



Grafton Conservation Commission

MINUTES of the GRAFTON CONSERVATION COMMISSION

May 3, 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 May 3, 2016. Present were: Co-Chairperson Sandra Brock, Peter Finn, Heather Trudell, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Co-Chairperson John Wilson was absent.

Co-Chairperson Sandra Brock opened the public meeting at 7:09 p.m.

April 19, 2016 Meeting Minutes – Peter Finn made a motion, seconded by Heather Trudell, to accept the April 19, 2016 meeting minutes as drafted. The motion carried unanimously.

DEP File #164-696, 164-697, 164-698 / WP #538, 539, 540 – 4, 6, 8 Brookmeadow Lane – Requests for Certificates of Compliance – These Orders of Conditions expired and are being refiled. Work was not started under these Orders. Heather Trudell made a motion, seconded by Peter Finn, to issue Certificates of Compliance for 4, 6, and 8 Brookmeadow Lane. The motion carried unanimously.

Discussion Item: Notice of Violation – 15 Morgan Drive – The Conservation Agent explained that tree cutting is occurring within resource areas. She mailed a violation notice with return receipt, asking the owner to attend a Commission meeting, but it has not been delivered. Heather Trudell suggested sending the notice via first class mail and engaging the services of a constable to serve the notice on the premises at the Commission's expense.

DEP File #164- Notice of Intent / WP # Application for Grafton Wetlands Protection Bylaw Permit / SW # Application for Grafton Stormwater Management Bylaw Permit – 103 Worcester Street (Assessor's Map 46, Lot 19) (Continuation) – The applicants, Marc and Tina Theroux, proposed the construction of a commercial building and parking lot within a riverfront area. Norman Hill of Land Planning, Inc. discussed the project with the Commission. He said that he has received the peer review from Graves Engineering, as well as comments from the Planning Board, which he needs to address. He said that he did not count the stormwater structure in his riverfront calculations because stormwater structures are exempt from the calculations. The Conservation Agent pointed out that in the Wetlands Protection Act regulations, it is stated that a Commission may approve a commercial structure with greater than 10% riverfront alteration if the project meets the performance standards in the regulations to the maximum extent feasible. The first performance standard states: "At a minimum, a 100 foot wide area of undisturbed vegetation is provided." This standard is being met because the first 100 feet are remaining untouched. The second performance standard states: "Stormwater is managed according to standards established by the Department in its Stormwater Policy." The peer review from Graves Engineering will help to determine this, in addition to the project having to meet the Grafton Stormwater Management Bylaw standards. The third performance standard states: "Proposed work does not impair the capacity of the riverfront area to provide important wildlife habitat functions." Peter Finn asked if the depression on site is dry and therefore not a vernal pool. The Conservation Agent said that Art Allen of EcoTec, Inc. confirmed this. Heather Trudell stated that a commercial use can be better for wildlife because of the limited activity during business hours only. The Commission determined that a wildlife habitat analysis is not required. The last performance standard states: "Proposed work shall not impair groundwater or surface water quality by incorporating erosion and sedimentation controls and other measures to attenuate nonpoint source pollution." The Conservation Agent stated that they will likely meet this standard to the maximum

extent feasible because stormwater is being infiltrated on site. She also pointed out that the regulations state that riverfront calculations can exclude areas used for stormwater management measures if “there is no practicable alternative to siting these structures within the riverfront area.” So, they are not automatically exempt as Norman Hill stated. Right now, the proposed degraded area is about 11%, while the proposed altered area is about 20%. The Commission would like to see the alternatives analysis include the potential for rain gardens versus infiltration and the minimization of the extent of the lawn to the maximum extent possible. Norman Hill asked if the Commission would consider voting to approve the project pending the fixes requested in the Graves Engineering peer review. The Commission denied his request. The Conservation Agent asked if the pipe shown on the plans will be deep enough in the ground for trees to return to the area. Norman Hill said that it will be deep enough. There were no comments from the audience. Peter Finn made a motion, seconded by Heather Trudell, to continue the public hearing for 103 Worcester Street to May 17, 2016 at the applicant’s request. The motion carried unanimously.

Request for Determination of Applicability – Keolis Commuter Services ROW – The applicant, Keolis Commuter Services, proposed vegetation management and requested that the Commission determine whether the boundaries of the resource areas on the plans area accurately delineated. Peter Finn made a motion, seconded by Heather Trudell, to continue the public hearing for the Keolis Commuter Services ROW to May 17, 2016 at the applicant’s request. The motion carried unanimously.

Notice of Intent #164-911 & Application for Grafton Wetlands Protection Bylaw Permit #744 - 25 R Trinity Ave (Assessor’s Map 98, Lot 121) (Continuation) – The applicant, the Grafton Water District, proposed the installation of a pump station with access road, site work, and associated utilities, including a bridge and temporary and permanent easements within resource areas. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for 25 R Trinity Ave to May 17, 2016 at the applicant’s request. The motion carried unanimously.

Discussion Item: Commission Vacancy – The vacancy on the Commission has been advertised in the newspaper, on the town website, and on the Conservation & Planning Departments’ Facebook page. The Grafton Land Trust was also notified. The Conservation Agent suggested filming a short video clip for GCTV explaining what it is like to be on the Commission.

