

SUDBURY CONSERVATION COMMISSION
Minutes of the Meeting Held Monday, February 11, 2013

Present: Richard Bell; Sharon Rizzo; Beth Armstrong; Robert Elkind; Debbie Dineen,
Coordinator

WPA & Bylaw Notice of Intent: 220 Maynard Rd.,

Present: Stephen Andrade, applicant; Dan Wells, Goddard Consulting

Mr. Wells presented a plan for the redevelopment of a single-family residential house lot. The resource areas within jurisdiction on the subject property consist of bordering vegetated wetland, intermittent stream, and adjacent upland resource area (AURA) under the local wetlands bylaw. A potential vernal pool exists just off-site to the east. No activity is proposed within 100' of the potential vernal pool.

The Commission finds that the property consists of an existing house, paved driveway, lawn area, and cesspool. Existing conditions of the property do not include any stormwater infiltration or other best management practices for treatment of runoff. Stormwater from the renovation project is required to capture, treat, and infiltrate the 1st one-inch of runoff to the greatest extent possible.

The Commission finds that this project is designed to meet the performance standards of the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw. In addition to installing a Title V 5-bedroom septic system outside of jurisdictional resource areas, the proposed work includes: incorporating on-site best management practices to infiltrate runoff from all proposed impervious surfaces. An infiltration trench will be installed along the down-gradient portion of the driveway. A stone trench will be installed at the roof drip line to infiltrate roof runoff. There will be an overall decrease in runoff from the site post-construction in the 2, 10, and 100-year storms. The expansion of lawn will be off-set by the restoration of the former driveway area and an additional approximate 2,000 sq. ft. restoration of current lawn area closer to the stream.

The Commission discussed and agreed to condition the Order of Conditions as follows:

- Prior to the start of any alteration on site, a revised plan shall be submitted to the Commission for review and approval showing the area of lawn and brush on the east side of the driveway that will be restored to native vegetation to offset the increase in lawn in the rear of the house.
- Prior to the start of any alteration on site, the applicant shall obtain a permit under the Sudbury Stormwater Management Bylaw. Any changes to the drainage system as a result of the SWMB requirements shall be submitted to the Commission for review and approval.
- Due to the conditions of the site at the time of the staff inspection, the applicant shall report any discovery of the release of hazardous or toxic material immediately to the Conservation Commission and Board of Health

The Commission finds the proposed mitigation is sufficient to meet the requirements of the state and local wetland regulations and to improve the on and off-site wetland values and functions.

On a motion by S. Rizzo; 2nd R. Elkind; the Commission voted to close the hearing.

On a motion by S. Rizzo; 2nd R. Elkind; the Commission voted to issue the Order as discussed.

WPA & Bylaw Notice of Intent (cont.): 0 Washington Dr.; Hollyer Violations

Present: Dan Wells, Goddard consulting

Mr. Wells requested another hearing continuation to continue to work with the Town Engineer and the board of Health on the appropriate elevation of the pond.

D. Dineen informed the Commission that she has received a draft letter from the Board of Health indicating that any rise in elevation of the pond beyond the previously established elevation will place the septic system in non-compliance with the required local Board of Health setbacks to water.

The Commission agreed to continue the hearing to March 11, 2013 at 7:30pm.

Certificate of Compliance: 4 Cail Farm (Lot #3)

The Coordinator reported that she has made 2 site visits to this property to inspect for compliance with the Order. At the first visit the physical delineation (rocks, shrubs, fence...) was not installed at the approved limit of lawn. At the second visit the appropriate fencing, shrubs, and permanent markers had been installed per the approved plan. She recommended issuance of the COC. She did note that the house was a listing of Vice-Chairman Sam Webb. Mr. Webb was not present at tonight's meeting.

On a motion by R. Elkind; 2nd B. Armstrong; the Commission voted unanimously in favor of issuing the COC.

Willis Lake Car Incident

D. Dineen questioned if the driver of the car who drove onto Willis Lake and the car fell through the ice should receive a Notice of Violation for wetland alteration. According to reports, the car had to be dragged through over 60' of bordering vegetated wetlands to be pulled out by a professional towing company. It is likely that there was alteration to the wetlands.

Commissioners agreed and requested that the Coordinator work with the Police Dept. to obtain additional information and contact information for the driver of the car. A Notice of Violation should be issued as soon as possible.

Commission Reorganization

The Conservation Commission voted unanimously in favor of electing Sam Webb as Chairman and Sharon Rizzo as Vice-Chairman.

R. Bell indicated that there is a possibility that he will not seek another reappointment when his term ends in April 2013.

Comments to the Selectmen: Sudbury Solar Project at the Landfill, 20 Boston Post Rd.

The Commission's only concerns with the solar array proposed for the top of the landfill included stormwater runoff and the potential use of hazardous or toxic materials. Ron Bukowski of AMEC was present for the wetland hearing on this project. He advised the Commissioners that the hydrologic calculations have been completed for submission with a permit request for a Stormwater Bylaw permit. The calculations show changes as a result of the solar installation or operation. No hazardous materials or waste will be stored or used on the site.

Notice of Resource Area Delineation: Sudbury Landfill, 20 Boston Post Rd.

