

Conservation Commission Meeting
Sharon Community Center
March 20 , 2014 - DRAFT

Peg Arguimbau, Chariperson, Christine Turnbull, Linda Orel and Keevin Geller were the members present. Conservation Commission member Betsy McGrath and Stephen Cremer were absent from the meeting. The Conservation Administrator, Greg Meister, was also present.

7:45pm Notice of Intent

186 Massapoag Ave – Salvation Army, Beach Restoration
DEP SE#280-0559

Wayne Perry formerly of Norfolk Ram, and Major Gayle Senak representing, the Salvation Army.

An NOI was submitted for installing a seasonal barrier at the beach of the Salvation Army. Currently, there is a floating dock at the beach. The Salvation Army wishes to install, on a seasonal basis, a barrier at the beach to prevent sand from washing out. The barrier is similar to small plastic curbing's. The plan is to install the barrier seasonally to help minimize beach erosion. The barrier was installed in September and has worked well this winter.

They are filing this NOI after the fact. By filing the NOI, they should now be in compliance. The plan is to put the barrier up each September, minimizing the need to bring in sand for the beach.

Order of Condition: The Conservation Administer should be re-contacted in three years to renew the NOI. If additional sand is needed, the Conservation Administrator should also be contacted.

Motion to close hearing: Geller, Turnbull 4-0-0

Motion: Order of Conditions, Geller, Turnbull 4-0-0

An extension should be asked for prior to the expiration of the NOI in order remain current.

8:00pm Notice of Intent (continuation of hearing)

150 Norwood Street, Proposed work to stop debris from going down the driveway.
DEP SE280-0557

Lucas Kim of Pilling Engineer representing the applicant. Mr. Kim presented additions to the plan previously shown the Commission. One of the main additions is the operations and maintenance plan regarding how to proceed with the work, as well as revisions to the original plans.

Notes were added to the plans regarding stockpile areas. Accumulated silt will be cleaned up. Check dams and swales are in place. Plunge pool at the end. The contractor will be given a document outlining the maintenance agreement and what work is expected to be done. The Conservation Administrator has been given the power to ask for additional silt if needed. Most of the work to be done is located outside of the buffer zone.

Pipe is not yet in. Put in location of existing foundation. Sharon has 10 percent minimum for steepness of a driveway. Presently, the top of the driveway is still too steep. A question was raised about the existing stone and what would be done with it. Mr. Kim believes that it will be taken out.

Meister inquired about a time frame for construction. There is a schedule, but no dates as of yet. This will need to be added to the Order of Conditions.

Arguimbau suggested a regimented visit schedule, with the Conservation Administrator visiting the site on a regular basis during the first six weeks of the project. Mr. Kim told the Administrator that he can phone the office at any time and on-site meeting will be arranged.

To be put in the Order of Conditions: work will be completed soon at the location. A home is currently under construction and it is unacceptable this has been going on as long as it has. A deadline will be put in the Order. The Operation and Maintenance plan will also be incorporated into the Order.

Motion to close hearing, Orel, Geller 4-0-0

Order of Conditions will be issued per regular meeting with an end date for completion of the driveway.

Motion: Geller, Orel 4-0-0.

Vote Meeting minutes of March 6, 2014 as amended: Geller, Orel 4-0-0

8:15pm Brickstone Presentation: Discussion of proposed Development located at Rattlesnake Hill

Representative, David Lewis Goulston and Stoors, Frank Holmes of Santeck

Presentation to the Commission by Brickstone. Proposed development project located at Rattlesnake Hill is a 98 single family cluster subdivision. Brickstone will be transferring 220 acres of land the Town. 150 acres will be gifted with the remaining 70 acres to be purchased by the Town using CPC funds. The 220 acres coming to the Town will connect to Borderland State Park (State owned) to the South and Town owned land to the North.

Brickstones goal for the project is to preserve for the Town as much open space as possible.

An on-site wastewater treatment facility will be constructed on the site. A Wastewater treatment system would be an improvement over individual septic systems.

A Pumping station will also be constructed. This will improve drinking water and water pressure to residents in the area.

Brickstone has met with the Planning Board (approval of definitive sub division), Board of Health (Wastewater treatment system) and now the Conservation Commission (Order of Conditions for any work which would impact wetlands.)

A zoning amendment, allowing the project to proceed, will need to be voted on at Town meeting. If the zoning amendment is successful, the developer would then proceed with ordinary approvals from the various boards.

A development agreement between the Town and Brickstone has been presented and will need to be signed. The development agreement has been posted on the Town's website.

According to Brickstone, major benefits of the proposed development, as compared to alternatives:

- Transfer of open space to town control.
 - Most of Rattlesnake Hill will remain open space.
 - Protection of natural resources such as vernal pools.
 - Enhanced walking trails.
- If 98 single family sub division cluster development is approved, then the senior living project recently proposed, or threat of 40B development will be eliminated.
- Mitigation component: Contribution of \$250,000 towards affordable housing will be made by Brickstone to the Town.

The development intent is to avoid, as much as possible, disturbances to sensitive areas and wetlands. Driveways for residences have been laid out outside of the buffer zone.

If the Conservation Commission is interested, the developer is willing to put aside certain parcels for purchase by the Commission.

