



Grafton Conservation Commission

MINUTES of the GRAFTON CONSERVATION COMMISSION
September 15, 2015
7:00 p.m.

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A meeting of the Grafton Conservation Commission was held in the Finance Committee Meeting Room of the Grafton Municipal Center on September 15, 2015. Present were: Co-Chairperson John Wilson, Peter Finn, Kathleen Theoharides and Conservation Agent Maria Mast. Co-chairperson Sandra Brock joined the meeting at 7:30. Absent were Heather Trudell and Conservation Assistant Leah Cameron.

Co-Chairperson John Wilson opened the public meeting at 7:05 p.m.

Discussion Item: Village at Institute Road

Normand Gamache of Guerriere and Halnon represented the applicant. The applicant is proposing a subdivision to be located at 100 Westboro Road. The proposed project has not yet been submitted to the Commission for review but Mr. Gamache gave a brief overview, informing the Commission that there is a certified vernal pool on the site, sidewalks and trails would be created, and that the Town is currently in negotiations with the abutting property owner, the state of Massachusetts, to release enough adjacent land to create a sixty (60) foot road right of way. Mr. Gamache informed the Commission that the proposed project is currently being reviewed by the planning board and, if approved, may contain designated open space that the applicant would like to deed to the Conservation Commission. The Commission expressed interest in accepting the open space as Conservation property as Town land currently abuts the site. If a conservation restriction were to be placed on the open space it would need to be held by a different entity such as the Grafton Land Trust. Peter Finn made a motion, seconded by Kathleen Theoharides, to issue a letter stating the Commission's interest in attaining the open space if it is created. The motion carried unanimously. Mr. Gamache asked the Commission if they would support his client's request for a waiver from the Planning Board to install sloped granite curbing throughout the project instead of vertical granite curbing. The Commission agreed to this request as sloped curbing is less prohibitive to amphibian and reptile migration than straight curbing is. Mr. Gamache said that he would come back before the Commission at a later date to officially request their support. The Commission also expressed their preference for the open space subdivision plan as opposed to the conventional subdivision plan. Peter Finn pointed out some concerns he had with the open space subdivision plan, one being that the lower open space access corridor off of the vernal pool dead ends in the street leading wildlife directly into the road with nowhere to go. Secondly, he requested that they create some parking spaces and emphasize the physical demarcation of the open space trail heads. The Commission asked Mt. Gamache to find out what kind of material the open space trails would be made of.

Application for Stormwater Management Bylaw Permit # 15-003 – Casa Builders & Developers Corp. – 4 Grist Mill Road & 102 Pleasant Street (Assessor's Map 97, Lot 22A and Assessor's Map 98, Lot 2) (continuation) - The applicant is proposing the construction of a 10-lot residential subdivision consisting of single family dwellings. At the request of the applicant, Peter Finn made a motion, seconded by Kathleen Theoharides, to continue the hearing for 4 Grist Mill Road & 102 Pleasant Street to October 6th, 2015. The motion carried unanimously.

May 19th, 2015 Meeting Minutes – The Commission reviewed the meeting minutes from May 19th, 2015. Peter Finn made a motion, seconded by Co-chairperson John Wilson, to approve the meeting minutes dated May 19th, 2015 as written. Motion carried unanimously.

7:30 p.m. – DEP File # 164-894 - NOI, Application for Grafton Wetlands Bylaw Permit # 727 (continuation) – Roscoe Bicknell, III – 12 Bicknell Road (Assessor’s Map 38, Lot 21) The applicant is proposing the construction of a single family home and associated utilities within resource areas. Norman Hill of Land Planning, Inc. represented the applicant. Mr. Hill gave an overview of the progress made with the ZBA since the last hearing. At the previous hearing, the Commission expressed concern that the house would be constructed too close to the no-disturb boundary to allow for normal house maintenance without negatively impacting wetland resources. To remedy this, Mr. Hill planned to go before the Zoning Board of Appeals to request a variance to allow the applicant to construct the home nearer to the street and therefore farther from the no-disturb boundary. Mr. Hill met with the zoning officer and was informed that the lot is grandfathered from this zoning regulation and therefore a variance was not required to relocate the house. Mr. Hill presented a new site plan to the Commission that shows the location of the house approximately twenty-five (25) feet farther from the no-disturb boundary. Peter Finn made a motion, seconded by Kathleen Theoharides, to issue the order of conditions with the special conditions that no additional structures or square footage of alteration may be added to the site and that no fertilizers or pesticides may be used on the property within the one hundred (100) foot wetland buffer. The motion carried unanimously.

September 1st, 2015 Meeting Minutes – The Commission reviewed the meeting minutes from September 1st, 2015. Peter Finn made a motion, seconded by Co-Chairperson John Wilson, to approve the meeting minutes dated September 1st, 2015 as written. Co-Chairperson Sandra Brock was in agreement. Kathleen Theoharides was absent from the September 1st, 2015 meeting and thus abstained.

Discussion Item- 24 Cortland Way – The Conservation Agent informed the Commission about a single-family home construction site that is struggling to regain compliance with the Town Stormwater bylaw due to erosion control issues. The contractor has been responsive and has made many attempts to remedy the problem but the sediment continues to be washed into the adjacent street and driveways during rain events. The site was not required to file for a permit under the DEP Wetland regulations, the Town Wetland bylaw or the Town Stormwater bylaw. Because the site has been losing sediment off-site, it is in violation of the Town’s Stormwater bylaw and now falls under the jurisdiction of the Conservation Commission. The site on which the home is being constructed is very steep and a significant amount of earth moving has occurred to prepare the site for the foundation, leading to the problems maintaining erosion and sediment controls. The Commission suggested that the Agent issue an enforcement order requiring the contractor/owner to hire an erosion control professional with at least five (5) years demonstrated experience, to provide an erosion and sediment control plan for the site and to install the measures shown on the plan. The plan would need to be approved by the Conservation Agent prior to installation. The contractor, owner or representative should also come to the next Conservation Commission meeting to discuss what actions have been taken to comply with the enforcement order.

Peter Finn made a motion, seconded by Kathleen Theoharides, to adjourn at 8:25 PM. The motion carried unanimously.

Documents discussed located in the Conservation Commission office:

Proposed site plan for The Village at Institute Road
Meeting Minutes of May 19th, 2015 & September 1st, 2015
Notice of Intent & Application for Grafton Wetlands Bylaw Permits for: 12 Bicknell Road
Agent’s Report to the Commissioners dated September 15th, 2015

Minutes drafted by Maria Mast
Approved on October 20, 2015