

Conservation Commission Meeting
Virtual Meeting
June 3, 2021

Roll call was taken of members and staff present included: Peg Arguimbau, Stephen Cremer, Keevin Geller and Jon Wasserman. Vice Chair Meredith Avery and Colin Barbera were not present. Alan Westman arrived at 8:04 PM. Staff present included John Thomas, Conservation Administrator and Jana Katz, Conservation Secretary.

Arguimbau opened the meeting by reading Governor Baker's Executive Order of March 12, 2020. 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 7:33pm.

7:34 PM Continued Hearings AOOO 25 Tiot Street Bob Shelmerdine, Cape Club

Bob Shelmerdine presented on behalf of Cape Club owners, requesting an Amended Order of Condition for SE 280-0602. In 2018, the Planning Board approved constructing 52 residential units with location specific plans for the residential units. The plan was modified in June of 2020 to allow limited building on property initially designated to remain part of the golf course and clubhouse. The town approved the change at the October 12th Town Meeting. As the town and necessary other boards have approved the new plan, Shelmerdine was before the Conservation Commission to ensure the revised plans would not make a greater impact on the environment.

Shane Oates of Center Mount Land Development shared his screen to show the 4 phases of development for both the existing and modified designs showing no additional disturbance in the outer riparian. The maps illustrated the parking lot, existing tennis courts, clubhouse, and proposed area for residential units between the 14th and 12th greens, as well as including a larger basin in the buffer zone.

Plans include runoff treatment so discharge into the fairway will be clean under the new plan. Arguimbau asked for narrative comparing difference between the proposals including square footage of calculated buffer disturbances. She requested official numbers be included in writing in a comparison and be sent to the department and DEP.

Wasserman asked about the percentage of impact reduction in the new plan. Oates answered that the impact on the BVW would be similar. He noted the greatest environmental benefit would be the reduction in impervious surfaces. The outer riparian would have a 50% reduction while the benefit to the inner riparian would be improvements to drainage facilities. Arguimbau asked that specific numbers be included in the filing.

An abutter, Laura Nelson, asked when the hearing was added to the agenda and noted she did not believe she had adequate time to review the documents before the meeting. She was concerned the letter informed property owners to contact the Conservation Department office for more information regarding the scheduled hearing. She believed it did not give people enough notice because there was no date set in the letter. Arguimbau and Thomas told Nelson that it is a standard form sent to abutters and while the timeline was in line with procedures to apply for an AOOO, they would review the matter.

There were no other questions or comments from abutters. Arguimbau stated the order could be issued at the next meeting once the narrative identifying differences between the two plans is submitted in writing. She restated the important of including specific numbers in the narrative as they would be necessary when evaluating the project for a Certificate of Compliance.

Motion: to continue the hearing for an Amendment Order of Conditions for 25 Tiot Street to June 17, 2021 at 8:15 PM.

Cremer moved
Geller seconded
Geller – Aye, Cremer – Aye, Wasserman – Aye, Arguimbau – Aye
4-0-0 (Motion Passed)

8:01 PM Continued Hearings NOI DEP# 280-0632
119 Norwood Street Matt Grosshandler, Driveway

Thomas shared his screen showing updating plans for a proposed residential driveway installation connecting 119 Norwood Street to Norwood Street. Matt Grosshandler presented on behalf of the property owner, Keven Andrade.

Arguimbau and Geller had performed a site visit with Grosshandler earlier in the week. One concern raised was the cutting of larger trees. Arguimbau also noted the stabilization of the slope might require flexible plans. Grosshandler agreed the intent is to minimize the amount of tree removal and disturbance as well as to preserve as much of the existing grade as possible while mitigating potential erosion and runoff.

Grosshandler discussed a plan that has been approved by the Town Engineer, and Fire Department which includes: appropriate driveway pitch, appropriate width for emergency services vehicles, and paving. The plans also illustrated: drainage and a pitch designed to return runoff to the hillside. Plans include pervious swale constructed out of riprap to slow the water and allow for recharge. It will be placed during construction and remain permanently.

Thomas approved the flag placement closest to the wetlands. Geller noted a concern about large tree removal and suggest coordination with Thomas and the department. Cremer asked about the large trees which would need to be removed from the base of the driveway where the basin will be. It was discussed that tree removal will be minimal.

There were no other comments or questions.

Motion: Close the hearing and issue an OOC referencing the revised plan and the comments and conditions spoken about tonight regarding tree removal

Geller moved
Wasserman seconded
Geller – Aye, Cremer – Aye, Wasserman – Aye, Westman – Abstain, Arguimbau – Aye
4-0-1 (Motion Passed)

8:12 PM Continued Hearings 12 Indian Lane Shanna Belenky, Septic and Addition

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Peter Lyons shared his screen on behalf of the property owner, Shanna Belenky showing a new site plan. The plans illustrated a new septic system in the front yard outside of the Conservation Commission's jurisdiction with the exception of the septic tanks.

The proposed design will not increase flow, the work would be considered a 3 bedroom repair. Plans include eliminating the existing tank and providing a septic tank and pump chamber 60 feet from flag 1, and an 18x44 foot leeching bed approximately 140 feet from the wetlands. Erosion controls wrapping will be placed around the entire site. Septic treatment vehicles will be able to access the tank via the driveway. The addition will not extend past where the current patio is located at the end of the driveway. The grading will remain the same; the proposed addition will be constructed on existing lawn area with a slab foundation. Disturbance will ultimately be 24x45 square feet with a 4 foot wide trench.

