



Town of Ashland

MASSACHUSETTS

MINUTES OF MEETING ASHLAND CONSERVATION COMMISSION October 6, 2014

Present: Gene Crouch (Chair)
Carl Hakansson
Jeffrey Lingham
Bill Moulton (Vice Chair)
K.G. Narayana
Cathy Van Lancker
Matthew Selby (Agent)

Absent: Eric Perkins

Guests: Seth Lajoie, PE, engineer for 9 Holly Lane
Angelo Catanzaro, Catanzaro & Allen, attorney for 133 W. Union St
Peter Lavoie, PE, Guerriere & Halnon, engineer for 133 W. Union St
William Depietri, Capital Group Properties, applicant for 133 W. Union St

Call to order: 7:20 PM

1. DEP# 95-857: 9 Holly Lane, ANRAD

Public hearing to consider an Abbreviated Notice of Resource Area Delineation filed by Mark Hale for the confirmation of a wetland delineation at 9 Holly Lane.

Commission walked the site on their own time since the last. Mr. Lingham observed several flags were on the ground and appeared to be old. Mr. Lajoie, representing the applicant said the wetland was delineated in the spring of this year with cheap flagging.

Mr. Lingham made a motion, seconded by Mr. Narayana, to close the public hearing and issue an Order of Resource Area Delineation. Motion passed 5-0-0. Mr. Crouch stated the Commission is approving only one side of the wetland and if a Notice of Intent is filed the entire wetland should be delineated. Signatures will be collected on October 27.

2. DEP# 95-855: 133 West Union Street, NOI

Continued public hearing to consider a Notice of Intent and an application for Stormwater Management Permit filed by Martin Loiselle, Capital Group Properties, for the construction of four apartment buildings, a club house, associated driveway and parking areas, stormwater management system, utilities and site grading on 7.62 acres of land, portions of which are bordering vegetated wetlands. The project includes the alteration of 830 s.f. of bordering vegetated wetlands and 1,380 s.f. of wetland replication. The project is located at 133 West Union Street.

Angelo Catanzaro, attorney representing the applicant, appeared before the Commission and introduced Peter Lavoie of Guerriere & Halnon, project engineer.

The peer review from Professional Services Corp. was received and Mr. Lavoie gave an overview of the changes to the site plans. Underground detention basins were enlarged. The wetland crossing was enlarged to two, 36" pipes. Based on the peer review, the stormwater calculations were rate was recalculated using 1.02 inches/hour which resulted in the enlargement of two basins. Groundwater mounding calculations were performed. Calculations were provided that indicate that the underground detention basins will drain within 72 hours. It was pointed out that the Operations and Maintenance plan was included in the Stormwater Report as part of Standard 9.

Mr. Hakansson asked where the existing culvert located on the property near West Union Street discharges. Mr. Lavoie stated that the assumption is that the water enters the Town's drainage system but it is unknown where that water eventually outfalls. Mr. Lavoie stated that the calculations show that there is no increase in rate or volume of runoff from the site. Mr. Hakansson stated it is imperative that the Commission understands where the water goes once it leaves the site. Mr. William Depetri, owner of Capital Group Properties, stated they will not chase the water within the Town's system. The culvert that drains this property is located off-site. Mr. Catanzaro said they will work with Mr. Selby and the DPW to locate the outfall.

Mr. Crouch asked if Mr. Lavoie feels the drainage calculations are conservative. Mr. Lavoie stated that he believes the calculations are conservative.

Mr. Crouch asked Mr. Lavoie about the location and depth of cuts during site development. *The deepest cut is 18 feet, plus another 4 feet for the footing of the building.* Will groundwater be encountered? *Yes. Under-drains will be installed and tied into the proposed drainage system.* If there is a continuous discharge to the infiltration system, will that take up volume required for the stormwater? *Possibly. Groundwater would continuously be going through the system and discharging to the wetland.* Will this situation create a mounding of the groundwater under the infiltration basin? *Yes.* Are the basins located in a cut or fill area? *Fill.* Were soil borings conducted in the location of the cuts? *Yes, but the data is not available tonight. Borings were done for bedrock and foundations, not for groundwater.* The Commission would like to know the estimated seasonal high groundwater in the location of the deep cuts.

