

1                                   **CONSERVATION COMMISSION/INLAND WETLANDS**  
2                                   **AND WATERCOURSES AGENCY MINUTES**  
3                                   **JANUARY 5, 2016**  
4                                   **REGULAR MEETING**

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7 **I.       CALL TO ORDER**  
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9 Margery Winters, Chairperson, opened the Regular Meeting of the Conservation Commission at  
10 7:30 p.m. in the Main Meeting Room at the Town Offices. Other members and alternates in  
11 attendance were Charles Haldeman, Andrew O'Connor, Jim Morrison, Donna Beinstein, and  
12 Donald Rieger. Also present were Michael Glidden, Assistant Town Planner; Janis Prifti,  
13 Commission Clerk; and other interested parties.  
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16 **II.       ROLL CALL**  
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18           **1. Appointment of Alternates**  
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20 Chairperson Winters seated Commissioner Haldeman for Darren Cunningham and  
21 Commissioner Beinstein for the vacancy.  
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24 **III.      APPLICATIONS**  
25

26           **1. Administrative Approvals**  
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28                   None.  
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30           **2. Discussion and Possible Action:**  
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- 32           a.   **CONTINUED FROM 12/15/2015:** Application #15-48 of John M. Lightfoot,  
33                   Applicant; Nancy Onken, Owner; for the construction of an addition to the  
34                   existing residence on the property located at 35 Lucy Way (Assessor's Map  
35                   H13, Block 109, Lot 023). Zone R-80. *(received 12/01/2015; decision must be*  
36                   *rendered by 02/04/2016)*  
37

38 Application #15-48 was read into the record.  
39

40 The Applicant's Engineer and Land Surveyor, John Paul Garcia, noted that Town comments  
41 received a short while ago seemed agreeable. The Engineer proposed building an addition  
42 (shown in yellow) north of the existing house (shown in brown); the area behind the house is  
43 presently graded and the area where the addition would go is relatively rough; and stormwater  
44 would be handled by tying the front part to the existing retention pond with a level spreader in  
45 back.  
46

SUBJECT TO VOTE OF APPROVAL

47 The Engineer noted that the Town comments requested reducing the amount of grading on the  
48 retaining wall side; the Engineer and Contractor had discussed that idea and preferred angling it  
49 back to the west from the wall to slope better with the intent to remain 20 feet from the wetland;  
50 they would use modular block geogrid with reinforcement every 2 courses for the retaining wall.  
51 The Engineer indicated while an erosion control plan was provided, no landscaping plan was  
52 provided because no landscaping was proposed – the Owner would like to have a grass area with  
53 a geogrid under the slope and allow the area to revert back to native vegetation, including scrub,  
54 bull briar, and white pine. The Commissioners noted the landscaping plan was suggested by the  
55 Commission as it is a good practice at the edge of a wetland to have a properly vegetated buffer  
56 of selected plants to protect the wetland from the activities of civilization uphill from the area.  
57 The Commissioners added that it is likely invasive plants will be introduced to the area when the  
58 soil is disturbed for grading. The Engineer believed the 2 to 3-foot area for the retaining wall,  
59 built up on a pad of stone with about 2 layers of geograde and geotextile about 6 blocks high and  
60 dirt on top with nothing below it, would disturb as little area as possible. The Commissioners  
61 asked for clarification of how the wall would be built and how much regrading would be done.  
62 The Engineer indicated the regrading would be above the retaining wall, and not below, and  
63 would be about the width of a 30-inch bucket; they would dig about 1 to 1 ½-feet deep  
64 depositing a layer of 1 ¼-inch crushed stone and then build the wall on that stone and fill behind  
65 it on the uphill side.

