adding mitigation plantings on the site.

Paul Byrne moved to continue the hearing to September 19th in the hope that DEP comments would be received before then. Second by Emilie Wilder, vote 6-0-0. The applicant will prepare a plan to decrease the size of the detention basin and/or to add mitigation plantings. Pam Helinek will talk to Eric Ryder about maintenance access.

Administrative Business

Minutes: Paul Byrne moved to approve the minutes from August 15, 2019. Second by Dave Mercer, vote 6-0-0

Fort Meadow Reservoir Drawdown, 190-0436

Fort Meadow Reservoir Phragmites Treatment, 190-0608

Present: Lee Thomson, Fort Meadow Commission

The applicant requested approval from the Commission to begin a drawdown of Fort Meadow Reservoir on November 1, 2020. This date has been approved by the Marlborough Conservation Commission. The applicant also requested approval to perform the annual phragmites treatment along the shoreline. Paul Byrne moved to approve both items, second by Joe Rodrigues, vote 6-0-0.

Update - 35 Zina Road, 190-0633, Appeal

DEP has issued a Superseding OOC upholding the Commission’s denial of the proposed Environmental Restoration project.

Adjournment

Emilie Wilder moved to adjourn the meeting, second by Brandon Parker, vote 6-0-0. The meeting was adjourned at 9:02 PM.