LITTLETON CONSERVATION COMMISSION
MEETING MINUTES
December 16, 2019
Room 307, Town Offices, 37 Shattuck Street

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

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

Administration Discussion/General Business

- **Request for Extension. 119 Russell Street (204-746).** Brian Geaudreau (Hancock Associates) and Doug Deschenes (attorney) were present to request a 3 year extension. Work had not proceeded on this Workers Credit Union (WCU) branch as they are focusing on the neighboring WCU headquarters. Ms. Rupp moved to extend the permit for an additional three years as the proposed work, while delayed, is tied to the adjacent project; Ms. Mayor seconded. Vote – all in favor (5-0).

- **Request for Certificate of Compliance. Cardillo at Taylor Street (204-725).** Tabled until as-built plans are submitted.

- **Request for Certificate of Compliance. 27 Fort Pond Hill (204-882).** Brandon W. (owner) was present. Ms. Green reviewed the changed work, to which she had agreed in the field with John Field, and provided pictures of current (snow-free) conditions. The Commission concurred that the Request will be put on hold until the ground has been stabilized in the spring/summer.

- **Project Change – Workers Credit Union (204-862).** Brian Geaudreau (Hancock Associates) and Doug Deschenes (attorney) were present and discussed the reduced plans for the sidewalk. It will no longer extend around the building, but will just be from the cafeteria doors (about mid-building) to the already approved outdoor sitting area. They will be using porous pavers. Mr. Sammarco moved to approve this as a Minor Modification; Ms. Rupp seconded. Vote – all in favor (6-0).

- **Public Meeting – Request for Determination of Applicability. 277 Tahattawan (U31-4-0).** Brian Geaudreau (Hancock Associates) was to discuss the project. A new house, septic and driveway will be constructed, but only the driveway will be in the buffer zone. The Bordering Vegetated Wetland is across the street (confirmed by Ms. Green) and no work will occur in the 50-foot No Disturb Area. The potential for new runoff coming down the driveway and across Tahattawan was discussed. Mr. Geaudreau will add a small depression behind the stone wall to provide some detention and slowing of flow. Ms. Mayor moved to issue a Negative 3 Determination of Applicability with the condition that the small depression be put on the plans and the plans submitted to Ms. Green. Mr. Sammarco seconded. Vote – all in favor (6-0).
Public Meeting – Request for Determination of Applicability.  604 Newtown Road (U29-3). Kevin Ritchie (Civil Solutions) and Grant Mills and Emma Martin (owners) were present to discuss the project. The current septic system, which includes a cess pool, is in failure and will be replaced. Ms. Green had walked the site and concurred with the delineation. The proposed leaching area will be 76 feet from the wetland, and the erosion control/limit of work will be 51 feet from the wetland. The Board of Health has approved the plan. Mr. Melberg moved to issue a Negative 3 Determination of Applicability; Ms. Rupp seconded; Vote – all in favor (6-0).

>>Approve Minutes of November 4, 2019: Ms. Mayor moved to approve the minutes with edits as discussed; Ms. Rupp 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 the revised plans, based on the third party review by Chuck Caron. The center lines of bank/trenches had been added, based on aerial photography. Ms. Green concurred that the plans showed the changes accurately and that the 100-year floodplain, while not shown on the plan, is presented in the text of the original application. Ms. Mayor moved to approve the plan of December 9, 2019 as accurately showing the wetland resource areas; Mr. Sammarco seconded. Vote – all in favor (6-0).


>>3 Westchester (MADEP #204-890). Ms. Green reported that an un-approved deck had been added to the rear of the house and showed pictures. The Commission concurred that owner Kyle Mann should come in to the January meeting to discuss.

>>Personnel Board. Ms. Rupp will accompany Ms. Green to the Friday’s Board meeting to discuss the proposed new hire.

>>The Point Update. Ms. Green provided an update of The Point’s progress in cleaning and providing an as-built for Basin 3, getting to subgrade on Pad M, and proceeding with grading and the remaining tree clearing for Pad J.

>>Minor Chord work. Mr. Pickard and Ms. Rupp mentioned that a large amount of clearing has been occurring here. Ms. Green said that she had done a preliminary review when they first came in for a Building Permit and had seen no resource areas, but she will go back out as soon as conditions allow.
Continued Public Hearing – Notice of Intent. 12 Mary Shepherd. (U03-2-6; MADEP #204-902). Boris Shajenko (owner) and Steve Sears (David E. Ross and Associates) and Paul Biagioni were present to discuss. Mr. Sears reviewed the new restoration plan which will restore approximately 12,000 sf of the 17,000 sf of Riverfront Area disturbance. The fence will be relocated 20–40 feet closer to the house. Both sides will be planted with a mix of trees and shrubs. The area outside of the fence will be naturalized, while the area inside the fence can be more “park like” to allow for mowing around the installed trees and shrubs. Ms. Green commented, and the Commission concurred, that if they want to substitute plantings that can be done in consultation with Ms. Green. The planted trees must be at least 2-inch caliper. Timing was discussed so as to get as much of the work done as possible before Ms. Green signs off on the Building Permit. The old fence will be removed and the new fence installed before Ms. Green will sign off. Removal of the old posts and installation of the plantings may occur later, as weather dictates. A gate(s) may be allowed in the new fence. There will be three years of mentoring for success of the plantings. Philip Goddard (17 Mary Shepherd) went over the proposed restoration efforts and what, in general, kind of permitting would be required for work in a buffer zone or Riverfront Area. Ms. Mayor moved to issue an Order of Conditions, with the special condition that the old fence must be removed and the new fence installed before Ms. Green will sign off on the Building Permit. Ms. Rupp seconded. Vote – all in favor (6-0).

