



CONSERVATION COMMISSION MEETING MINUTES – May 18, 2020

Present: Laurie Freeman-Chair, Jacqueline Zane-Vice Chair, Bob Hidell, Bob Mosher and Crystal Kelly-Commissioners, Loni Fournier-Conservation Officer and Heather Charles-Lis-Assistant Conservation Officer

Absent: Thomas Roby and John Mooney

The remote meeting was held via Zoom with Dial in #929-205-6099, Meeting ID # 817-1118-4859.

The meeting was called to order at 7:03 PM.

Chair Freeman began the meeting with a statement that the Conservation Commission meeting was being held remotely via the Zoom app in accordance with the Governor's order Suspending Certain Provisions of the Open Meeting Law for purposes of social distancing. The information for joining the meeting by audio/video was posted with the Commission's agenda on the website along with web links for accessing any plans or other materials relevant to the items scheduled on the agenda. She advised that, in accordance with the Open Meeting Law, the meeting was being recorded by the town and if any participant wished to record the meeting, to notify her so that she may inform all other participants. No participants expressed a wish to record the meeting.

Approval of Minutes

Motion: Chair Freeman moved to approve the draft minutes from the May 4, 2020 meeting.

Second: Comm'r. Mosher

Roll Call: Comm'r Hidell: aye, Comm'r. Kelly: aye, and Vice Chair Zane: aye

Certificates of Compliance

Hingham Harbor – DEP 034-1332, continued from 4/16/20

Applicant: Michael Count, Foth Infrastructure & Environment, LLC

Meeting Documents & Exhibits: Staff memo and As-built Plan 11/13/19

Excerpts from the staff memo: An Order of Conditions was issued in January 2019 to dredge approximately 61,650cyd of material from the Town Mooring Basin. The Order was amended in August 2019 to include the Marina Dock Basin, immediately adjacent, adding approximately 11,102cyds to the total material dredged. The Town Mooring Basin portion of the project was completed in January 2020, with 62,952cyds being dredged. The as-built plan largely adheres to the proposed conditions. As of 5/12/20, the required Shellfish Mitigation Fund contribution was approved by town administration and simply needs to be transferred to the correct account. The applicant is requesting a Partial Certificate of Compliance for the completed work, as well as a waiver from the filing fee, and staff recommends issuing both.

Harbormaster Ken Corson was present on the call. Chair Freeman stated that the application was for a Partial COC and a waiver of the fee, and the contribution to the shellfish mitigation fund was waiting on town processing for paperwork. Chair Freeman summarized the Order of Conditions (OOC) and the work that has been done and noted the original OOC was amended to include dredging of marina dock basin which has not yet been done. Ken Corson clarified the entire area is the mooring basin; there is no marina basin, just marinas that occupy a small section of the town mooring basin. K. Corson stated that he has no idea if or when the remaining work will be done. There were no further comments from the Commission or staff.

Motion: Chair Freeman moved to issue a Partial Certificate of Compliance for Hingham Harbor, MA DEP 034-1332.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye

27R Pioneer Rd – DEP 034-1017

Applicant: Margery Myers

Representative: Terence McSweeney, McSweeney Associates, Inc.

Meeting Documents & Exhibits: Staff memo and As-built Plan 1/26/11

Excerpts from the staff memo: An Order of Conditions was issued in 2009 for a septic system upgrade. The as-built plan largely adheres to the final approved plan. Staff visited the site on 5/7/20 and found it to be stable and in compliance with the current Regulations. Staff recommends issuing a Certificate of Compliance.

Chair Freeman summarized the OOC and staff memo. Commissioners and staff had no comment.

Motion: Chair Freeman moved to issue a Certificate of Compliance for 27R Pioneer Road, MA DEP 034-1017.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye

12 Martins Lane – DEP 034-1107

Applicant: Jonathon and Angela Weber

Representative: Carmen Hudson, Cavanaro Consulting, Inc.

