

Conservation Commission Meeting  
Virtual Meeting  
March 16, 2023

Roll call was taken of members and staff present included: Chair, Peg Arguimbau, Vice Chair, Meredith Avery, Keevin Geller, Stephen Cremer and Alan Westman were present. Jon Wasserman was not present. Staff present included Josh Philibert, Conservation Administrator, and Jana Katz, Conservation Secretary.

Arguimbau opened the meeting by reading Governor Baker's Executive Order of March 12, 2020. As of June 15, 2022 the measure was extended in An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency, allowing by Governor Baker to continue to permitting virtual public meetings until March 31, 2023. Per guidance from the State, Arguimbau noted that all votes would be taken by roll call. She then reviewed the ground rules for the meeting.

The remote meeting was called to order at 7:30 pm.

<b>7:32 PM</b>	<b>Public Hearing</b>	AOOCC DEP# SE280-0612 2R 4R General Edwards Highway, David Wluka
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David Wluka and Dave Johnson presented together on behalf of the project. Philibert shared his screen showing plans for a retail warehouse on the site located at 2R 4R General Edwards Highway, also known as 990 Boston Providence Highway. The amendment request includes replacement of the approved hotel project with a proposal for a retail/warehouse project. The commission previously reviewed the newly proposed plan at the February 16, 2023 meeting.

Johnson summarized the proposed changes. The building will be located outside of the 100' buffer in the new plan. The proposed Limit of Work is unchanged as the retraining wall that was previously approved will still be in place. The proposed area to be disturbed within the 50'-100' buffer remains similar to what was approved in the existing OOC, approximately 2,500 sf. There will be no disturbance in the 0'-50' buffer. The new plan includes reduction in paved area. Stormwater discharge points remain unchanged. Applicants would enjoy continuing to comply with the original conditions associated with DEP# SE280-0612.

Philibert discussed sediment controls which the applicants assured will remain the same. Wluka informed members that the project is on the agenda for the ZBA for April 12<sup>th</sup> and they intend to submit a thorough stormwater permit application to Peter O'Cain for review. It will comply with the town bylaw requiring an erosion control plan and earth moving plan. As the stormwater discharges will be coming out of the retaining wall, the plan includes riprap basin aprons at the points of discharge.

In their application for an AOOC, the applicants expressed a desire to formally withdraw an RDA which they had initially submitted regarding this same project.

Avery noted she would like the stormwater report to be formally submitted and included in the file. As it is a reduction from last time after plans are finalized, she would like to see a copy of the stormwater report. Wluka stated he was happy to oblige.

Members voted to approve the applicants' request and issued an AOOC for DEP# SE280-0612.

**Motion:** To amend DEP# SE280-0612 as requested.

Avery moved

Westman seconded

Geller – Aye, Avery – Aye, Cremer – Aye, Westman – Aye, Arguimbau – Aye

5-0-0 Motion Passed

**7:35 PM      Continued Public Hearing      NOI DEP# SE280-0648 61 Eisenhower Dr  
Yury Deych**

The applicants requested a continuation until the April 20, 2023 meeting.

**Motion:** To continue the hearing for DEP#SE280-0648 until April 20, 2023.

Cremer moved

Avery seconded

Geller – Aye, Avery – Aye, Cremer – Aye, Westman – Aye, Arguimbau – Aye

5-0-0 Motion Passed

**7:45 PM      Discussion Item      Administrative Land Disturbance Review  
180 Ames Street, Kameron Campbell**

Kameron Campbell from LEC Environmental presented on behalf of the applicant. Philibert shared his screen and let Campbell know he had shared the plans with members prior to the meeting. Campbell gave some background on the history of the site. Part of the land encompasses a detention basin that serves all of Knifeshop Lane. The Planning Board approved consolidation of both lots into one. The applicants have been working with Peter O'Cain and Kevin Davis on an approved design for the detention basin and septic for the proposed single family home.

The house which was on the property previously was only 900 sf and the new footprint will be approximately 3,000 sf. Repositioning the driveway will add 600 sf of impervious surface to the site and face the front yard towards Knifeshop Lane. It will be graded towards the detention basin resulting in 1,500 sf leading into the basin and less towards Ames St.

Tree removal will be required to access the outlet control structure. Plans include culverts underneath a walkway, two detention basins, and a new updated outlet control structure. The entire disturbed area will be revegetated.

Westman requested Philibert shared his screen showing the initial plan again. Campbell confirmed that the 1,500 sf of new runoff will be going towards Knifeshop Lane away from Ames Street as it discharges into Massapoag Brook and the town system. Arguimbau ask about the potential for preventative measures should siltation build up as there will be

disturbance and less trees during and after the project. Campbell explained to members that there is a sedimentation plan with proposed diversion swale. Knifeshop Lane still has to feed into the basin during construction. The oil-water separator will be diverted in order to make a sedimentation basin. Silt fences will be set up before disturbing the land and maintained until the area is revegetated.