Notices of Intent #164-914, 164-913, 164-912 & Applications for Grafton Wetlands Protection Bylaw Permits #745, 746, 747 – 8, 6, 4 Brookmeadow Lane (Assessor’s Map 125, Lot 172, 173, 174) – The applicant, Brookmeadow Village, LLC, proposed the construction of single family houses and appurtenances at each lot referenced above within the buffer zone to a BVW. Normand Gamache of Guerriere & Halnon, Inc. presented the project to the Commission. The previously issued Orders of Conditions for these lots have expired. They are proposing boulders to delineate the no-disturb zone and infiltration for the roof drains. These filings utilize the wetland delineation that was approved by the Commission in an Order of Resource Area Delineation on August 20, 2004. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to close the public hearing and issue Orders of Conditions for 4, 6, and 8 Brookmeadow Lane with the following special conditions: all rooftop drainage shall be discharged to a groundwater recharge system and the wetland flags and limit of work line shall be survey-located on site prior to the installation of erosion controls. The motion carried unanimously.

Notice of Intent #164-915 / Application for Grafton Wetlands Protection Bylaw Permit #748 / Application for Grafton Stormwater Management Bylaw Permit #16-1 – Grafton Hill Subdivision (Assessor’s Map 47, Lot 48) – The applicant, Westerly Side Grafton LLC, proposed the construction of a 23 lot subdivision within the buffer zone to resource areas. Vito Colonna of Connorstone Engineering Inc. presented the project to

the Commission. There are several wetlands on the site, some of which are jurisdictional under the Grafton Wetlands Protection Bylaw only, not the Massachusetts Wetlands Protection Act. Some replication is proposed. Grading will be kept to the minimum extent possible. The roadway runoff will be sent to a constructed pocket wetland to be treated. The upcoming peer review by Graves Engineering will determine the effectiveness of this design. Co-Chairperson Sandra Brock suggested that the applicant explore the usage of a gravel wetland instead. An existing flow path will be picked up and run through the proposed drainage system on site. Co-Chairperson Sandra Brock suggested that the drainage calculations reflect the maximum extent of impervious area possible on site. Vito Colonna replied that the drainage calculations assume the house lots are fully cleared. Co-Chairperson Sandra Brock mentioned the potential to utilize low impact development (LID) measures on site. An alternatives analysis is needed. The 25' no-disturb zone needs to be shown on the plans. The limit of disturbance is not always clear on the plans. The plans also reference using hay bales but the Commission requires straw to be utilized instead of hay. The Commission is also requiring the applicant to provide an estimate, to be reviewed by Graves Engineering, for a surety bond to cover the stormwater infiltration and erosion control. This bond will be coordinated with the Planning Board to make sure items are not covered twice. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for Grafton Hill Subdivision to June 7, 2016 at the applicant's request. The motion carried unanimously.

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. He said that he agreed with the suggestions made in a letter dated April 26, 2016 from the Commission after a site walk was completed. He said that Allen Paige, the engineer who stamped the plans, is in the hospital and is no longer associated with the project. Michael Burke will be taking over and will be present to supervise the excavation of the pipe. He will also contact the Conservation Agent to observe the excavation. He agreed with the suggested stone trench with a barrier to block flow into the abutter's yard at 11 West Street. He contacted Blackstone Valley Mapping and Consulting, who created the original plan, and will be receiving a stamped plan from them including spot grades and one foot contours. Co-Chairperson Sandra Brock explained that she visited the site with the Conservation Agent and the applicant. The pipe was not connected to the street drainage system; it begins at a shallow depth and gets deeper into the ground farther down the pipe until it is not able to be located. She said that the recent tree cutting increased the groundwater flow to the abutter at 11 West Street but that there was evidence that some flow to 11 West Street has existed for a while. Robert Murphy said that they intend to do the work during the dry season. There were no comments from the audience. Heather Trudell made a motion, seconded by Peter Finn, to continue the public hearing for 13 West Street to May 17, 2016 at the applicant's request. The motion carried unanimously.

Heather Trudell made a motion, seconded by Peter Finn, to adjourn the meeting at 9:01 p.m. The motion carried unanimously.

Documents discussed located in the Conservation Commission office:

Requests for Certificates of Compliance & Certificates of Compliance for: 4, 6 8 Brookmeadow Lane

Notice of Violation for 15 Morgan Drive

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit, Application for Grafton Stormwater Management Permit for: 103 Worcester Street

Request for Determination of Applicability for: Keolis Commuter Services ROW

Notice of Intent & Application for Grafton Wetlands Protection Bylaw Permit for: 25 R Trinity Ave

Notices of Intent & Applications for Grafton Wetlands Protection Bylaw Permits for: 4, 6, 8 Brookmeadow Lane

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit, Application for Grafton Stormwater Management Permit for: Grafton Hill Subdivision

Notice of Intent, Application for Grafton Wetlands Protection Bylaw Permit, & letter from the Commission dated April 26, 2016 for: 13 West Street

April 19, 2016 meeting minutes

Agent's Report to the Commissioners dated May 3, 2016

Minutes drafted by Leah Cameron
Approved on June 7, 2016