Mr. Crouch expressed concern that with the loss of vegetation across the site, groundwater elevations will rise due the lack of evapotranspiration provided by the trees. The concern is increasing the duration of elevated flow to the wetland and downstream properties.

Mr. Crouch mentioned a massive white oak near the stone wall on the western portion of the property that should be saved.

Mr. Catanzaro asked that the Town's peer review consultant should be present at the next hearing.

Public comments

Robin Hicks, 11 Frankland Road: He does not see the hydrologic study from the abutting upstream property. Mr. Lavoie stated he would provide it to him. The Army Corps of

Engineers sent the applicant a letter regarding the historic nature of the property. Work was performed in wetlands for the borings without the ACOE consent. *Comment acknowledged.* Why is there no DEP sign erected at the site. *No DEP sign needed because project is not yet approved.* Trees over 8" caliper trees not noted. *Not a ConCom requirement.*

Amy Said (?): When the basins were increased what was lost? *Nothing. The basins are under the pavement.*

Stuart Eynon, 93 Pennock Road: Concerns about 100-year-old large horse chestnut trees that are near the wetland crossing. They are the tallest trees on the site and should be protected. Concern about snow storage. Mass Housing made recommendation that snow be removed from the site. The only way to clear the snow from the site is with front-end loaders and dump trucks. What will be done to prevent contractors from dumping snow into the wetlands? How will it be policed? Mr. Lingham responded that removing all the snow will upset the water balance on the site. Comment 77 indicates that the stormwater recharge system as designed is inadequate. As designed there is no way to prevent adding water to the wetlands. When Thurston Lane was developed, front-end loaders sunk into the mud once the top soil was removed.

Nancy Day, 15 Indian Spring Road. Number 24 of the peer review mentioned 21E. Wouldn't this cover the concerns we are discussing? *No.*

Mr. Lingham stated that if all the snow is moved off the site this is an environmentally irresponsible practice.

Cynthia Eynon, 11 Frankland Road, stated that the ConCom's purview is pollution prevention.

Mr. Crouch stated that the DEP requires that snow hauled off site must be taken to a certified dump. Mr. Depietri stated there is one in Southborough.

Robin Hicks: Has the Commission looked into the 25-foot No Disturb Zone and the activity within it?

Paul Kendall, 25 Olive Street. There should be a plan for the snow removal. The groundwater in the 18-foot cut must be taken into account in the underground basins.

Mr. Crouch: The Peer Review should look at direction of groundwater flow in the built condition.

Mr. Catanzaro stated that under the Comprehensive Permit, the ZBA has jurisdiction over the local Wetlands Protection Bylaw. It is the ZBA's call whether to waive a local bylaw. The ConCom's purview is the state Wetlands Protection Act. Mr. Catanzaro requested that the Town's peer review engineer, Mr. Tom Houston, be present at the next public hearing to address questions and concerns.

Ms. Van Lancker made a motion, seconded by Mr. Lingham, to continue the public hearing to October 27 at 7:15. Motion passed 6-0-0.

Mr. Lingham made a motion, seconded by Mr. Moulton, to request that the Zoning Board of Appeals enforce Ashland's Wetlands Protection Bylaw and 25-foot No Disturb Zone everywhere on the site with the exception of the wetland crossing. Motion passed 6-0-0.

3. Warren Woods Encroachments

Mr. Selby updated the Commission on the status of the survey and encroachment removals.

4. Certificate of Compliance

Project was completed with the exception of required deed language. Ms. Van Lancker made a motion, seconded by Mr. Lingham, to issue a complete certificate of compliance for DEP# 95-672 (70 Winter Street). 5-0-1 (Moulton). Mr. Selby will hold the COC until proof that the required language is added to the new deed.

5. Minutes of September 22, 2014. Ms. Van Lancker made a motion, seconded by Mr. Lingham, to approve the minutes as amended. Motion passed 5-0-0.