



Grafton Conservation Commission

GRAFTON MEMORIAL MUNICIPAL CENTER
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Minutes of the October 4, 2016 Meeting at 7:00 p.m.

A meeting of the Grafton Conservation Commission was held in Conference Room F of the Grafton Municipal Center on October 4, 2016. Present were: Heather Trudell, Scott Conway, Nathan Jaffer, Conservation Agent Maria Mast, and Conservation Assistant Leah Cameron. Chairperson Sandra Brock was absent.

Heather Trudell opened the public meeting at 7:02 p.m.

Discussion Item: Windle Ave/Big Bummert Brook crossing project – Andrew Liston of Thompson-Liston Associates, Inc. and Tony Russell, the applicant, discussed the project with the Commission. The project consists of a crossing of Big Bummert Brook in order to reach landlocked upland for development. The resource areas that will be affected include: a perennial stream, bordering vegetated wetland, bank, and land under water. Bordering vegetated wetland and floodplain replication will be proposed. A waiver request was submitted to request the ability to work within the 25 foot no-disturb zone. The crossing will consist of a box culvert, overflow culverts, and retaining walls. The specific location of the crossing can be changed in order to balance the effects to the various resource areas. The Conservation Agent stated that the project will be peer reviewed for the wetland delineation as well as the engineering. She also stated that the project cannot restrict the flow of the perennial stream and that the project needs to be considered in the context of the greater impacts proposed to the area in the future. Tony Russell stated that the presentation is just informational at this point and they are not seeking a decision from the Commission. Heather Trudell stated that the Commission will need to review all of the documentation that was submitted and suggested that the applicant have an alternatives analysis completed for the public hearing on October 18, 2016.

DEP #164-921 Notice of Intent & Application for Grafton Wetlands Protection Bylaw Permit #754 - 184 Worcester Street - Hovey Pond Dam (Assessor's Map 27, Lot 15) – The applicant, Dan Mortell of DCR, proposed repairs to Hovey Pond Dam within resource and riverfront areas. Scott Conway made a motion, seconded by Nathan Jaffer, to continue the public hearing for 184 Worcester Street to October 18, 2016, at the applicant's request. The motion carried unanimously.

DEP #164-561, 164-562, 164-563 / WP #407, 408, 409 – 15 Azalea Lane – Unit 3B-1 – Requests for Partial Certificates of Compliance – Heather Trudell recused herself from these requests due to a relationship to the applicant but approved of the Commission voting despite having only two eligible members. The Conservation Agent reported that this is a finished unit, all work has been completed. Scott Conway made a motion, seconded by Nathan Jaffer, to issue partial Certificates of Compliance for 15 Azalea Lane for DEP #164-561, 164-562, 164-563 and WP #407, 408, 409. Heather Trudell recused herself.

DEP #164-879/WP #714 - 2 Klondike Road, DEP #164-711/WP #554 - 20 Brookmeadow Lane, DEP #164-878/WP #713 - 1 Klondike Road, DEP #164-880/WP #715 – 5 Klondike Road, DEP #164-881/WP #716 – 7 Klondike Road, DEP #164-883/WP #718 – 11 Klondike Road – Requests for Certificates of Compliance – Per the recommendation of the Conservation Agent, the Commission took no action on these requests.

September 20, 2016 Meeting Minutes – Scott Conway made a motion, seconded by Nathan Jaffer, to approve the September 20, 2016 meeting minutes as drafted. The motion carried unanimously.

Request for Determination of Applicability – 4 Airport Road – Airport Park (Assessor's Map 35, Lot 177) – The applicant, David Kennedy, proposed the construction of a batting cage within the buffer zone to

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resource areas and requested that the Commission determine whether the proposed work and/or the area is subject to the Massachusetts Wetlands Protection Act and/or the Grafton Wetlands Protection Bylaw. The proposed location for the batting cage was within the existing turf grass, about 30 feet from a wetland. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to issue a negative Determination of Applicability for 4 Airport Road with the following special conditions: no stockpiling shall occur within the 100-foot buffer zone and any excess material shall be disposed of off-site. The motion carried unanimously.

DEP #164-64 – 4 Edward Drive, Unit 3602 – Request for Partial Certificate of Compliance – The Conservation Agent reported that this is a finished unit, all work has been completed. Scott Conway made a motion, seconded by Nathan Jaffer, to issue a partial Certificate of Compliance for 4 Edward Drive, Unit 3602. The motion carried unanimously.

Discussion Item: December and January Meeting Schedule – The Commission decided to discuss this topic when Chairperson Sandra Brock is present.

Discussion Item: Sudbury Valley Trustees Request for Proposal for AmeriCorps projects – The Commission discussed Scott Conway's idea to submit an RFP for a project to research the effects of horses on hiking trails. He suggested partnering with the Grafton Land Trust. He said that he will spearhead the project. The Commission asked for clarification on the details of the program.

