

CONSERVATION COMMISSION
781-982-2100

Minutes
February 11, 2014
Buckley Room
7:00 p.m.

Members present: Denis Bergin, Kathy Creighton, Jerry Kelliher, Mike Noonan, Russ Forsythe, Bill Stone, Joe Feeney

7:05 p.m. **New business.**

#SE084-0476, NOI, CCL Abington Phoendog LLC, to construct a new showroom with associated utilities, walkways, two new parking spaces and a stormwater management basin for roof runoff at 225 Groveland Street. Harvey Hurvitz and Brendan Lee, Kelly Engineering, gave presentation. Showroom was going to remain on Bedford Street, and they were going to redevelop the site, but two separate locations didn't work. Mr. Lee pointed out the resource areas on plans. They are proposing a 12,000 s.f. design showroom, sidewalks, outdoor patio and stormwater management system. The stormwater management system is designed to recharge and mitigate all the storm events. All of the runoff from the site will be handled by the stormwater management system. Building will go up in cleared area. Resources will be protected by erosion control measures. They will extend rear foundation wall so they won't have to grade towards resource areas. Utilities will be connected to sewer main, which was approved to tie into the line on Daniel Drive, and there is available water on the site.

Kathy – asked if the basin is detention or retention. Mr. Lee – it is for recharge. There are 2' of separation from the bottom of the basin to ground water. Standing water will have a drain down time of less than 72 hours. Area will be landscaped, no fence proposed. Building is 23' from closest wetlands flag. Storm water management report, complete site development plan have been totally reviewed by the Planning Board engineers, Beals & Thomas, and has been approved by Planning Board. They have been through the ZBA as well. Kathy - has hesitation on anything with standing water in it. Mr. Lee - Bottom of pond is 133, outlet is 134.2, so it's only 1.2 feet and will infiltrate back into the ground.

Rick Modricker, 59 Daniel Drive - there is a stream along left side of property. Mr. Lee - it is intermittent. Joe asked about elevations. Mr. Lee - stream comes down from Catherine Drive, towards street. Kathy - was stream evaluated in previous filing? Board agrees with lines. Denis - there are only two extra parking spaces added to this plan, which shouldn't impact drainage. There is an outlet in the basin, so it is a detention basin.

Motion to close hearing made by Russ, seconded by Joe, unanimous.

Order of Conditions: A1(10'), 2, 3, 4,5,6. B1,2,3,4,5,7,8, D3, G1-5(50'),6,7, H2,4,5,6,7,8,9,

I-1,2a-g. Motion by Kathy to approve the project, seconded by Bill, unanimous.

#SE084-477, NOI, Shane Crowley, J & S Realty Trust, to construct single family dwelling and site appurtenances within the 100' buffer zone and within the 200' riparian zone at 75 & 99 Ashland Street.

Russ Wheatley and John Cotter gave presentation. There are very few issues on site. It is within 200' riparian zone; they are leaving 100' pristine, and they are not touching BVW line. They are cleaning out overgrowth of briars in back of house to create a backyard and reseed it. They have looked at the whole site, 75 and 99 Ashland Street, which is required under the Rivers Act, looked for alternative ways to create what they wanted to create and pick the best area they could. The river continues and becomes a stone trough just beyond the stone bound that is out there. It continues down towards Ashland Street, goes into a culvert under Ashland Street, behind the second green at Strawberry Valley Golf Course and eventually under Route 18. As you come down Ashland Street, it gets worse as far as the impact on the river. This area turned out to be the best area, and under the Act, you are allowed to work up to 10% of the area. This site is a little over 32,000 s.f., so they are utilizing 3,200 s.f. of riparian zone. The house will have a garage under it, and they have graded it so that it works out well – high towards the street, lower towards the back. It will be single family home, so they don't have to do anything as far as flood control, but they are creating a dry well to pick up all the roof run-off and to recharge water table. They looked at wildlife habitat, and it's not on habitat maps. The area was pretty much a lawn area. This is another fact that they thought this area would be the best area to utilize for development.

Kathy – asked where the limit of work line was. John - along haybale line. They aren't adding fill, but taking out brush, and will seed it; it's not in 100 year flood zone. It will be connected to town sewer eventually. Kathy - they explained the alternatives very well and should add it in to alternative analysis to DEP. Kathy has problem with space in back yard being cleared, which would push it over the 3200 s.f. that is allowed. John – area had been used as a yard in the past; they are just getting rid of brush. Mike didn't have a problem with it. Kathy – it was not filed as new development. Denis – they aren't actually changing the land other than the house construction. Beyond haybales is being left alone. Nobody has walked site. Shane – they won't be working on it till end of March at the earliest; just removing the briars behind house and adding lawn. Kathy doesn't agree with this. Majority of board is ok with this. Denis asked about continuing to next meeting to check if this should be included in 3200 s.f. or just house. Mike didn't think this was disrupting anything. Kathy felt it affected flood control. Joe – does the 3200 s.f. just apply to construction or any work? Denis – felt it was already a lawn there and they are just doing vista pruning. Bill – suggested doing a site visit. Paul Crowley – they are just cutting briar, not digging anything and putting in grass. Shane – they are under a purchase and sale agreement, and if it is continued, it may put them over the agreement date since it's based on approval. Mike – didn't think this disrupted anything. John - in that area they are 8' over the river. Denis suggested leaving it with no disturbance behind house, and they could come back to amend order. Agreed.

Motion to close the hearing made by Mike, seconded by Jerry, unanimous.

Order of Conditions: A 1 (at limit of work line), 2-6, B1,2,3,7, G1,2,3,4, 5(50'), 6,7, H2,4,5,6,7,8,9. I-1,2,a-(omit g)h.

Motion to approve plans as presented made by Mike, seconded by Jerry, 6 ayes, 1 against (Kathy). Mr. Crowley will come back May 13th to amend the Order for clearing brush.

Fine information. Chapter 1. General Provisions of Town By-Laws was distributed to the board. The goal would to get people into compliance, not punitive. Cease and desist would be considered the warning. Discussion ensued. Any member can go out and issue cease and desist at any time. Any cease and desist has to be voted on at a meeting to ratify or not. Copy of By-law can be attached to enforcement order. It was suggested to add to the cease and desist that they can be made to replicate anything disturbed.

Correspondence:

DEP re storm damage.

National Grid re herbicide application notification. Going through the well field in Abington – copy Water Department and Board of Health.

Minutes - January 28, 2014 – motion to approve made by Mike, seconded by Bill, unanimous.

Building permits - Jerry looked at properties before signing permits.

Open Space Plan is close to completion. It will be distributed to Boards for comment when we receive it.

Motion to adjourn the meeting at 8:35 p.m. made by Russ, seconded by Mike, unanimous.

Respectfully submitted,

Nancy Hurst