



TOWN OF MAYNARD
Conservation Commission

Minutes 7/9/2019

195 Main Street

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Commission Members Present: James Bullis (Chair), M. John Dwyer, Laura Mattei, John Milhaven, Chris Butler

Conservation Administrator: Kaitlin Young (Absent)

Absent: None

Others Present: James MacDonald (10 Main Street); Jacque MacDonald (10 Main Street); Wayne Amico (Town Engineer/VHB)

ADMINISTRATIVE BUSINESS:

Meeting called to order at 6:30 by James Bullis

PUBLIC HEARINGS

42 Summer Street Stormwater Management Permit

Mr. James MacDonald of 10 Main Street, Maynard, and Ms. Jacque MacDonald, also of 10 Main Street, Maynard, requested that the Commission review its application for a Municipal Stormwater Management Permit for the construction of a 24 unit apartment building to be located at 42 Summer Street. Mr. MacDonald explained that the project had already received approval from the Planning Board.

The project would require the demolition of a pre-existing home and garage. Currently there is no stormwater system on site. The proposed stormwater system consists of a Cultec chamber system. The stormwater system was described as being “closed”, so all stormwater will be contained and treated on site. The applicant provided the standard stormwater permit application and was not requesting any waivers from the bylaw. It was also explained that the site did not contain any jurisdictional areas pursuant to the Wetlands Protection Act nor the Municipal Wetlands Administrative Bylaw.

Mr. Dwyer asked if the trees along the property line abutting the oil tanks will be left. Ms. MacDonald explained that those tree would remain, which is reflected in the Tree Plan.

Mr. Wayne Amico of VHB explained that the entire project, including stormwater management, was peer reviewed by VHB and found to be in compliance as long as certain conditions were met. Mr. Amico recommended that the conditions regarding stormwater from the Planning Board decision be duplicated in the Stormwater Management permit. The Commission agreed to add the condition along with the standard stormwater conditions.

Mr. Dwyer made a motion to issue the Stormwater Management Permit for the proposed 24 unit multi-family building at 42 Summer Street with conditions, which was seconded by Ms. Mattei and passed unanimously.

WETLANDS ISSUES

35 River Street Discussion

Mr. James MacDonald requested that the Commission do a preliminary review of a building and parking area footprint for a new development to be located at 35 River Street. It was established that the project was entirely located within the 200 foot Riverfront Area and that a portion of the site was located in the 100 foot flood plain.

The Commission expressed concern over the proximity of the project to the River as presenting by the conceptual plan. Mr. Dwyer mentioned that there are issues with the proposed development within the first 100 feet from the river. The Riverfront Protection Act requires and allows redevelopment within an existing development footprint.

Mr. Dwyer suggested that Mr. MacDonald hire an environmental engineer to help navigate the Riverfront Act, which was repeated by Wayne. It was explained that a good engineer or specialist can help make a case for a larger footprint or help propose mitigation.

Mr. Dwyer also mentioned that per the Wetland Protection Act, the general Riverfront standards include building within the pre-existing footprint for redevelopment projects with some expansion allowed for mitigation; or altering up to 5000 square feet or 10% of the lot within the latter 100 foot Riverfront Area. He also mentioned that there is no building height restriction per the Wetlands Protection Act.

Mr. MacDonald asked if the old dilapidated structures that used to exist on site would count towards the footprint of disturbance, and the Commission said that they would not provide the full footprint of the structures towards a redevelopment project.

Wayne from VHB offered to have a call with Mr. MacDonald to discuss stormwater and riverfront standards and what is and is not allowed within the 200 foot and 100 foot riverfront zones.

The Commission also discussed the 100 year flood elevation and that any work within the floodplain would require flood storage compensation.

Request for Certificate of Compliance for DEP#213-0079, 45 Wood Lane

A Request for Certificate of Compliance for DEP#213-0079, 45 Wood Lane was submitted to the Conservation Commission by Blatman, Bobrowski, & Haverty on behalf of the seller. This property was part of a subdivision, so the Request for Certificate of Compliance only pertains to 45 Wood Lane.

The Commission discussed that the property itself has no wetlands on it, and is not within the wetland buffer area. The yard was inspected by the agent, and everything looked to be in compliance with the original site plan.

Ms. Mattei made a motion to issue a partial Certificate of Compliance for DEP#213-0079 with ongoing conditions in perpetuity for 45 Wood Lane only, which was seconded by Mr. Dwyer and passed unanimously.

10 Mill Street Tree Removal

Mr. Richard Salter requested the Commission review some questions that the Condo Authority raised regarding the plantings required by the previous Enforcement Order issued in response to removing too many trees along the river. Also, the Commission had other questions regarding the project.

One question was in regards to the concern that the berry bushes will attract birds, which would defecate

on the cars in the parking lot. The Commission agreed that the purpose of the bushes is to attract wildlife. Ms. Mattei asked if the Commission had a policy on native plants, and Mr. Dwyer mentioned that we do not have a policy, but usually projects are required to use native plants. Ms. Mattei is concerned about whether the Commission requires straight cultivars to be used. It was agreed that in the future the Commission should explore creating a policy on it. Ms. Mattei was curious as to how the wild berry sod was cultivated and collected. The Commission agreed that it was appropriate for the agent to approve of the plantings on site the day of planting. Overall, the Commission wanted to know where the plants were coming from.

Adjourned at 7:25 p.m.

Ms. Mattei made a motion to adjourn, which was seconded by Mr. Butler, and passed unanimously.

Next meeting scheduled: Tuesday, August 13, 2019 at Town Hall.