66  
67 Regarding the retaining wall height, Town Staff noted for a wall higher than 4 feet a professional  
68 engineering plan is required under the State Building Code and deferred to the professional  
69 engineer who would have to certify the correct height and extent of the wall ends. Town Staff  
70 suggested they consider about a 4-foot high wall (approximate location shown on the topo map  
71 by the pink line) at elevation 106 which seemed reasonable for grading to work while limiting  
72 the amount of disturbance and doubling the amount of separation from mapped wetland soils to  
73 22 feet rather than what was shown on the original plan; the silt fence would be tightened to the  
74 edge of the retaining wall with the footing drain and trenched roof leader outlet being the only  
75 disturbance beyond the retaining wall, which would cut grading almost in half.

76  
77 The Commissioners asked if water running off the retaining wall would drop down. The  
78 Engineer responded the majority of site water would be directed to the roof leaders to the  
79 spreader or front detention pond and there should be no sheet flow over the wall, like a waterfall;  
80 because the wall is porous block material, any water falling behind the wall will filter through  
81 the wall and not over the top. Town Staff noted the wall block manufacturer specifies backfill  
82 and distance; and if the wall were higher than 4 feet, the Applicant would have to devise a  
83 drainage plan that could be tied into the footing drain. The Engineer added that as the water  
84 drains through the porous wall there are visible wet spots on the wall and no hydrostatic buildup  
85 behind the wall. Regarding whether the manufacturer recommends running a compactor over the  
86 ground, the Engineer confirmed they would do that behind the wall, but 1 ¼-inch crushed stone  
87 under the wall would not be compactible, which is what is generally used; although the  
88 contractor may decide to run a compactor over the stone on its flat wall bed – the compactor  
89 could be walked down or machine-swung over on a chain – the wall would likely be completed  
90 prior to beginning work on the foundation.

91  
92 The Commissioners asked what the plan would be for staging equipment. The Applicant

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93 confirmed all machinery would enter from the opposite end of the building and the retaining wall  
94 would be put in utilizing a safer mini-excavator with a less than 6-foot footprint on tracks with  
95 light ground pressure. The Applicant added that a larger excavator would be used to dig out the  
96 hillside for other pieces and for septic system repair. The Commissioners discussed putting the  
97 retaining wall in first given the huge slope and need to protect the wetlands; the Engineer agreed  
98 the retaining wall should go in first as it provides a better working platform given the large slope.  
99 The Commissioners indicated a well-thought out process is required. Town Staff reconfirmed  
100 under the State Building Code as part of the building permit process that any retaining wall  
101 above 4 feet in height requires a professionally engineered plan be submitted to the Town; and  
102 the building official will review the details and decide if the proposed  
103 manufacturer/specifications will work, or request further information or changes in relation to  
104 the proposed addition and steep slope. Town Staff also requested that the retaining wall be  
105 installed first, and that a revised formalized grading plan be submitted to the Town for issuance  
106 of the building permit – and Staff will report back to the Commission on their status. The  
107 Commissioners noted the need to have a map on record showing the correct grading, rather than  
108 the extensive grading shown on the previously submitted map. The Engineer confirmed that a  
109 footer between the wall and wetlands would not be needed with the wall about a bucket wide.  
110

111 Regarding vegetation, the Engineer confirmed native vegetation would be behind the wall and  
112 mowed lawn above the wall. Around wall corners, the Commissioners preferred a redesign  
113 providing a native vegetation landmark buffer at the wetland edge; the Engineer confirmed that  
114 would be included in their plan redesign. The Applicant confirmed the goal to have as little  
115 mowed grass as possible and indicated there are no invasives, e.g., multiflora rose, Japanese  
116 barberry, or Guatemala. The Commissioners noted their need to focus on the activities of  
117 residents of this property over the long term and suggested a plan for the small strip of  
118 disturbance near the wall; the Engineer agreed to include that in their revised submitted plan.  
119 Regarding utilizing either certified weed-free hay bales or wood chips, the Engineer noted there  
120 are no trees coming down to provide wood chips, and they would use hay bales, but it is hard to  
121 find certified weed-free hay bales. The Commissioners requested and the Engineer agreed to  
122 submit a plan to utilize certified weed-free hay bales – the Commissioners noted many towns in  
123 Massachusetts require them and could potentially provide information on a source. The  
124 Commissioners noted in the drawing the potential of stacking hay bales or using 2 rows; the  
125 Engineer explained that would be done for reinforcement if there was a lot of water coming off  
126 the hillside, but there is no indication of that with no erosion issues anticipated on this stable site.  
127

