

**CONSERVATION COMMISSION  
AMENDED AGENDA  
AUGUST 19, 2009**

7:15 NOI – 37 Stoneymeade Way – (010) - continued until September 2 at 7:40 PM - request for continuation letter dated 8-18-09

7:20 Notice of Intent - 99 Parker Street - Red Acre Development (020 – 022)

Renovation of an existing home and construction of four additional affordable housing units within 100' of a wetland, including a driveway, parking and culvert replacement within an existing wetland crossing.

7:30 Request for Determination - Pacy Land Trail - 41-43 Central Street to 13 Tupelo Way (030)

Re-establishment of hiking trails.

Request for Determination - Observation Platform - Robbins Mill Pond (Carlisle Road) (040)

Construction/installation of an observation platform at the shoreline of Robbins Mill Pond.

Request for Determination - Nagog Hill Conservation Area Boardwalk - 257-265 Nagog Hill Road

Construction/installation of a new boardwalk. (050)

Certificate of Compliance - 150 Pope Road - 85-970 (060)

MINUTES

June 17	comments received by	TM, FP, JA
July 1	“ “ “	JA, FP, TM
August 5	awaiting comments	

**CONSERVATION COMMISSION  
MINUTES  
AUGUST 19, 2009**

**COMMISSIONERS PRESENT:** Janet Adachi, Bill Froberg, Julia Miles, Fran Portante

**RECORDING SECRETARY & NATURAL RESOURCES DIRECTOR:** Tom Tidman

**VISITORS:** Nancy Tavernier, Rodger & Joan Klopf, Linda Peterson, James Conboy, Elizabeth Averett, Stephen Averett, Mark Beaudry, Dennis Dyer, Mark Starr, Debra Parker

7:15 NOI – Continuation - 37 Stoneymeade Way – continued until September 2 at 7:40 PM

7:20 Notice of Intent - 99 Parker Street - Red Acre Development – Chapter 40B Development

Hearing under the Wetland Protection Act - Renovation of an existing home and construction of four additional affordable housing units within 100' of a wetland, including a driveway, parking and culvert replacement within an existing wetland crossing.

Consultant, Dennis Dyer, gave an overview of the project stressing that the proposed units are both affordable and attainable. Mr. Dyer noted that the developer and the design team have taken into account staff comments and have taken six months to develop a project sensitive to the Town's concerns. This proposal is a "Local Initiative Program" (LIP). The proposed development will have a condominium homeowners association.

Mark Beaudry from Meridian Associates presented the site plan for the proposed development; the existing home will be renovated and four additional homes will be constructed. As requested in the preliminary review with the Commission, all proposed units will be a minimum of 25' from the edge of wetlands. There is an intermittent stream running through the property, it is currently dry, and is not mapped as perennial on USGS maps. There is an old farmer's crossing over the intermittent stream that has become an impediment to seasonal stream flow. There are approximately 21,000 SF of wetlands on the 1.42 acre site; most of the property is wetlands or buffer zone. The existing house currently has a septic system which will be eliminated and the entire project will be tied into the town sewer system. The proposed driveway/wetland crossing will be 18' wide to accommodate emergency fire equipment access. The culvert crossing will be an open box culvert with a grated steel surface to allow rain and sun to pass through. The project design approach for drainage will be a low-impact development with "country drainage", minimizing impervious surfaces and having no traditional manholes or drainage pipes but including rain-gardens and pocket wetlands to handle runoff. Proposed bio-retention areas (rain gardens) will be approximately one-foot deep to recharge groundwater and hold runoff for no longer than 72 hours. The proposed rain-gardens and pocket wetlands comply with all DEP Stormwater Regulations to the maximum extent possible. All utilities will be underground, insulated and encased in a steel conduit, with the exception of the wetland crossing where utilities will be suspended above ground (see plan detail). Sewer connections will be gravity fed to the town sewer system line in Parker Street.

Upon query by abutters, Ms. Adachi explained the Chapter 40B development process.

Upon query by Ms. Miles, Mr. Beaudry stated that an operation and maintenance plan has been submitted with the stormwater management plan included with the NOI. All drainage systems require maintenance and the homeowners association will be made aware of what the maintenance requirements and costs will be.

Mr. Dyer stated that the association will have maintenance requirements covered in the association fees.

Upon query by Ms. Miles, Mr. Beaudry stated that there are several locations on the site for snow storage or snow will be trucked off site if necessary.

Upon query by Mr. Froberg, Mr. Dyer agreed that the design does not meet the wetland setbacks under the Bylaw, noting this NOI is filed before the Commission only under the Wetland Protection Act since it is a Ch. 40B LIP proposal; the Commission can submit concerns under the Bylaw to the Board of Appeals (BOA).

