

SUDBURY CONSERVATION COMMISSION
Minutes of the Meeting Held Monday, Oct. 21, 2013

Present: Greg Topham, Chairman; Sharon Rizzo; Rob Elkind; Tom Friedlander; Debbie Dineen, Coordinator

Minutes

On a motion by G. Topham; 2nd by T. Friedlander the Commission voted unanimously in favor of approving the Minutes of Sept. 23, 2013.

On a motion by G. Topham; 2nd by T. Friedlander the Commission voted unanimously in favor of approving the Minutes of October 7, 2013.

WPA & Bylaw Notice of Resource Area Delineation: 273 Goodman's Hill Rd.

John Wise, 5DWD LLC, applicant

Present: David Burke

Mr. Burke presented a plan showing the wetland delineation he had established for work associated with the development of three lots at 273 Goodman's Hill Road. There is less than 300' of wetland line associated with this property. Although a previous NRAD had the wetland line farther up the slope, that delineation was done in the winter with snow cover and was based on contours. Mr. Burke used soils to determine the wetland line.

Mr. King, abutter, expressed concern for the location of the house on Lot 3 being very close to his property line. Chairman Topham stated that the NRAD was only to confirm the wetland line. The Commission was not looking at any development to permit at this point. Mr. Burke noted that the applicant will attempt to keep all work outside of wetland jurisdiction.

The Coordinator suggested Mr. King speak directly to the applicant to discuss his issues.

On a motion by G. Topham; 2nd S. Rizzo; the Commission voted unanimously in favor of accepting the wetland delineation as shown on the plan submitted with the NRAD.

WPA & Bylaw Request for Determination: 79 Jarman Rd., septic repair

Present: David Schofield; Robert Brais, applicant

Mr. Schofield presented a plan for a repair of a septic system that has failed. The new system is designed as far as possible from the wetland at 92' to bordering vegetated wetland. The new system is a Presby system with a 40% reduction in areas necessary for the leach field and a 2' reduction in distance to groundwater. The system will be a pumped system.

On a motion by G. Topham; 2nd T. Friedlander; the Commission voted unanimously in favor of a negative Determination based on work being accomplished as shown on the plan submitted.

WPA & Bylaw Notice of Intent: Willis Lake Dr., Lakeshore Drive;

Lt. Scott Milley Memorial

Present: Robert Chandler; Jim Kelly; several neighbors

Mr. Chandler presented plans developed by Sudbury Design Group for the construction of a stone memorial and paths on the slope above Willis Lake. There will be no structures built, no lights, just a stone reflection area with stone seating in honor of Lt. Scott Milley who was killed in Afghanistan. Lt. Milley grew up in the Willis Lake neighborhood.

Mr. Kelly noted that a Foundation has been established to fund the maintenance of this Memorial.

D. Dineen stated that the area proposed for the Memorial has been plagued with erosion problems for many years. The slope is devoid of vegetation in some large gully areas and has been an attraction for dirt bikers and even 4-wheel drive cars. DPW received approval last spring to stabilize the slope with boulders at the base of the slope and the replenishment of the hillside with some of the gravel that had eroded down to the beach area. The Memorial will also help to stabilize the slope and eliminate the use of the hillside by unauthorized vehicles.

Jim Titus, abutter, expressed concern for more use of the area and the use of the roadway in front of his house. He is concerned for privacy and for possible harm to the road that he believes he may own part of. He also expressed concern for the loss of the hillside for sledding.

Responding to a question from D. Dineen, Mr. Chandler confirmed that the path and seating area will be constructed of stone pavers that will allow for infiltration of runoff. The hillside will be stabilized with vegetation where there are no pavers.

Chairman Topham stated that it appears the project will have a positive impact on the area and eliminate the erosion and sedimentation problems that have been experienced.

Hilary Wells, 31 lakeshore Drive, commented that she is concerned for the potential additional traffic and lack of parking but overall supports the project. S. Rizzo noted that she lives near LSRHS and has had past issues with parking on her street as well. Police monitoring and signage made a difference.

On a motion by G. Topham; 2nd R. Elkind; the Commission voted unanimously to close the hearing.

On a motion by G. Topham; 2nd S. Rizzo; the Commission voted unanimously to issue the Order as discussed upon receipt of the DEP file number. Copies will be sent to Mr. Chandler and Mr. Kelly.

