



# Grafton Conservation Commission

## MINUTES of the GRAFTON CONSERVATION COMMISSION

April 19, 2016

7:00 p.m.

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A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on April 19, 2016. Present were: Co-Chairperson Sandra Brock, Co-Chairperson John Wilson, Peter Finn, Heather Trudell, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron.

Co-Chairperson Sandra Brock opened the public meeting at 7:07 p.m.

**April 5, 2016 Meeting Minutes** – Heather Trudell made a motion, seconded by Peter Finn, to accept the April 5, 2016 meeting minutes as amended. The motion carried unanimously.

**Draft “Report on Local Land Use Standards in Relation to LID” grant program results** – The Commission and staff will review this document in order to provide recommendations and collaborate with the Planning Board to revise regulations.

**Open Meeting Law Workshop** – The Conservation Agent attended a recent workshop about Open Meeting Law. Town Counsel provided sample language for meeting procedures which the Conservation Agent will provide to the Commission. The Commission recommended a review of the procedures for executive session.

**Status of Enforcement at 24 Cortland Way** – The Conservation Agent stated that conditions have improved at 24 Cortland Way. The owner hired a new contractor who has been working to complete the necessary site work.

**DEP File #164-910 Notice of Intent / WP #743 Application for Grafton Wetlands Protection Bylaw Permit – 13 West Street (Assessor’s Map 74, Lot 28)** – The applicant, Brennan Salo, proposed the demolition of an existing house and construction of a new single family house within resource areas. Robert Murphy from Robert G. Murphy & Associates, Inc. presented the project to the Commission. Revised plans and stormwater data were presented which included: a restoration plan for the no-disturb zone including removal of the top 3-4 inches of soil due to broken glass, the limit of work now follows the no-disturb line, and the proposed house has been relocated closer to the road. The applicant will be seeking a variance from the Zoning Board of Appeals for the front setback requirement. Co-Chairperson Sandra Brock read a letter aloud which the Commission received from William Yeomans of 14 West Street, explaining his concerns surround the project. The Commission gave a copy of the letter to the applicant. Peter Finn asked if there was any proof of where the drainage pipe on the site ends/drains. Robert Murphy said that he observed the same flow in a catch basin down the street and deduced that the drainage pipe is linked to the catch basin. Co-Chairperson Sandra Brock asked if he completed dye tests to confirm this. He said he had not. He stressed that they are proposing to repair the existing pipe, not to change the hydraulics. William Yeomans of 14 West Street explained that the neighboring church had to address a drainage issue in the past which had been causing the street to flood and freeze in the winter. He was concerned about this occurring on this site. He also stated that he did not believe that the pipe connected to a catch basin, he believed it just ended in the yard. He also explained that the water flow in the area has changed recently and that it now flows through 11 West Street. He suggested the installation of detention ponds. Judy Ronchetti of 11 West Street stated that her ex-husband installed the pipe on site to alleviate some of the existing issue and that it is not connected to a catch basin. She presented photos of the flooding on her property to the Commission. She said she has lived there for 30 years and this flooding began this spring. She said that the water floods through her yard, down her driveway, and into the street. Co-

Chairperson Sandra Brock stated that hiring Graves Engineering for peer review is excessive for a single family lot and she offered to conduct a site walk to determine where the water is coming from and where the pipe drains to. She said that it sounds like there may be seasonal high ground water and that the tree clearing that occurred on site did not help. She suggested that the applicant bring the professional engineer whom he hired to design the plans to the next hearing. Robert Murphy said that despite Judy Ronchetti's comments, 11 West Street was flooded when he visited the site last fall. Co-Chairperson Sandra Brock asked for an orderly meeting instead of a discussion of who said what. She suggested he consult the topographical map for the area. Robert Murphy replied that they had not changed the hydrology of the site. Co-Chairperson Sandra Brock replied that the drainage characteristics are definitely changed when trees are removed. Robert Murphy commented that he removed a lot of trash, which he claimed was from the neighbor, referring to Judy Ronchetti. Co-Chairperson Sandra Brock requested that he talk about the soils, not the neighbor. Brennan Salo commented that he is fixing and improving the site and that the Commission was listening to comments from abutters, but not listening to Robert Murphy. Heather Trudell interjected that Co-Chairperson Sandra Brock was trying to help the applicant save money by offering to do the site walk herself. She added that the Commission must address the concerns that were presented to them by the abutters. Brennan Salo replied that the drainage issue was pre-existing. The Commission scheduled the site walk for Sunday, April 24, 2016 at 9 AM. Co-Chairperson Sandra Brock explained that no deliberation shall occur on the site walk, just observation. Brennan Salo requested that abutters remain off of the property. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for 13 West Street to May 3, 2016 at the applicant's request. The motion carried unanimously.

**DEP File #164-909 Notice of Intent / WP #742 Application for Grafton Wetlands Protection Bylaw Permit – 31 Browns Road (Assessor's Map 85, Lot 2A) (Continuation)** – The applicant, Dave Mason, proposed the construction of a new house with a septic system, well, driveway, and utilities within resource areas. Norman Hill from Land Planning, Inc. presented the project to the Commission. Revised plans were submitted to the Conservation office earlier that day. On the revised plan, the proposed house location was relocated so that it is 15 feet away from the 25 foot no-disturb zone at its closest point. The revised plan included the following previously requested information: detail for a concrete washout structure, the location and detail for a gravel construction entrance, the locations of the signs marking the no-disturb boundary and a note specifying the installation requirements, a maintenance plan for the rain garden, details and a planting plan for the rain garden, including the type and depth of soil to be installed, a proposed patio for the walkout basement consisting of patio blocks in sand, and a graphic showing the locations of the proposed boulders along the no-disturb boundary. Heather Trudell made a motion, seconded by Peter Finn, to approve the waiver request for Performance Standard four in the bylaw, (which requires 75% upland on the lot), due to the unique conditions of the site. Co-Chairperson Sandra Brock was in favor. Co-Chairperson John Wilson was opposed. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to close the public hearing and issue the Order of Conditions for 31 Browns Road with the following special conditions: a fence is allowed to be installed along the no-disturb boundary if boulders are not feasible and the size of the proposed deck may be revised but shall not exceed the footprint of the proposed patio as shown on the approved plan. The motion carried unanimously.

**Discussion Item: Enforcement Order for dock on Lake Ripple** – Peter Finn inquired about the status of an Enforcement Order which the Commission issued for a dock that was installed on Lake Ripple. The Conservation Agent said that court had ordered it to be removed. Peter Finn stated that this has not been done. The Conservation Agent will notify Town Counsel of this.

**Discussion Item: Filing Deadline Policy** – The Commission discussed creating a policy for filing deadline requirements and timelines in relation to the meeting schedule in order to allow for ample review time. The Commission requested that staff draft a policy for them to consider at the next meeting.

Peter Finn made a motion, seconded by Heather Trudell, to adjourn the meeting at 8:35 p.m. The motion carried unanimously.

**Documents discussed located in the Conservation Commission office:**

Notices of Intent & Applications for Grafton Wetlands Protection Bylaw Permits for: 13 West Street and 31 Browns Road

Stormwater data for 13 West Street

Letter from William Yeomans dated April 15, 2016 regarding 13 West Street & photos from William Yeomans & Judy Ronchetti

Order of Conditions for 31 Browns Road

Enforcement Order for Lake Ripple dock

Draft "Report on Local Land Use Standards in Relation to LID"

April 5, 2016 meeting minutes

Agent's Report to the Commissioners dated April 19, 2016

Minutes drafted by Leah Cameron

Approved on May 3, 2016