128 Regarding Special Condition #1, “Limits of wetland soils shall be delineated by a soil scientist  
129 before commencement of site work.”, Town Staff noted the Contractor agreed to that at the last  
130 meeting and would like the field marked in order to indicate to the excavators and contractors the  
131 area protected so that dirt and runoff are not entering the wetlands.  
132

133 *Commissioner Morrison made a motion that the Conservation Commission finds this is a*  
134 *regulated activity because the proposed activities are within the Upland Review Area.*  
135

136 *Commissioner O’Connor seconded the motion, and it was passed unanimously.*  
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138 *Commissioner Morrison made a motion that this is not a significant activity because of the*

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139 *erosion controls in place and the pre-construction planning that has been done to minimize*  
140 *erosion and the setback of all the work from the actual wetlands themselves; it appears there*  
141 *should not be any impact to the wetlands based on the proposed Application.*

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143 *Commissioner O'Connor seconded the motion, and it was passed unanimously.*

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145 *Commissioner Morrison made a motion to approve Application #15-48 with the Special*  
146 *Conditions and Standard Conditions in the 12/31/2015 Staff Report and with the change in the*  
147 *plan that the retaining wall be installed prior to building construction downslope of the new*  
148 *building approximately 22 feet from the wetland; that any disturbed areas on the downslope side*  
149 *of the retaining wall will be replanted with native plants; that a new revised grading plan will be*  
150 *submitted to the Town prior to issuance of the Building Permit; that the vegetative buffer be*  
151 *generally along the wetland edge requiring submission to the Town of a Landscaping Plan, as*  
152 *described in Special Condition #7 that, "The final landscaping plan shall be provided to Town*  
153 *Staff by the Agent and discussed with the Chairperson whether the plan is appropriate; no*  
154 *building permit shall be issued until such time as the landscaping plan is approved.";*  
155 *that the Soil Scientist will visit the site and delineate the inland wetland soils on the property and*  
156 *determine appropriate planting materials and planting method to enhance the buffer area and*  
157 *incorporated in the revised grading plan; and assuring either use of certified weed-free hay or*  
158 *an approved alternative.*

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160 *Commissioner O'Connor seconded the motion, and it was passed unanimously.*

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162 **3. Receipt of New Applications**

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164 None.

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167 **IV. GENERAL COMMISSION BUSINESS**

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169 **1. Correspondence**

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171 a. Eversource Energy: maintenance activities on selected electric rights-of-way,  
172 2016

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174 Town Staff indicated Eversource has provided notification of clearing along their rights of way  
175 and will contact them and, if possible, walk the areas of work with them and bring any concerns  
176 with photos to the Commission's attention. Town Staff noted this falls under Docket 34, where  
177 the Commission is procedurally notified and can provide comments on areas of concern. The  
178 Commissioners suggested reminding them that where the line crosses the Red Trail at the top of  
179 West Mountain there are some plants of special concern; Bill Morehead has cataloged some of  
180 those plants.

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182 a. DEEP: 2015 Legislation and Regulation Advisory

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184 Town Staff indicated the report provides items that have been approved or failed.

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**2. Commission Education/Workshop**

Town Staff noted that the new Director of Planning plans to provide extra training for Commissioners in the future at the time of regularly scheduled meetings; and this item will remain on the regular Agenda.

Regarding chemicals used near drainage areas, as well as training for related Staff, Tom Roy was unable to attend this meeting and Town Staff will meet as soon as possible with Parks and Rec for a response to requested information.

**APPROVAL OF MINUTES of the December 15, 2015 regular meeting**

*Chairperson Winters accepted the December 15, 2015 minutes, as written.*

**V. ADJOURNMENT**

*Commissioner O'Connor made a motion to adjourn the meeting at 8:15 p.m.*

*Commissioner Haldeman seconded the motion, and it was passed unanimously.*