Notices of Intent #164- & Applications for Grafton Wetlands Protection Bylaw Permits # - Lots 5 & 6 Clearview Street (Assessor's Map 47, Lot 48) – The applicant, Westerly Side Grafton LLC, proposed the construction of a single family home and associated driveway, utilities, earthwork, and landscaping on the now combined lot 5/6 within the buffer zone to resource areas. Revised site plans and an 81X plan were submitted to the Commission. The 81X plan cannot be recorded until the subdivision plan is recorded. Per the Commission's request, the applicant shall add boulders and no-disturb signage along the front of the lot. The applicant withdrew the application for lot 5 and asked to continue the revised plans under the lot 6 filing. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to grant the applicant's requested waiver from the Grafton Wetlands Protection Bylaw performance standard #4 due to the fact that additional open space is gained in the old lot 5 area. The motion carried unanimously. Scott Conway made a motion, seconded by Nathan Jaffer, to close the public hearing for Lot 5/6 Clearview Street and issue the Order of Conditions with the following special conditions: Lot 5 shall remain undisturbed and in its natural condition, the no-disturb area created by the merging of lots 5 & 6 shall be marked with signage noting that it shall remain undisturbed and shall also be delineated by a weather resistant fence or boulders, a foundation as-built plan shall be submitted to the Conservation Commission at the same time it is submitted to the Building Department, and no work may commence on site until the 81X plan is recorded at the Registry of Deeds. The motion carried unanimously.

Request for Determination of Applicability – Spectra Energy Algonquin Gas Pipeline – The applicant, Algonquin Gas Transmission, LLC, proposed geotechnical investigation within resource areas and requested that the Commission determine whether the area and/or proposed work are subject to the Grafton Wetlands Protection Bylaw. The Conservation Agent completed a site walk to confirm that the access roads are drivable and will not require improvements. The applicant submitted the following documents which the Commission had requested: MSDS sheets, a narrative about the size of the frack tank that will be utilized and where it will be dumped, a copy of any correspondence with NHESP, and a typical boring layout plan for erosion control. The Commission had requested a statement about the access permissions that had been granted. The applicant stated that they had the signature pages of the access agreements for the Commission's viewing, however, they could not become part of the public record. Heather Trudell stated that the Commission was unable to review them, as anything that the Commission reviews must become part of the public record. The applicant stated that they can submit an affidavit regarding the permissions that were obtained, as well as indemnification for the

Conservation Agent being on site, prior to the commencement of work. There were no comments from the audience. Scott Conway made a motion, seconded by Nathan Jaffer, to close the public hearing and issue a negative determination of applicability for the Spectra Energy Algonquin Gas Pipeline with the following special conditions: excess spoils and drilling fluid shall be disposed of in a manner that prevents sediment from entering waterbodies or wetlands, all disturbed areas shall be seeded with perennial seed mix, and protected from erosion, and the applicant shall provide an affidavit regarding the permissions that were obtained, as well as indemnification for the Conservation Agent being on site, prior to the commencement of work. The motion carried unanimously.

Discussion Item: Input for proposed Subdivision Plans for “The Ridings” at 88 Adams Road – The applicant, Steve Venincasa, presented the project to the Commission. He explained that the project has been before the Planning Board with both conventional designs and flexible designs. He preferred a flexible design, which required only one wetland crossing with an 800-900 square foot impact, (vs. two crossings in the conventional designs), altered less land, and preserved open space. James Tetreault of Thompson-Liston Associates, Inc. arrived and presented additional details to the Commission. He explained that an ORAD was completed on the parcel in 2014. The Commission was in support of the flexible design without the additional cul-de-sac because it impacts the least amount of wetlands and resource areas and preserves open space. The Conservation Agent said that she would provide a letter to the Planning Board with the Commission’s feedback.

Scott Conway made a motion, seconded by Nathan Jaffer, to adjourn the meeting at 9:10 p.m. The motion carried unanimously.

Documents discussed located in the Conservation Commission office:

Notice of Intent #164-921 & Application for Grafton Wetlands Protection Bylaw Permit #754 - 184 Worcester Street - Hovey Pond Dam
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DEP #164-879/WP #714 - 2 Klondike Road, DEP #164-711/WP #554 - 20 Brookmeadow Lane, DEP #164-878/WP #713 - 1 Klondike Road, DEP #164-880/WP #715
– 5 Klondike Road, DEP #164-881/WP #716 – 7 Klondike Road, DEP #164-883/WP #718 – 11 Klondike Road – Requests for Certificates of Compliance
September 20, 2016 meeting minutes
Request for Determination of Applicability & Determination of Applicability – 4 Airport Road – Airport Park
DEP #164-64 – 4 Edward Drive, Unit 3602 – Request for Partial Certificate of Compliance & Partial Certificate of Compliance
Notices of Intent #164- & Applications for Grafton Wetlands Protection Bylaw Permits # - Lots 5 & 6 Clearview Street & Order of Conditions & Grafton Wetlands
Protection Bylaw Permit for Lot 5/6 Clearview Street
Request for Determination of Applicability & Determination of Applicability – Spectra Energy Algonquin Gas Pipeline
Agent’s Report to the Commissioners dated October 4, 2016

Minutes drafted by Leah Cameron
Approved on October 18, 2016