Meeting Documents & Exhibits: Staff memo and As-built Plan 3/12/20

Excerpts from the staff memo: An Order of Conditions was issued in 2012 for the demolition and reconstruction of a single family home and septic system. A portion of the former house extended into the 50ft buffer zone. The new house was constructed in previously disturbed areas, solely within the 100ft buffer zone (and beyond). Most of the 50ft buffer zone was stabilized with lawn, however some native plantings were installed at the wetland edge. There are a few noteworthy differences between the final approved and as-built plans: 1) a half-circle retaining wall and site grading behind the new house was not fully completed, 2) a bluestone patio was constructed adjacent to the approved rear deck/porch, and 3) a second bluestone patio and fire pit were constructed in the 50ft buffer zone in an area that is dominated by exposed ledge. Staff visited the site on 5/11/20 and does not believe these variations have had a negative impact on the resource area and recommends issuing a Certificate of Compliance.

Chair Freeman summarized the OOC, the project and the staff memo. The C.O. clarified that the unfinished retaining wall was simply a reduced scope in work; everything is stable on the site. Commissioners and staff had no further comment.

Motion: Chair Freeman moved to issue a Certificate of Compliance for 12 Martins Lane, MA DEP 034-1107.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye

Request for Determination of Applicability

10 Martins Cove Lane

Applicant: Deborah Zildjian

Representative: Hazem Dani, CHA Consulting, Inc.

Proposed: Demolition of outbuilding, site grading, and installation of rain garden

Meeting Documents & Exhibits: Staff Memo and Narrative, Original Overall Site Plan 1/12/20, Original Plan Set 5/1/20, Response to Comments 5/13/20, Revised O&M Plan 5/14/20, and Revised Plan Set 5/13/20

Excerpts from the staff memo: Staff visited the site on 5/11/20. The closest resource area to the proposed work is an area of Salt Marsh (referred to as Upper Salt Marsh) located landward of a seawall, which acts as the Coastal Bank in this portion of the property. Seaward of the seawall, there is additional Salt Marsh and Coastal Bank. The Upper Salt Marsh was flagged in November 2019 by a wetlands consultant, however more than half of the wetland flags were missing. The Coastal Bank was also evaluated and shown on the plans, but was not flagged in the field. For the purposes of this filing, staff has no concerns regarding the identification and representation of the resource areas, however staff recommends making no finding regarding the delineation due to flags being missing.

The area where work is proposed is mostly disturbed with an existing building, patio, and post and rail fence, as well as lawn. The area slopes gradually down toward the resource areas. There was evidence of several test pits within the Buffer Zone, however this is considered a minor activity and does not require formal permitting.

Staff relayed a number of comments to the representative and subsequently received responses, revised plans, and an Operation and Maintenance Plan for the proposed rain garden, as requested. Native plantings and a wildlife seed mix

have been incorporated into the rain garden, which will provide wildlife habitat and improve the infiltration and treatment of storm water runoff. The overall decrease in impervious area will also benefit the resource areas.

Chair Freeman summarized the proposal and staff memo, noting that the new home will be built entirely out of the Commission's jurisdiction and commending the applicants for working with staff to further enhance the resource area. Don Rose from CHA was present on the call and explained that there had been back and forth between the ACO and CHA to address staff comments; he had nothing further to add unless the Commission had further questions. Chair Freeman noted that it seemed all was resolved to the satisfaction of staff. The ACO stated she had no remaining comments or concerns and agreed that overall it was a positive project in terms of impacts to the resource areas. Brief discussion about rain gardens followed. Commissioners and staff had no further comment.

Motion: Chair Freeman moved to issue a Negative Determination of Applicability for the proposed work at 10 Martins Cove Lane, as shown on the submitted plans, and adopt the findings of fact a through c, and conditions 1 through 9 of the staff report.

