

MAYNARD CONSERVATION COMMISSION
Minutes, November 3, 2009, 6:30 – 9:15

PRESENT: Conservation Commission members: Fred King (chairman), John Dwyer, Peter Keenan, Doug Moore, and Jessica Pfeifer.

Conservation Agent: Linda Hansen

Visitors: Beth Cosgrove and Gary Shepard (Old Marlboro Road); Steve Poole (62 Glendale Street)

ADMINISTRATIVE BUSINESS:

- Review minutes from 10/20/09. A motion was made, seconded, and approved by all present (5-0) to approve the minutes as amended.

FINANCIAL:

- L. Hansen's salary for 10/24 to 11/06 = \$901.29 (39 hrs). A motion was made, seconded, and approved by all present (5-0) to pay L. Hansen's salary.
- Sign Personnel Change Form. A motion was made, seconded, and approved by all present (5-0) to sign L. Hansen's personnel change form.
- MACC registration (\$90). A motion was made, seconded, and approved by all present (5-0) to pay the MACC registration for John Dwyer's workshop.

PUBLIC HEARING:

- Notice of Intent
DEP File number 213-0228
12 – 16 Main Street
James MacDonald
The applicant contacted the Conservation agent and requested to continue the hearing. A motion was made, seconded, and approved by all present (5-0) to continue the hearing until December 1st at 6:30.
- Notice of Intent
DEP file number 213-0233 and 213-0234
Old Marlboro Road
Beth Cosgrove
The Commission agreed to review these two hearings jointly, since the two lots are part of the same development and have the same applicant. The applicant's representative, Gary Shepard, provided the Commission with updated plans and a project description for both permit applications.

During a site visit, the Commission noted a potential vernal pool in the wetlands near the rear of house lot #3. The vernal pool was full of frogs. The wetlands are also within the area designated by Natural Heritage as priority habitat. The Commission also noted that all three house lots are within Zone II aquifer protection district.

The updated site plan for house lot #3 indicates:

- Total area of disturbance = 0.25 acres
- Limit of lawn
- Roof runoff will be managed using recharge trenches filled with crushed stone
- Driveway location moved to outside the buffer zone
- Natural vegetation to remain outside limit of lawn

Due to the Zone II concerns, the Commission requested that the driveway runoff not be directly recharged—rather it should be drained across the vegetated area before discharging to the wetland.

House Lot #3 will need mitigation for the work in the 50 foot no disturbance zone and the Commission suggested a deed restriction for the rear lot where the priority habitat is located or planting a natural buffer. The Commission agreed to include a condition in the permit that states no work or alteration

will occur in the priority habitat area. A final landscape plan will be required and submitted to the Commission prior to construction.

In the updated plans, the consultant configured the limit of disturbance on all three lots not to exceed one acre, which is the threshold for the applicant to comply with the town's stormwater management bylaw. Currently the limit of disturbance is 0.32 acres for Lot #1, 0.36 acres for Lot #2 and 0.25 acres for Lot #3 which totals 0.93 acres. The consultant felt that the footprint for the houses is generous enough, that a developer would likely not exceed the one acre threshold. The Commission will include this information in the findings section of the permit.

The footing drain disturbance for both house lots is temporary and will be restored with native grasses. The footing drain outlet will be installed above the elevation of the base of the wetlands.

A motion was made, seconded and approved by all present (0-5) to close the hearings for both 213-0233 and 213-0234. An OOC for each lot will be issued within 21 days.

WETLANDS ISSUES

- Violation Notice and Enforcement Order for 5 Burns Court. Mr. King conducted a site visit on October 25 and re-set the wetland markers. He will prepare a site inspection report. The Town Administrator requested a meeting with the applicant, Mr. King, Mr. Chetwynd, the Conservation Agent and himself to discuss the recent emails sent to the Conservation Commission from Ed Mroz.
- One year extension for OOC 213-218 (62 Glendale Road) requested. A request for a Certificate of Compliance was submitted in January 2009 and approved by the Commission. No extension can be granted on a closed permit.
- Agent confirmed that USTs were removed from the old gas station next to McDonalds. Ms. Pfeifer will confirm if an appropriate response action was completed after the release of oil on site during tank removal.
- Schedule clean up of wetlands behind 12 Forest Street. The Commission suggested contacting DPW regarding the trash in the wetland owned by DPW.
- Report on trash heap at Taylor Road. The trash was removed by hand by the workers who removed the buckthorn from the back of lots 8 and 9. The agent will conduct a site visit to confirm where the trash was removed from.

BUSINESS:

Discussion:

- The Commission requested an update on their request for adequate office space.
- Updates to GIS maps for open space plan. The Commission reviewed the four updated maps generated by the consultant. They agreed the relief map with soil types was better than the one with contours. They also agreed to replace the municipal transfer map with the new regional open space map.
- Review final CPC proposal due November 5. The Commission had one comment on the proposal. A motion was made, seconded, and approved by all present (5-0) to submit the final CPC proposal.
- Construction to begin the week of November 2 at WWTP. The Conservation agent will confirm that the OOC was recorded and will also make a site visit after the siltation controls are in place.
- Update on proposals for land survey of Assabet River Walk. The agent contacted the companies who submitted proposals. The proposal submitted by Patrick Garner is no longer valid. The agent will follow up on additional questions posed by the Commission.
- Joe Mullen from CTP notified commission about lowering pond levels for scheduled maintenance work.

Mail of note:

- Meeting minutes for contractor meeting for WWTP upgrades.
- Information on Sustainable Forestry from DCR

Meeting adjourned 9:15