Avery and Campbell discussed site controls and grading on the property. Avery asked about calculations regarding drawn down time after storms. Campbell answered that was less than 2 minutes an inch. Philibert asked about fencing. Campbell described a split rail fence that will be installed with shrubs along Knifeshop Lane. There is an existing slope easement and the homeowners have been in contact with neighbors who were approving of the plan. Arguimbau discussed the pathway the water would take to get to Massapoag Brook and 2, 10, and 100 year storm projected figures. She also discussed the sediment report with Campbell. Avery praised the silt sock and stone apron around the existing driveway.

Arguimbau confirmed Campbell was a contact person should there be any issues with discharge and he said he would also share contact information for Andrew Gallagher with the office.

Members voted to approve the Administrative Land Disturbance Review for LDR0001 for a project located at 180 Ames Street. Note: there are plans to change the address to Knifeshop Lane and the office will update records accordingly.

**Motion:** To approve the Administrative Land Disturbance Review for a project located at 180 Ames Street, LDR0001.

Geller moved

Cremer seconded

Geller – Aye, Avery – Aye, Cremer – Aye, Westman – Aye, Arguimbau – Aye

5-0-0 Motion Passed

<b>8:02 PM</b>	<b>Discussion Item</b>	24 Paul Revere Road – Grading not to plan
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Simon Brook presented an update to the Conservation Commission. After meeting with Dick Morse Excavating, he developed a proposal to reestablish the required grade on the property. The three-point plan includes: 1) Remove all large boulders that were left on site 2) Remove excess material to reestablish required grade per plan and 3) relocate the silt sock to the required location on the edge of the buffer zone per plan. Arguimbau asked that the office be contacted prior to work resuming. Brook agreed to oblige and asked for a letter from Philibert confirming the work could resume per plan.

<b>8:14 PM</b>	<b>Discussion Item</b>	27 Horizons Road, Lawn Size Violation Graham Xu
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Philibert reported to members that he met with Mr. Xu in person to discuss the lawn size violation located at 27 Horizons Road. Properties within the neighborhood subdivision come with an 8,000 sf limit of lawn size. Xu was present at the meeting to listen to members' discussion. Philibert shared his screen to identify the wooded areas on the parcel that was cleared and fenced off. A wetland exists offsite downhill. Arial photos illustrated the downslope into the wetland. Photos also clearly illustrated where the lawn would end should it be in compliance with the 8,000 sf size limit. Part of the yard area is in the buffer zone. There is also a shed in the buffer.

Avery suggested requesting revegetation in the buffer as coming into compliance with deed should be prioritized. Arguimbau discussed delineating the area that is compliant with the deed restriction. Members also discussed the potential clearing that took place on town land and the need to revegetate that area as well. They agreed the location of the replanting plan would be flexible as long as the lawn area remained outside the buffer.

Philibert will meet with Xu to discuss potential remedies and then come back before the commission.

<b>8:17 PM</b>	<b>Discussion Item</b>	7 Wadsworth Way, Lawn Size Violation Sundararajan "Vijay" Vijayakumar
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Mr. Vijayakumar was present. Philibert shared his screen showing pictures of the property before and after the clearing and identified the berm present that separates the clearing from the wetland. Vijayakumar informed members he had previously discussed the matter with the former Conservation Administrator, Greg Meister. Covid stalled the agreed upon plan which was to revegetate a cleared area on the property. He has since been in contact with Philibert and Sharon Nursery and plans to fully comply with the commission's recommendations. The property owner also confirmed that he did not remove any plantings on town land and would not seek to replant that portion of the area. Arguimbau praised Vijayakumar's plans and invited him to return to a meeting in the fall regarding planting plans.

<b>8:21 PM</b>	<b>Discussion Item</b>	Lake Update
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The lake level was at 10.4 after recent precipitation. Philibert is working on balancing the discharge flow as the lake level is currently too high. He also informed members that there was sediment coming through stormwater outfall into Massapoag Brook related to the construction at the High School. The problem is within the DPW's jurisdiction and Peter O'Cain has been dealing with the matter.

<b>8:26 PM</b>	<b>Discussion Item</b>	Conservation Administrator Update
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The Town Clerk Mark Hogan has encouraged planning for in person meetings. Members decided to plan to meet in person on April 6, 2023 as the provision allowing for zoom meetings expires on March 31, 2023.

<b>8:28 PM</b>	<b>Other Business</b>	Approve February 16, 2023 Meeting Minutes
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Members voted to accept minutes as amended. Jon Wasserman's attendance was list as present and also not present and needed to be corrected.

**Motion:** To accept meeting minutes from February 16, 2023 as amended.

Cremer moved

Geller seconded

Avery – Abstain, Cremer – Aye, Westman – Abstain, Geller – Aye, Arguimbau – Aye

3-0-2 Motion Passed

<b>8:31 PM</b>	<b>Adjourn</b>
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**Motion:** To adjourn

Cremer moved

Avery seconded

Geller – Aye, Avery – Aye, Cremer – Aye, Westman – Aye, Arguimbau – Aye

5-0-0 Motion Passed