

CONSERVATION COMMISSION
781-982-2100

Minutes
February 25, 2014
Buckley Room
7:00 p.m.

Members Present: Kathy Creighton, Jerry Kelliher, Mike Noonan, Bill Stone, Russ Forsythe

Absent: Denis Bergin, Joe Feeney

7:00 p.m. Update on Open Space Plan – postponed.

7:00 p.m. NOI, Shane Crowley, J & S Realty Trust, to construct single family dwelling on upland within 100 feet of a bordering vegetated wetland and a section of driveway within a bordering vegetated wetland at 498 Linwood Street. Russ Wheatley and John Cotter attended representing Shane Crowley. Green cards were submitted. DEP number has not been issued yet. Parcel is 28.7 acres, located on the west side of Linwood Street. The lot coming back from Linwood Street, is open meadow, then heavily forested area, which runs from Linwood Street in a constant slope down to the Beaver Brook. It is at elevation 160 at Linwood Street and down to 125 at Beaver Brook, which is a 35' drop in elevation. The lot has large area of wetlands, with two areas of upland that have been flagged. Flagging was reviewed.

They are proposing a single family house, 30' x 50' with deck on the back, with driveway from Linwood Street to the back of the house, approximately 500' long, 12' wide. There is a wetland filling area of 4416 s.f., and they are replicating 8832 s.f. – a 2:1 ratio. They have engineered two lateral pipes – one just beyond the property line at 510 Linwood Street which will pick up the water at the break in the stone wall. It will be an 18 inch plastic pipe, which will rest under the driveway and eventually go to the back of the property which is the direction it flows now. The secondary pipe, 12 inch with a yard drain in it, will allow the flow to go where it goes now. Both drains have been calculated for runoff, have been checked by a separate engineer who concurred about the size and the drainage area used; everything was done properly. They are proposing silt fence or haybale line which is highlighted in yellow on the plans for mitigation during construction which will serve as a limit of work for the proposed site. The work is allowed under the WPA; you are allowed to fill up to 5,000 s.f. to utilize your property as long as you replicate, which they have done.

It is a single family house in the R-40 zone, which is allowed. It is the only thing that will be built on this property. It will be approximately 280' back from the property line from 496 Linwood Street, with stone wall that runs along the southerly property line, and the house will be about 410' from the property line on the south side. Foundation wise, in relation to houses on Linwood Street and Diane Circle, elevation is at 152, the grading will be about 146, 145. They are down gradient from any of the other properties.

Will be three bedroom raised ranch with garage under. Driveway will be 12'. There will be riprap on the front on the outlets of the pipes and on the inlet on the first pipe in the driveway. The elevation on the barn on the property next door is at 156, 157. The contours go from the barn and then they hit up towards Linwood Street. When they are filling, they actually create a swale on the side of that driveway, so any water that falls off the driveway will be directed towards the rear of the property. Mike – they will basically be taking the neighbor's water and flow it under their driveway. In its existing condition, it

pretty much does that anyway. They have to raise the driveway to cross the wetlands, so they create a lateral pipe and size it enough so that whatever water has been flowing there can find its way to the pipe and continue to flow. There will be a swale down the side of the driveway. Driveway will be paved. Gravel was mentioned for the driveway, although gravel would be messy and would have to be maintained. It could cause problems plowing. The property has been flagged, and they are still there. Board will go out and do site walk. They offset the driveway to minimize the crossing. They aren't in the river front or the flood zone.

Opened to floor:

Rich Nigrelli, 340 Diane Circle - asked about stream. John Cotter – it's actually a drainage ditch; comes from a lateral pipe under Linwood Street along property line. It's intermittent, not on USGS map. Rich – as far as trees, how are they going to cut trees without disturbing the wetlands. John – the first 320' is in the grass area, so there will be very little tree cutting. Once you get beyond that, they will have to take some trees down. The trees that are coming down are in the buffer zone. There is a 10' no build zone. It is a tight space. There will be some trees down at the end of the meadow and the grassed lot and at the house lot. John – there is a 6' difference from one side of the uplands to the other. He suggested that they clear out all the pines that are in there and come back with a wetland seed mix and seed it. Kathy asked for a replication plan, would want the elevation that is there to be the same as the wetland next to it. The board would want it to survive at least two years before it would sign off on compliance.