Thomas surveyed the property and is comfortable with flagged locations.

Cremer and Wasserman asked about the location of the 50 foot line as well as the brick patio location and if the entire area would be considered impervious. Collins answered that the 50 foot line cuts through test pit 2 and the deck and walkway would be considered impervious but the rest of the area would remain lawn.

Wasserman brought up roof runoff. Collins noted there is no underground infiltration proposed and high groundwater is a concern. He stated they would be happy to work with the commission to accommodate concerns. Arguimbau suggested adding a dry well.

Geller, Cremer, and Westman were in agreement that an increased lawn area and removal of the current patio would be desirable to increase water retention. The applicant will need Conservation Commission approval before pulling paperwork with the Building Committee. Thomas will meet Lyons at the property site to measure the existing patio. Lyons discussed the possibility of placing a stone trench at the end of the driveway to catch and slow the water was also discussed.

The orders will be issued pending receipt of the revised plans once submitted and indicated what was discussed. Members would like the patio removed and increase lawn area. The project does not go into the wetlands. Septic work can begin with erosion controls in place.

The date of accepted plans will be the date the hearing is officially closed.

Motion: Motion to close the hearing pending the receipt of the revised plan indicating the installation of drywells for the roof draining and the removal of the patio area for installation of a lawn area.

Geller moved

Westman seconded

Geller – Aye, Cremer – Aye, Wasserman – Aye, Westman – Aye, Arguimbau – Aye

5-0-0 (Motion Passed)

8:35 PM Other Business Approve Meeting Minutes

Cremer had nothing to comment on. Arguimbau sent edit requests to Katz.

Motion: Approve the meeting minutes for May 20, 2021 as amended.

Cremer moved
Wasserman seconded
Geller – Aye, Cremer – Aye, Wasserman – Aye, Westman – Aye, Arguimbau - Aye
5-0-0 (Motion Passed)

8:37 PM Other Business Stormwater Bylaw and Regulations

Thomas spoke with town administrator, Fred Turkington. While there is no plan currently for a fall Town Meeting, it would likely be held on November 15, 2021 if scheduled. Any language for the warrant would need to be submitted by August 29, 2021. Otherwise there will be a January 2022 Town Meeting. Thomas forwarded relevant documents to commission members.

Arguimbau had concerns about the “no alteration within setback” because the commission would be delineating what an applicant can alter and what can happen with the setback. Thomas commented that development within the buffer on undisturbed property is unwanted.

Arguimbau would like to schedule meetings before September to address the issue. Cremer would like the regulations to include limits on additional disturbance on a previously disturbed area. Arguimbau said the language regarding disturbances can limit the total amount of area disturbed. Applicants would also still need to comply with zoning requirements. She restated the intent of the commission: to protect the most area in the 100 foot buffer as possible. Cremer asked, if there has been some disturbance in the 100 foot buffer, is the whole area open to continuous development? Thomas noted the current language describes the limits on cumulative disturbance. He said it will be important to get keep proper records of numbers so the department can keep accurate records.

Arguimbau would like to meet in June and have all members read through proposed bylaw language and send comments to Thomas. The matter will be put on the agenda for a vote. Comments will be due by Wednesday, June 9, 2021.

Cremer and Wasserman confirmed that Section 5.06 Performance Standards which was attached to Thomas’ last e-mail are to be reviewed.

8:47 PM Other Business Dam Management

Thomas shared his screen showing Dam Management plans. The proposals from GZA were discussed for a July 1st start date. Thomas would reach out to DPW and GZA to understand if an earlier start date was needed to complete the work.

8:53 PM Other Business Open Space and Recreation Plan

Arguimbau and Thomas have been in communication with Jennifer Goldson who will be completing the Master Plan minus the ADA portion. Goldson suggested another consultant who Arguimbau

contacted but is unable to do it. There is a nonprofit group in Worcester who will be the next potential resource.

8:32 PM Other Business Lake Management

Thomas reported that the lake level is higher than it needs to be in response to a drop to 10.2 over a two week period prior. Arguimbau suggested monitoring the property at the end of Beach Road where it tends to impact the land if the level is too high. Cremer asked for an update with floats and piers that are placed beyond residential boundaries. Thomas noted that he and Arguimbau have been discussing ways to incorporate language that would be similar to properties on Cape Cod. While the commission does not have sole access to a boat, the Fire Department has a meeting scheduled with the Assistant Town Engineer to take inventory of the work done on the lake to date.

Cremer generously offered to share a boat with the commission noting storage is the only issue. Thomas said he would follow up soon. Arguimbau praised the potential of Cremer providing the department with a boat to monitor problematic areas, structures, and other issues that arise.

Thomas plans to follow up with Noah Siegel about herbicidal treatment proposals.

Arguimbau would like to discuss summer meeting schedules at the next meeting. She also told the commission that the Sustainable Sharon Coalition planned a cleanup which will include removing knotweed which is much appreciated.

8:52 PM Continued Hearings 12 Indian Lane Shanna Belenky, Septic and Addition

Belenky appeared on the zoom call again with a question regarding requirements to file future Notice of Intents. It was explained to her that a Certificate of Compliance cannot be issued unless the project successfully meets all requirements and conditions set forth in the original Order of Conditions. The members explained the process of applying for an Amended Order of Conditions.

Motion: To adjourn at 9:07 PM

Cremer moved

Geller seconded

Geller – Aye, Cremer – Aye, Wasserman – Aye, Westman – Aye, Arguimbau – Aye,

5-0-0 (Motion Passed)