WPA & Bylaw Notice of Intent: 67 Brewster Rd.; Stan Hargus, DNH Homes

Continuation - Violation: Alteration of stream due to inadequate site stabilization

Present: Ben Ewing; Fred King; Stan Hargus

Mr. King, Conservation Commission peer reviewer, reviewed the additional materials submitted by Ben Ewing of Stamski & Neary. On Oct. 4, 2013 the silt was removed in the stream by hand. From what Mr. King witnessed, the job was being done correctly. He met with Dave Crossman at the end of Brewster Road and all agreed that the wetland was jurisdictional. The plan erroneously states that this wetland is jurisdictional only under the wetlands bylaw. Mr. King stated that it is jurisdictional under the WPA as well.

Mr. King visited the site again on Oct. 21st after a period of no significant rain. The site is mostly vegetated but the grass is thin in shaded areas. The area of the front swale is still not vegetated. He reviewed the new design for the east and west swales. The single design works due to the split in the watershed. The calculations and velocities are OK with 4" of rip rap in the swale. No information on the third swale was provided. Mr. King expressed concern that the third swale drops 3.5 cfs in a 25-year storm event. He recommends continuing this swale down to the common driveway or street because it needs to spill at a level elevation to function correctly. It is now designed with a level spreader on a steep hillside. Level spreaders do not

function as intended when they discharge onto a steep slope. The runoff leaves the spreader at a point rather than dispersing the runoff as it should. This results in an eroded channel on the hillside.

They discovered that there is a 6" pipe coming down the common driveway that is jury-rigged into the 18" pipe in the cul-de-sac. They were unable to find the outlet to this 18" pipe or the inlet to the other pipe at the end of the cul-de-sac. This is all pre-existing issues and these structures in the cul-de-sac will not be used for any drainage on 67 Brewster.

Chairman Topham clarified that the best solution would be to continue the third swale or pipe the runoff it receives to a surface solution where the drainage enters the Brewster Road catch basin system heading toward Goodman's Hill Road. Mr. King confirmed this understanding and added that the third swale will need to be rip-rapped and should discharge into a plunge pool near the bottom of the slope.

Mr. King noted that the three level spreaders designed for the eastern swale are also on a hillside and are tipped. This will result in the water leaving the spreaders at a point, however in this location the flow will be much smaller than in the third swale. Mr. Ewing added that this swale is designed as an emergency overflow for the 100-year storm event.

Mr. King stated that the 5' berm on the outer edge of the driveway next to the trench has not yet been installed. This berm will need to be at least 1' – 2' wide to be stable. Maintenance of the swale will be critical as it will be very prone to silting in quickly. The O & M plan calls for the use of calcium or magnesium chloride de-icing chemicals. This is important as the homeowners will need to use a large amount of sand and de-icers in most winters due to the freeze and thaw that will occur across the driveway.

The 12" plastic drain grate has been replaced with a heavy duty plastic 24" grate and the flow calculations have been submitted. This grate will become clogged quickly and must be monitored and maintained to allow the flow into the pipe.

D. Dineen asked if Mr. King felt that the planting plan had sufficient deep-rooted plants to hold the slope over the hardpan material. Mr. King said it might work but needs to be monitored through several seasons. A bond for additional planting might be considered if the current proposal is found to be inadequate.

Mr. King recommended that a very basic homeowner O & M plan should be developed and include specifics such as; what to look for; what is proper operation; what is a failure; tools needed; location of observation ports; description of observation ports; etc. More bmps will need to be included in the current O & M plan.

Mr. King reiterated his strong recommendation for the third swale to be extended to a level area and discharge into a plunge pool. Mr. Ewing stated his preference for the swale to end on the slope and filter through the forest vegetation.

Mr. Hargus stated that he will do what substantive changes need to be done.

All parties agreed to continue the hearing one more time to review the changes discussed tonight. The hearing was continued to Nov. 4, 2013.

Hearing Continuation Policy

The Coordinator suggested that the Commission begin enforcing the bylaw continuation policy. This policy states that if the hearing needs to be continued it is continued for 2 weeks to

the next meeting provided the applicant agrees he can provide any information necessary for the continuation a minimum of four business days prior to the continuation.

There have been quite a few hearing continuations within the past several months where the applicant has advised the Commission, often on the day of the hearing continuation, that it needs another continuation. This leaves large gaps in the Commission's agenda as hearings must begin at the posted time.

The policy further states that if the applicant agrees he can be ready for a two week continuation and then requests to continue again for failure to provide the necessary information on time, the second continuation is for no less than four weeks.

The Commission agreed that it would enforce this policy for the future.

The meeting adjourned at approximately 8:10pm.