It will be on town sewer; there will be a grinder pump outside the house and force mained up to Linwood Street to a manhole, then gravity into existing sewer.

Rich Nigrelli – showed older map listing this lot as unbuildable, and now they want to build on it. Showed where his lot is. Submitted photos of his backyard flooding. He is concerned with them building in the uplands behind his house. He has water issues. Shane Crowley – up until recently Mr. Nigrelli has used this property as his own hunting ground. Rich – showed evidence of beaver activity. He is concerned with wetlands protection, flooding, wetlands altered, built upon. Doesn't want water coming into his backyard, concerned with cutting down trees, which could cause damage to surrounding wetlands. Property hasn't been touched for 60 years. The Crowleys knew what they bought - 30 acres, and 28 acres of wetlands that can't be touched. Rich read from minutes that said the only property they could build on was the two lots in front. Now they are going to the back. His concern is his property. The property is unbuildable and was labeled that way on plans. Rich asked about a wildlife study – has one been done? There are many different types of animals out there - owls, fisher cats, hawks, beavers, birds, turtles. Kathy – understood why he was concerned. They are not triggering a threshold that requires a wildlife habitat study. Mike – as far as photos, everyone's property is wet with melting snow, and he sees melting snow behind it. Unless the board saw it wet in a dry part of the year... Rich – he's never seen so much water before.

Jerry – brought up site walk. Board has permission to go on Mr. Nigrelli's property.

Jim Foley – what is the threshold for wildlife study? John – there are maps from the National Heritage Wildlife Species Program that show areas. Massachusetts doesn't have tree conservation.

Caitlyn, 352 Diane Circle – asked about riprap. John – it's stone placed at entrance and exit of pipe. It stops growth and siltation from getting into the pipe so it flows easier. Asked about swales, were they referenced in the plans? John – they are not referenced, just shown graphically by the contours. Caitlyn – was pitch every considered on the driveway to angle away from the abutters? John – they are going to put a slight crown on the road so runoff will run on both sides of the driveway and into the swale, into the pipe under the driveway, into the wetlands, the same direction it went in the first place.

Kathy read two letters into the minutes (attached) from Scott Kristiansen and Matthew Hannigan. John - Pipes referenced in Mr. Hannigan's letter are on the plans. Shane Crowley – wanted conditions on pipes and their maintenance added to Order of Conditions.

Paul Crowley – as far as Nigrelli land, his land is 10' higher than the proposed house will be. Mr. Nigrelli would never get water from his son's house. Mike – it will be in the Order of Conditions that those pipes will have to be maintained. Riprap will keep vegetation from growing up. Kathy – neighbors would have recourse to come back to the Commission if there is flooding.

Hearing to be continued for DEP #, replication plans and site walk. Motion to continue the meeting to March 11th at 7 p.m. made by Mike, seconded by Bill, unanimous. Site walk to be set for 3/8/14.

Correspondence:

Ralph Penney, Penney Engineering, Inc. – re 123 Centre Avenue. Write to inform them that if any excavation is to take place, they would have to file with the Commission.

DEP – Superseding Order of Conditions Denial for 84-474 (Mass.DOT Road Widening Project); Superseding Order of Conditions Denial for 81-1135 and Superseding ORAD Partial Affirmation 81-1134.

OCPC agenda for February 26, 2014.

Motion to approve February 11, 2014 minutes made by Jerry, seconded by Mike, unanimous.

Building permits – Jerry went out before signing.

Motion by Mike to adjourn at 7:45 p.m., seconded by Russ, unanimous.

Respectfully submitted,

Nancy Hurst