LITTLETON CONSERVATION COMMISSION
MEETING MINUTES
November 18, 2019
Room 307, Town Offices, 37 Shattuck Street

Members Present: Andrew Sammarco, Anna Mayor, Jim Pickard, Julie Rupp, Kyle Maxfield, Sarah Seaward. Members Absent: Carl Melberg, Mat Cahill (Associate)

Mr. Pickard opened the meeting at 7:30 p.m.

Approve Minutes of November 4, 2019: Ms. Rupp moved to approve the minutes with edits as discussed; Ms. Seaward seconded. Vote – all in favor (6-0).

Administration Discussion/General Business

- Girl Scouts and Vernal Pools. Girl Scouts Reaghan Donovan, Siena Gruber and Dylan Kaplan (Troop 66292) were present, and reviewed who they are, what a Silver Service Award is and that they want to work to raise money for frog, salamander and turtle crossing signs and to provide education. Mr. Maxfield moved that the Commission support their efforts; Ms. Mayor seconded. Vote – all in favor (6-0).

- Request for Certificate of Compliance. Cardillo at Taylor Street (204-725). Ms. Green reported that all the information had not yet been submitted.

- Long Lake Wetland Park operations and maintenance. Ms. Green reported that the O+M of the wetlands park, in particular, may be moving forward under the Commission, Water Department/Clean Lakes Committee and Highway Department. The Long Lake Neighborhood Association may also be able to provide a work-day to help clear vegetation and control invasive plant species.

Public Hearing – Notice of Intent. 576 Newtown. (U30-15-0; MADEP #204-9xx). John Field (Nashoba Engineering) and Sherry Gould (attorney) were present. Mr. Field discussed that an Order had been issued in 2000 for septic system replacement, but that it wasn’t fully installed so they are submitting a new Notice now to replace the failed septic system. Some of the grading will be within 50 feet of the wetland, but will be entirely in existing lawn. Removal and disposal of excavated soil will be offsite. Board of Health has approved the design. Neither the stone wall nor the drainage patterns will be changed. Matt Morrow had done the wetland delineation and Ms. Green reviewed it and found it accurate. Ms. Mayor moved to issue a Waiver (based on public health) and an Order of Conditions; Mr. Sammarco seconded. Vote – all in favor (6-0).

Public Hearing – Abbreviated Notice of Resource Area Delineation. 336-338 King Street (U19-38-01 and 38-1; MADEP #204-xxx). Bruce Ringwall (GPR Associates) was present and reviewed what had been delineated. He provided new plans that showed the streams/ditches as requested during the site walks. Ms. Green reported that she had contacted Chuck Caron for a proposal for peer review in case the Commission decided to request one. The proposal was for $500, plus another $300 if he needed a second site walk or to come into a hearing. The Commission discussed the difficulty of the delineation given that it was mowed wet field. After
discussion with Mr. Ringwall, Ms. Rupp moved to arrange for a peer review paid for by the applicant; Ms. Seaward seconded. Vote – all in favor (6-0).

Discussion – 3 Westchester (MADEP #204-891). Kyle Mann (owner/contractor) was present to discuss what unapproved work he had done in the back yard. It was agreed that he would move the erosion controls to the line which was approved in the Order of Conditions, place boulders along that line, and plant 3-4 shrubs to replace what he had cut. The Commission said he could also hand cut and daub invasive species and hand remove debris in the woods. He will coordinate these efforts with Ms. Green.

Continued Public Hearing – Notice of Intent. Healy Corner – 195 Tahattawan (R07-1-0; MADEP #204-899). Bruce Ringwall (GPR Associates) presented an aerial photograph that showed the Open Space and Conservation Restriction (CR) areas. He is still in discussions with the New England Forestry Foundation about holding the CR. The waiver and economic analysis was then discussed. He said that the purpose of the project was to develop the land for the family trust that is respectful of the land and also provide economic benefit to the trust. He reviewed all the alternatives that have been provided through the Planning Board process which has reduced the number of lots with buffer zone work, especially to the rear of the property. He pointed out that the wetland crossing itself does not have much impact in the 50-foot NDA. Avoidance of the crossing could be required (if still developing the back lots), but would have significantly more NDA impacts. He said the project is in the public interest because of the proposed CRs, that it is consistent with the interests of the bylaw and because it is the Least Environmentally Damaging Practicable Alternative. He said that they have significantly reduced what the owners had expected the economic value of the property to be. He pointed out that they would be removing areas of invasive species and that they will exceed MADEP stormwater standards by using the larger rainfall storms of the Cornell model. Commission members asked why he had never shown an alternative with no work in the NDA, and he said that he had, with 14-15 lots. There was discussion that he had not shown that the project requires the back two lots (which require the wetland crossing). He said that the impact is very small for such a large property. He pointed out that only about 1/3 of the property is being developed. Stormwater management plan has been reviewed by Green Affiliates. The Commission reiterated that the CR needs to be locked down. Abutter Roger Osmond (273 Harwood Ave) stressed that the applicant hasn’t been responsive to the Commission’s requests for alternatives. He continues to have issues with the septic system, which the Commission pointed out is subject to Title 5 regulations and is outside the Commission’s jurisdictional areas. Continued to December 2 when Mr. Ringwall will try to have the CR information.