Findings:

- a. This project meets the requirements of Part 1, Section 7.1 of the Town of Hingham Wetland Regulations governing procedures for a Request for Determination of Applicability.
- b. The work described is within an area subject to protection under the Wetlands Protection Act (M.G.L. c. 131, § 40) and the Town of Hingham Wetland Regulations, and will not alter or adversely affect the area subject to protection under the Act or the Regulations.
- c. For the purpose of this filing, the Commission makes no finding as to the exact boundaries of wetland resource areas on site.

Conditions:

1. Prior to the start of work, erosion and sediment controls shall be installed, as shown on the final approved plans, and inspected by an agent of the Commission; straw wattles and/or hay bales shall not be used as a form of erosion or sediment control.
2. Erosion and sediment controls shall remain in place until all disturbed or exposed areas have been stabilized with a final vegetative cover or the Commission has authorized their removal.
3. Any debris, which falls into any resource area, shall be removed immediately by hand.
4. All excavated material shall be properly disposed of at an off-site location.
5. There shall be no stockpiling of soil or other materials within 50 feet any resource area.
6. No vehicle or other machinery, refueling, lubrication or maintenance, including concrete washout, shall take place within 100 feet of any resource area.
7. Prior to the issuance of an Occupancy Permit, the rain garden shall be constructed, plantings installed, and seeding completed.
8. It is the sole responsibility of the owner of record to maintain the drainage structures, including the rain garden, at all times. The property owner shall comply with the approved Operation and Maintenance Plan, submitted by CHA Consulting, Inc. and dated May 14, 2020.
9. The Conservation Department shall be notified to any changes in plans prior to proceeding with said changed plans.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye

Chair Freeman read the Public Hearing Notice of Intent statement followed by clarification of timelines under the emergency order. "Please be advised that under the emergency order entered by Governor Baker, statutory timelines for the permitting process have been suspended or tolled and are now extended 45 days after the state of the emergency. While we are permitted under this order to suspend our business until the order is lifted, I, the Chair, in consultation with the Conservation office staff determined to continue processing applications and holding public hearings remotely via zoom such as the meeting tonight, and we are attempting to follow the normal statutory and regulatory deadlines to the extent possible under the current conditions. With regard to appeals, applicants need to be aware that due to suspended or tolled timelines, the appeal window for DEP and abutters may be extended. If you have further questions regarding the appeals process under the current emergency order please contact the conservation office."

Notices of Intent

19 & 27 Whiting Street – DEP 034-XXXX

Applicant: Merhej & Sons Realty, LLC

Representative: Donald Rose, CHA Consulting, Inc.

Proposed: Demolition of single-family home and construction of retail building with site improvements

Meeting Documents & Exhibits: Staff Memo and Narrative and Original Plan Set 5/1/20

Excerpts from the staff memo: Staff has not yet made a site visit or confirmed the wetland delineation. Staff did relay the following comments to the representative on 5/12/20 and is anticipating a formal response and revised plans. The applicant has also filed with the Planning Board, who will be hiring a peer review engineer to assess, among other items, compliance with the MassDEP Stormwater Management Standards.