Transfer of land to the town. Timing. Once Brickstone has received the necessary approvals and permits for the project, then the sale and gift conveyance to the Town will follow. Funds will be allocated from the CPC to purchase approximately 70 acres. This is the second warrant article for Mays town meeting. This article is linked with the Zoning change warrant article, and ideally, both must pass.

Commission member inquired and spoke to potential parcels available for purchase by the Commission. No map was provided of available lots and Commission was given no time to fully discuss. It is also difficult to come to a decision as Natural Heritage has not yet been contacted, and their input could have an impact on any decisions made by the Commission. At this point the developer noted that the lots available for purchase were located in the back area of the property (proposed subdivision).

Meister asked the developer the reasoning behind this new overlay district being created rather than utilizing existing by law for zones to build upon.

Response by the developer:

- The existing approved subdivision cluster has larger lots. This new proposed subdivision cluster has smaller lots.
- Special permit would be needed to move forward with the approved subdivision

Developer met with Natural Heritage for the Sharon Hills project. They have not yet met with them for this project, nor have they shared their proposed plan with them. Not quite sure how long ago the developer met with Natural Heritage. From the Developer point of view, meeting with Natural Heritage was not a critical path item needed to move forward with Town meeting. Developer plans to meet with Natural Heritage once the project is approved and a plan developed.

Conservation member upset that the Commission has been given very little time to give input into the project development, and given very little time to determine which lots would be worth the Commission purchasing. Adequate time would be needed to raise significant funds and this should be incorporated into the development agreement. Commission member stated: "It is hard to work with you if you do not work with us".

Frank Holmes of Santek, Civil Engineer for the project

Two roadways have been designed. Both roadways will enter and exit onto Mountain Street. Most of the development will take place outside of the buffer zone. The project was designed to avoid, as much as possible, wetlands. One of the proposed roadways

will need to cross over wetlands. The second roadway will be within the buffer zone, but should not directly impact any wetlands, although close to wetlands. Some of the proposed lots lie within the buffer zone.

Meister inquired about the certified vernal pools. Unlike the traditional 100-foot buffer zone in most construction, if there is a certified vernal pool than the buffer zone increases to 200 feet from the edge of the vernal pool. Developer will need to check the plans to see if this criteria has been met, however they explained that every attempt had been made to keep the project as far upland as possible.

There was an inquiry regarding stormwater management. According to developers representative, grading and stormwater management has not yet been designed, but will be in accordance with all town regulations as well as the state stormwater standards.

Water – this section of town, low water pressure. Booster pump station is needed for adequate pressure. No homes in the area will be impacted by the development.

Sanitary sewer – ownership of this will be transferred to the homeowners association. Land where sanitary sewer to be constructed is not part of the 220 acres the town is acquiring, however it will be open space. (Approximately 2 acres needed for pumping station and wastewater treatment facility)

There will be an access road to disposal and wastewater treatment facility. There has been numerous soil testing over the years. The tested area has been witnessed previously by the Board of Health. A design flow rate over 80 gallons per day was determined for the previous project. For this project however, only about 40,000 will be needed. Developer is comfortable the soil is adequate.

There were a couple of questions raised by members of the audience.

*How much energy will it take to pump water? Representative of developer has no answer. * There was concern regarding burning of electricity and fossil fuels. *Who absorbs those costs, the Town or homeowners?

The Pumping station will be built and constructed by the developer. Upon completion, the town will take over. A connection fee of \$2,000 (reduced from \$4,000) will be required. Homeowners will pay for their water.

With respect to roadway, the Developer will be responsible for road construction along Mountain Street. A traffic study is in being worked on at this time. Town will have input. The unpaved portion of Mountain Street will remain unpaved, as most folks exiting the development will exit to the North. No decisions have been made, but developer is looking at repairs to Mountain Street, and potential widening in spots.

Question arose as to how large the homes would be. There is a 377 bedroom cap on the project which averages out to approximately 3.85 bedrooms per home. A fiscal impact

report was prepared and it was determined that the single family development would pay for itself. (Reports on Town website).

The developer will be making a \$250,000 donation to the Town for affordable housing. There will be no onsite affordable housing. The average size of the lot is approximately 20,000 square feet.

A member of the audience asked: “At what point did the Conservation Commission beginning working with Brickstone on this project”? Informed that a project would be presented, but Conservation was not at the table and had no input into development agreement. About 5 weeks ago the Commission was approached and asked about the possibility of purchasing lots.

Concern of Commission member in amount of time it will take in obtaining and raising funds for possible purchase of lots. Disappointed that developer did not meet with the Conservation sooner and that the Conservation Commission played no part in helping to develop the agreement. She is also nervous that Commission will not be a part of completing the development agreement.

There was concern of audience member regarding language of Section 4.1 in development agreement.

Two separate articles at town meeting. What happens if zoning passes and money does not? According to representative of the developer, it is a package deal. The developer is trying to lose as little money as possible. If CPC does not pass, developer will look into other alternatives, including development of 40B.

Questions: *regarding protection of private wells of homeowners located near the project. What contaminants will be tested for? Representative stated that most likely BOD, Nitrogen and fecal coliform. The homeowners Association would pay for the monitoring and sampling.

Brickstone will be meeting with the Planning board next Thursday and once again with Fincom.

There will be a public forum next Thursday regarding changes at the boat launch. 7:30pm at the Community Center Ballroom.

Motion to adjourn, Geller, Orel 4-0-0

Meeting adjourned at 9:45pm