Continued Public Hearing – Notice of Intent. 12 Mary Shepherd. (U03-2-6; MADEP #204-902). Boris and Lessia Shajenko (owners) and Steve Sears (David E. Ross and Associates) and Paul Biagioni were present to discuss. Mr. Sears provided their proposed mitigation based on the last discussions. The Commission said that since then Ms. Green had done a rough estimate of the amount of work done in the Riverfront Area (RA), and that is was over 10,000 sf. There was a general review of the RA regulations, and the Commission was concerned that the work far exceeded the 5,000 sf limit of work in an RA. The owners said that it was mostly white pine that was removed and that they were getting old and starting to split and fall. The Commission is looking to have no more than 5,000 sf of disturbance in the RA. The original house did not have
an Order of Conditions as all work was entirely outside the RA. There was discussion of how to best restore the area so that no more than 5,000 sf is disturbed, and it was discussed that this could be a mix of natural restoration outside of the relocated fence as well as tree/shrub clumps inside the fence in areas that might still be subject to mowing. They would still be allowed to control invasive inside and outside the fence, on their property. The fence does need to be relocated more than 10 feet closer to the house. Ray Boucher, abutter, asked if the side yard can be replanted too, but the owner pointed out that that area had not been cleared. Mr. Sears will provide a new plan that shows restoration to show that 5,000 sf of disturbance is all that remains. Continued to December 2.

**Update: Workers Credit Unions (MADEP #204-862).** Brian Geaudreau and Dave Cowell (Hancock Associates), Doug Deschenes (attorney) and Robert Lockett (Workers Credit Union) were present to discuss the proposed walkway that is in addition to a shorter, previously approved, walkway. There was discussion of what sort of materials would be used, how wide the path would be, how it would be maintained and how it could impact the already proposed restoration area. They proposed that they could do more naturalization as mitigation for the additional walkway area and/or use permeable materials. They will take the Commission’s questions and concerns into account and return December 2.

**Update: Durkee Farm Pond Restoration (MADEP #204-772).** Brian Geaudreau and Dave Cowell (Hancock Associates) were present and provided an update to the Farm Pond restoration. The plantings were installed on October 18th and, as discussed previously with the Commission, the standing dead material around the pond was left in pace as habitat areas. They will provide the seasonal monitoring in May/June. They also said that the invasive species management did occur, as required, in four locations site wide.

**Continued Public Hearing – Notice of Intent. 24 Cricket Lane (U46-8; MADEP #204-895).** Jack Maloney (Civil Solutions) presented the revised plans that were required by the Board of Health. Impacts in the buffer zone would actually be slightly reduced. The proposed well and pergola work remained unchanged. Ms. Mayor moved to issue and Order of Conditions. Ms. Rupp seconded. Vote – all in favor (6-0).

**Discussion – Wetland Violation. 5 Scott Road.** Matt Marro (consultant) provided a draft plan. There was discussion about the peninsula and how much material had been moved. He said that no soils were brought in, just moved around. He said that there was about 6-12 inches of new material on the peninsula. It was discussed how there could be that much material but not be considered an impact. The Commission said that the 6-12 inches should be scraped off. There was discussion of where the dock will be, how it will be moved and where it will be stored. How will the peninsula be used? The Commission asked for more information on the plan about how much disturbance had occurred, what its limits were, and the limits shown of the area to be restored. It wasn’t clear if the gravel access road had ever been approved. Mr. Marro said that the owner had told him that there was an agreement with Barbara Chapman about the retaining wall/slope stabilization. The Commission asked that Mr. Marro have a full scale plan with the information required above, as well as location of erosion controls and a sequencing plan for the December 2 meeting. A site walk was scheduled.
10:30 p.m. Mr. Sammarco moved to close; Ms. Rupp seconded; Vote – all in favor (6-0)

Next Meetings: December 2 and 16

Respectfully submitted,

Amy Green (Draft 12/1/2019; Approved 12/16/2019)