- *Wetland Resource Areas. The plans should specify who did the delineation and when. On the plans or separately, please provide the name of the PWS that did the delineation for our records.*
- *Erosion controls & limit of work*
 - *Given the amount of proposed disturbance and slopes on site, it would be preferable to have both a silt fence and the proposed silt sock (on the inside), for both erosion and sedimentation control and visibility during construction.*
 - *Where are temporary sediment basin(s) proposed to be located? Also, the Commission does not allow straw or hay products due to concerns over spreading invasive plants seeds, so if it is located within the buffer zone, it should be surrounded by a filter sock vs straw wattles or bales as shown on the plans.*
- *Buffer Zone impacts*
 - *Is it possible to move the proposed overflow spillway and outlet/energy dissipater fully out of the 50ft no disturb or is this not feasible?*
 - *I understand there is currently ~1285 sf of impact in the 50ft buffer zone, presumably referring to impervious surface which will be removed. It would be helpful to have a breakdown of existing impervious surfaces and structures in the 50ft and the 100ft, versus proposed in both 50 and 100ft buffers.*
- *Stormwater*
 - *Any comments from the peer review engineer hired by the Planning Board should also be addressed. The Commission relies on this review to ensure compliance with Stormwater Standards in addition to staff review.*
 - *There should be a quantification of areas that are being considered redevelopment vs new development.*
 - *In Section 1.8 of the Stormwater Report, the Summary of Design Point 1 table should indicate that runoff volume will decrease, i.e. numbers should be negative.*
 - *Is there any opportunity to recharge the other half of the rooftop runoff, perhaps to the east side of the site?*
 - *TSS. More documentation is needed to confirm whether the standard is met. Thank you for providing some references for pollutant removal, as independent testing results or TARP/STEP data are required for all proprietary BMPs. Note that MassDEP only allows a maximum of 25% TSS removal for the Stormceptor 450i. Pretreatment requirements are not met for runoff to the water quality swale or for runoff to CB2, so 90% TSS removal cannot be taken for the bioretention area for these two drainage areas. Note that there must be at least 44% pre-treatment TSS removal since this site is both a LUHPLL and is within a Critical Area.*
 - *LUHPLL & Critical Area. The project is located in and does drain to a Critical Area as the site is within a Zone II. See comments above under TSS and also ensure all proposed BMPs are appropriate for these areas per Stormwater Handbook.*
 - *Thank you for including LID measures, which are recommended for all sites if possible, but are particularly appropriate here. The locations of the bioretention area and subsurface infiltration system should be protected during construction to avoid compaction and this should be indicated on plans.*

- *It appears one of the snow storage areas would be partially within the bioretention area which is not allowed, or at least on the adjacent slope. An alternative location should be considered.*
- *The O&M BMP matrix should include inspecting vegetation and reseeding/replacing plants in the bioretention area as needed. Note that any replacement plantings within the buffer zone shall be native species and no cultivars, non-native species or invasive species shall be allowed.*
- *Due to the proximity of the site to Accord Brook, which is a state-listed 303(d) impaired waterway, the Commission will likely condition a prohibition on pesticides, herbicides and fertilizers, as well as a prohibition on de-icing chemicals, except for calcium magnesium acetate, or other alternative approved by the Commission. The O&M plan should be updated to reflect this.*
- **Plantings/Landscaping**
 - *The narrative says a wetland seed mix will be used to vegetate the area to be restored on 19 Whiting St., following demolition of the house, driveway, shed, etc., however the landscape plan shows a turf grass seed mix around the trees to be planted in this area.*
 - *Turf grass is proposed within the bioretention area and water quality swale. Please consider adding low maintenance plantings, such as native shrubs, in the bioretention area for better treatment and wildlife habitat. In addition for the surrounding area and the water quality swale, please consider specifying a wildlife seed mix or at least a conservation seed mix with a mix of native grass species.*
 - *The proposed tree replacement plantings look good overall, however if it's possible to use a straight species for the Red Maple (*Acer rubrum*) as opposed to a cultivar (i.e. 'October Glory') that would be preferable in the buffer zone.*

Chair Freeman summarized the proposal and asked the applicant to provide data on the current impervious in both the 50 and 100 ft buffers and contrast that with the proposed impervious in the 50 and 100 ft buffers. Don Rose from CHA Consulting, was present on the call and described the project as the addition of a commercial building to support the existing gas station. He explained that the existing single family house slated for demolition is entirely within the 100 ft and part in the 50 ft buffer; also in the 50 ft buffer is a shed and part of the driveway. D. Rose stated that they would be removing a significant amount of impact within the buffers; pulling back the proposed building about 70 ft from the wetland line as well as pulling back the pavement. He added that they are pulling the development out of the 50 ft buffer with the exception of the bioretention system which will be within the 50 ft buffer and overflows towards the wetland. He stated that there will be two outlets on the edges of the 50 ft buffer, one of which will be an overflow which would be riprapped and a second outlet which would be an underdrain because of poor, not sandy, soils which means there will be limited infiltration. Rip rap associated with those two outlets will protect scour.