Ms. Adachi noted that the Commission will have an opportunity to comment to the BOA regarding the Bylaw; the BOA will grant exceptions based on the recommendations of the Commission.

Upon query by Mr. Froberg, Mr. Dyer stated that buyers will need to read association documents thoroughly to know what they are buying into pertaining to environmental sensitivity and limitations of usable area outside the units.

Upon query by Mr. Froberg, Mark Beaudry stated that he did look into the potential of using pervious driveway surfaces but found that they are very labor intensive, expensive and not efficient.

Linda Peterson from 120 Parker Street expressed concern about flooding along Parker Street, which is already an issue.

Debra Parker from 101 Central Street inquired about the density of the project.

Mr. Dyer reported that this proposal is not a dense Ch. 40B development, consisting of only five homes on 1.42 acres.

Upon query by Roger Klopf from 97 Parker Street, Mr. Beaudry stated that a survey of surrounding properties is required before any necessary blasting occurs.

Upon query by Joan Klopf, Mr. Beaudry stated that blasting should not have any effect on wetlands, and there are no endangered species listed in this area.

8:59 Hearing no further comments or questions, Ms. Adachi closed the hearing.

#### Decision – 99 Parker Street - Red Acre Development – Chapter 40B Development

Ms. Miles moved that the Commission issue an Order of Conditions under the Wetlands Protection Act with special conditions to be drafted and voted at the September 2<sup>nd</sup> meeting.

Ms. Portante 2<sup>nd</sup>, unanimous.

9:00 Request for Determination - Pacy Land Trail - 41-43 Central Street to 13 Tupelo Way

Mr. Tidman presented plans for the re-establishment of hiking trails on existing conservation land. Approximate locations of existing trails were shown from Central Street entering the conservation land and passing through the stonewall near the wetlands between Parcel 17-1 and 17. Mr. Tidman noted that members of the Land Stewardship Committee have removed some brush and done some up-branching from the trail. An isolated wetland is located near the rear lot line of Parcel 17-1; the trail will come within 100' of the isolated wetland. The isolated wetland will be examined for vernal pool species early in the spring of 2010. The Land Stewards have constructed a loop trail in the Pacy Land with an access point on Tupelo Way and an entrance on Central Street, the trail has been blazed.

9:14 Ms. Adachi closed the meeting.

#### Determination - Pacy Conservation Land

Ms. Miles moved that the Commission find the work as presented to be within its jurisdiction but will not impact the wetland (-3); Ms. Portante 2<sup>nd</sup>, unanimous.

9:15 Request for Determination - Observation Platform - Robbins Mill Pond (Carlisle Road)

Mr. Tidman presented plans for the construction and installation of an observation platform in the wetlands adjacent to Nashoba Brook. The platform will be constructed on land to be donated to the Town as conservation land as part of the open space set-aside associated with the development of Robbins Mill Estates. Boardwalk Construction Guidelines are provided within the RDA filing.

Ms. Miles stated that she feels that this project should be filed as a NOI.

9:24 Hearing no further comments or questions, Ms. Adachi closed the meeting.

Determination: Observation Platform - Robbins Mill Pond (Carlisle Road)

Mr. Froberg moved that the Commission find the work as presented to be within its jurisdiction but will not impact the wetlands (-3); Ms. Portante 2<sup>nd</sup>, motion passed with three aye, one nay (3:1:0).

9:26 Request for Determination - Nagog Hill Conservation Area Boardwalk - 257-265 Nagog Hill Road

Mr. Tidman presented plans for the construction and installation of 40 linear feet of new boardwalk crossing a wet area near Quail Ridge Country Club (Fairway #3). The boardwalk will be constructed this fall as an Eagle Scout project. Boardwalk Construction Guidelines are provided within the RDA filing.

Determination: Nagog Hill - Nagog Hill Conservation Area Boardwalk - 257-265 Nagog Hill Road

Mr. Froberg moved that the Commission find the work as presented to be within its jurisdiction but will not impact the wetlands (-3); Ms. Miles 2<sup>nd</sup>, unanimous.

Certificate of Compliance - 150 Pope Road - 85-970

Mr. Tidman reported that the project is complete and ready for a Certificate.

Mr. Froberg moved that the Commission issue a Certificate of Compliance as recommended by Mr. Tidman; Ms. Miles 2<sup>nd</sup>, unanimous.

9:45 Meeting adjourned.



Terrence Maitland  
Chair

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