Discussion – Wetland Violation. 5 Scott Road. Continued at request of applicant’s representative to January 13, 2020.

Continued Public Hearing – Notice of Intent. Crestview and Boxborough Road (R05-9-A; R05-2-19;R05-2-20; MADEP #204-878). Neil Gorman (David E. Ross and Associates) and Dan Wells (Goddard Associates) were present to discuss. Mr. Wells reviewed his Habitat Inspection Report. He walked multiple transects across the slope in October after a rain, with particular attention to the area of the proposed driveway. The field work was done after a heavy rain. He was looking for indications of seeps or streams along the slope, such as may be caused by groundwater discharge. He saw no leaf displacement or other signs of channelized/flowing water. He also provided additional mitigation ideas including (1) using stones from impacted stone walls to create rock pile habitat, (2) keeping dead trees that might be impacted by construction for use as additional habitat features, particularly along the slope where they may be minimal understory growth, (3) removal of invasive species such as multiflora rose and buckthorn along the roadway corridor and (4) three additional planting areas to serve as receiving areas for runoff. There will also be the 3:1 wetland creation area, which will be combined into one large area instead of one small and one larger area. The creation area has few trees and is mostly young pine. Mr. Gorman has done a tree survey and will have that information available. Mr. Gorman also dug multiple test holes to investigate groundwater conditions. He went down approximately 3-4 feet, and brought in some of the samples to show the loamy sand and sandy loam conditions, which are consistent with the NRCS soil maps. All of the test holes, including those done for the septic system, are shown on the plans. He said that the investigation shows that cutting into the slope 1-2 feet for the driveway will not intercept groundwater. Mr. Gorman showed the proposed snow storage areas that have drainage leading to the planted areas to control melting snow. There was discussion of the Waiver thresholds and if the driveway can be operated so that there are no long term wetland impacts, given the
application of deicing materials and the steepness of the drive. Mr. Gorman said that he still has to submit the Stormwater Report that will show compliance with the MADEP standards. He is using the NOAA Atlas 14 rainfall event, not the MADEP default (and lower) numbers. It was discussed that the driveway may need curbs and/or catchbasins to direct flows to the basins. There is concern about the maintenance and long term effectiveness of these structures on a privately maintained driveway. The driveway will be paved. Abutters Ed Fultz, Jackie Farrell and Jenny Boyer asked questions and expressed concerns, particularly about the runoff impacts to the wetlands and their properties. Ms. Farrell doesn’t see how the project can meet Bylaw standards. She is concerned about the long term maintenance of the driveway and possible impacts to her property. She also said that the proposed access trail should be given more thought. Ms. Boyer had questions about the likelihood that this will be approved, and the Commission responded that it is up to the applicant in terms of spending money to continue the review process and address Commission concerns. It was discussed that the owner had spent a lot of money purchasing the property and needs to get some return on his investment. It was discussed that the applicant had shown that there was no alternative access, even considering the previously owned property that accesses Boxborough Road. It was also discussed that the standard will be that they will need to show, at least, no wetland impact after mitigation is considered. Ms. Farrell also asked if there would be early notice if the Commission is going to make a decision (as she is trying to determine when or if she should get an engineer to review the proposal), and the Commission replied that it is not determined until the hearing is open whether to ask the applicant to continue to provide more info or close the hearing. Discussions continued to January 13th.


Continued Public Hearing – Notice of Intent. 225 Taylor Street (R10 Lots 3, 6 and 7; MADEP #204-880). Will Park (SMMA) and Ed Scioli (Gutierrez Company) were present. Mr. Park summarized that Green International Affiliates (GIA) had been working on the peer review of the stormwater management plans. With responses by SMMA, they are close to being done. Ms. Green concurred, pointing out that the main outstanding item would be checking if the Commission would want to condition the determination of the Estimated Seasonal High Groundwater for Subsurface Recharge System 2 or require it to be completed before issuing the Order. The Commission stated they would be amenable to a Condition, and (1) Mr. Park will provide some suggested language as to timing of the testing. The access trail was discussed, and they need to (2) provide a detail. They want to use stone dust and the Commission asked that (3) at least some sort of curbing or edging be included in the design, as well as (4) including the maintenance of the trail and stone dust in the Operations and Maintenance Plan (O+M). They may also (5) add PVC pipes under the trail to allow for cross flow under, not over, the trail. They will (6) provide specific seed mix types for restoration at the debris pile removal area. They will provide information on (7) how they will dispose of invasive plants. They agreed that the O+M plan will be changed so that (8) outer slopes of basins and grading areas will be mowed not more than once a year, with the understanding that once every other year or every five years is acceptable/preferred. They will (9) continue working with GIA on the last few stormwater comments. Continued until January 13th so they can provide these 9 items.
10:15 p.m.  Mr. Sammarco moved to close; Ms. Rupp seconded; Vote – all in favor (6-0)

Next Meetings: January 13 and 27

Respectfully submitted,

Amy Green (Draft 12/17/2019; Approved 1/13/2019)