Present: Ron Bukowski, AMEC; John Banman, AMERESCO; Bill Braun, Sudbury Energy Committee

Mr. Banman presented a plan showing the edge of bordering vegetated wetland as flagged by their wetland consultant and revised by D. Dineen following a site visit in December. D. Dineen explained that the consultant flagged the edge of bordering vegetated wetland in an extremely conservative manner using only vegetation without soils. DEP guidance and the local wetlands bylaw uses soils as a primary wetland indicator on disturbed sites. In the case of the Landfill, the cap creates artificial conditions where runoff supports wetland vegetation, mostly invasive phragmites, at the bottom of the side slopes. However, when soils are investigated in the areas of phragmites, they are not hydric soils. As a result she revised the wetland line to exclude the area of phragmites on the slopes and non-hydric soils.

Based on the revised flagging, all work is outside wetland jurisdiction.

Abutter, HDR Holdings represented by Michael Carroll, expressed concern for drainage and erosion control as his company is located at the bottom of the west slope of the landfill. Mr. Banman explained that the solar array will be installed on 729 blocks of 3' x 9' or 3' by 10.5'. they are all 1.5' thick. Only the footprint of the blocks will be disturbed during installation, leaving much of the natural field vegetation in place. No herbicides will be used for vegetation control. Mowing between the panels is planned. A 6' high fence will be installed at the limit of the array to deter vandals. Both MEPA and NHESP have cleared the project.

D. Dineen suggested that the westerly swale may need maintenance to continue to channel the runoff from the slope to the north.

On a motion by B. Armstrong; 2nd R. Elkind; the Commission voted unanimously to close the NRAD hearing. On a motion by S. Rizzo; 2nd by B. Armstrong; the Commission voted unanimously in favor accepting the wetland delineation on the plan dated 1/17/13.

WPA & Bylaw Notice of Intent: 40 Tall Pine Dr., Pickwick Dev., LLC

Present: Bruce Ey, Schofield Brothers; Joshua Fox, Atty. For applicant; David Caligaris, Dan Green, Green Company/Pickwick Development LLC; Donald Jones, Jr.; Rick Potprush, Realtor

Mr. Ey presented a plan for the development of a former gravel pit on 18.84 into a cluster development of 26 condominium homes. The development will be built on only 7+- of the property in an area mostly already disturbed with an office building, lawn areas, and parking.

Wetland resource areas on site consist of a perennial cold water stream, bordering vegetated wetland (a portion resulting from the excavations in the former graveling operation), and two intermittent streams. The easterly intermittent stream is the result of stormwater runoff from the existing parking lot. Although it has a defined channel with banks, its primary purpose is the conveyance of stormwater runoff and some level of pollution attenuation. This stream will be eliminated by the removal of the existing parking lot and the re-grading of the site. The stream's values and functions will be replaced and upgraded with the addition of stormwater pre-treatment as part of the proposed plan. A large berm from the gravel operation separates the perennial stream, Dudley Brook, from the existing and proposed development.

An existing conservation restriction from 1986 covers Dudley Brook and its immediate adjacent areas. The CR will be restated and expanded to include all work to the north of the developed areas.

A portion of the drainage from Tall Pine Drive currently flows through the site without any treatment to remove pollutants. This drainage is proposed to be treated and infiltrated on the west side of the site to provide cooling of the water before it reaches the cold water fisheries stream. A separate filing will be submitted for all Tall Pine Drive drainage upgrades.

Runoff cannot be infiltrated in the front of the site due to the high groundwater and proximity to the building foundations. A large rain garden is planned for the central part of the developed area. The rain garden is designed with an overflow to a detention basin. Other drainage from the development will be captured and treated in an additional detention basin and several leaching chambers. These chambers will leach the first one inch of runoff to meet the local Stormwater Management Bylaw requirements. There will be no increase in peak flows to Dudley Brook.

The site currently has a septic leach field located in the riverfront area (RFA). Effluent is pumped up to this field from a tank with an outlet below the water table. The new septic system will be located as far as possible from the wetland resource areas and outside the RFA. It will contain a denitrification component called a FAST system.

Overall, there will be a reduction in the amount of disturbed area in the RFA (20,627 now; 13,000 proposed), and a reduction in disturbed upland resource area (38,900 now; 33,000 proposed).

All parties agreed to a continuation of the hearing to March 11, 2013 to allow time for comments on the drainage from the Planning Board's stormwater consultant.

WPA & Bylaw: Request for Determination of Applicability: 505-525 Boston Post Rd.; Gravestar, Inc.

Present: Mark Beaudry of Meridian Assoc. for Gravestar

Mr. Beaudry presented a plan showing several site improvements for the CVS Pharmacy area of the shopping plaza. They plan to provide for better traffic flow and parking access by removing the eight parking spaces in the northwest corner and providing an additional ten parking spaces further to the west. A landscaped strip will be added along the north side of the CVS building. Six additional spaces will be reworked by new striping. There will be an overall 35 sq. ft. reduction in impervious surface.

On a motion by S. Rizzo; 2nd R. Elkind; the commission voted unanimously in favor of a negative Determination.

2012 Annual Report: review & sign

Commissioners agreed to sign the 2012 Annual Report subject to review and approval of the final draft.

The meeting adjourned at 9:40pm.