D. Rose explained that they tried to stay completely out of the 50 ft buffer but due to the size of bioretention system being determined by the runoff rates, they can't reduce it. Referring to the ACO comment regarding the possibility of saving a 46 inch diameter Specimen tree within berm, D. Rose stated that would entail extending the bioretention system further into the 50 ft buffer and it would be their preference to move as much of the work outside of the 50 ft buffer, allowing for a greater buffer width. It would impact trees and per the tree policy they proposed to replace the trees 1:1, with an additional tree, knowing that the 46" diameter tree is worth more than one tree. The landscape plan shows the proposed trees and their intent to supplement the 50 ft buffer creating an enhanced vegetated buffer.

D. Rose explained that they have submitted to Planning Board and anticipate that John Chessia will do the storm water review for both septic and drainage system. He briefly described that they propose two systems; one, is an underground chamber system which collects water into an isolator row to treat for Total Suspended Solids (TSS), then overflows into the bioretention area for additional treatment. They also have some overland flow which goes into a water quality swale and then into the bioretention system. D. Rose further described the bioretention area as similar to a raingarden but larger, utilizing filter media such as plants and shrubs creating a vegetated basin; he added that the landscape plan needs to be updated to reflect the added vegetation.

The ACO stated that she had nothing to add beyond her initial comments noting that she has not yet done a site visit. She stated that she'd had a good discussion with D. Rose regarding each comment and all will be ultimately be addressed. Storm water concerns can be addressed concurrently with the peer review. She will assess the large specimen tree during her site visit.

Responding to a question from Chair Freeman, D. Rose explained the reason for not being able to move the overflow spillway out of the 50 ft is due to the size of the bioretention system and needing to meet the Stormwater management standards. He added that there would be less than 100 sf of riprap stones in that area.

In regards to the question of mitigation for building structure in the 100 ft buffer, D. Rose stated that they had not proposed any because they are actually reducing the amount of structure within the 100 ft buffer and within the 50 ft buffer.

Brief discussion followed regarding ownership of the two separate lots with D. Rose explaining that there is a purchase and sale agreement between the two owners. Applicant and owner of 19 Whiting St, Jenny Merhej was on the call. With no further comments from the Commission a brief scheduling conversation took place.

Chair Freeman invited any participants to comment. There were no comments from the public.

Motion: Chair Freeman moved to continue consideration of the proposal for 19 & 27 Whiting Street (DEP 034-XXXX) to June 15, 2020.

Second: Vice Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye

12 Martins Lane – DEP 034-1363

Applicant: Jonathan & Angela Weber

Representative: John Cavanaro, Cavanaro Consulting and Sean Papich, Landscape Architect

Proposed:

Meeting Documents & Exhibits: *Staff memo and Narrative, Original Site Plan 4/28/20, and Response to Comments 5/14/20*

Excerpts from the staff memo: *Staff visited the site on 5/11/20. The wetland was flagged by a Professional Wetland Scientist in March 2020. All of the flags were present on the site and staff agrees with the delineation. The topography of the site directs all stormwater towards the wetland. Three pipe outlets, two of which are identified on the submitted plans, discharge into the wetland. The third outlet, not shown, is located near WF2, at the northern end of a drainage easement. Staff did not observe any significant scouring or erosion on the site, nor were there any violations. Staff relayed a number of questions and comments to the representative, and received a formal response on 5/14/20. Staff recommends that the Commission discuss and provide guidance to the applicant relative to their preferences for: 1) the discharge location for pool water, 2) mitigation for the proposed work in the 100ft Buffer Zone, 3) management of the garage rooftop runoff, and 4) the fence location.*

Chair Freeman described the wetland resource area and the parcel, including some of the improvements for which they just received their Certificate of Compliance, and summarized the proposal and staff memo. Representative and civil engineer, John Cavanaro, landscape architect, Sean Papich and the applicant, Jon Weber, were on the call.

J. Cavanaro, described the redevelopment of the property in 2012 when the previous house was much closer to the resource area. The Webers pulled the house back to its current configuration and provided substantial rehabilitation of the wetland buffer including removal of invasive species and planting of western arborvitae. He added that when they did the As-Built for the Certificate of Compliance, they noted that the wetland edge had grown and came out about 800 ft.

J. Cavanaro described the proposal; a new swimming pool between the 50ft and 100ft buffer with a patio around the pool and a second component being an attached carriage house that will serve as storage and recreation space and also be located outside of the 50 ft buffer at the end of existing driveway. J. Cavanaro further described their consideration of where to site the proposed garage footprint to be within vicinity of existing utilities and consideration of setbacks and an electrical easement. Step stones would be added from the carriage house to house. Pool equipment would be located outside of 100ft buffer and a siltation barrier is proposed. He added that there are no planned tree removals; a couple of arborvitae in front of the electrical transformer that would need to be relocated.

Responding to Chair Freeman's questions about staff comments, J. Cavanaro described the newer technology in regards to pool management. Only a minimal amount of discharge would need to be discharged on the lawn and J. Cavanaro agreed it could be discharged outside the 100ft buffer but noted that the property slopes to the wetland. He added that with new technology and filtration, regular backwashing isn't necessary anymore; the main discharge comes before winter. Further discussion of the pool water followed, with S. Papich stating that there is trace chlorine in the

water for algae, they're using ultraviolet for the bacteria, and there would be charcoal filter membrane technology. The Commission expressed their interest in seeing more information on the system and know where it's being discharged.

Responding to the comment regarding the garage rooftop runoff, J. Cavanaro stated that they would be amenable to installing a drywell, or a crushed stone trench with a larger perforated pipe below grade, to prevent scouring in a big storm. He noted that the septic system is at the southerly boundary of property.

Responding to a question about the fence proposed to go in the wetland, S. Papich stated that they had originally thought to place the fence at the edge of the property to catch the property line but could see no reason to locate it at the edge of the wetland.

Chair Freeman noted that they have not proposed any mitigation for building in the 100ft. buffer. J. Cavanaro stated that was partly why he had reviewed the improvements the applicants have already made on the property. S. Papich stated that, if they move the proposed fence out of the resource area, it could create an opportunity to add vegetation outside the fence location if the owner is amenable. S. Papich further described what had been done prior to this proposal; invasives were removed in 2014 (Norway maples, burning bush, sumac, and multiflora rose), vegetation was added (red maples, arrowwood, red twig dogwoods, etc..) and a wildflower seed mix, and the wetland and buffer area grew. He noted that a large drain from Summer Street comes in and feeds the wetland; there are two buried 4" pipes that empty directly into the wetland on the west side of the property, less than halfway up the west property line. He added that within the 50-100 ft buffer along the north line there had been 600 sq ft of plantings and the area above the retaining wall was densely planted as well and stated that all of this was why, at this point, they hadn't proposed mitigation.

Chair Freeman commented that it is also beneficial to the property to have that flourishing wetland in terms of protection from coastal storm flowage, storm damage, flood control, erosion control, sedimentation and ocean threat, and that it is to their advantage to have a very healthy nourished wetland.

The Commission discussed mitigation for this property with Comm'r Hidell expressing his opinion that keeping the site open is an advantage, he's not sure that it needs further mitigation and that trans-evaporation works very well sometimes. The CO stated that mitigation may not be preferred but it would be consistent to ask for mitigation for new structures. Chair Freeman added mitigation may not be mandatory but that any building within the 100ft buffer degrades the buffer. Further discussion followed about this site, concluding with Chair Freeman suggesting that some mitigation proposal could be made, taking into consideration all of the rehabilitation that has already happened on the site, and the applicant could work with staff on something that would be mutually agreeable. Chair Freeman stated that she does not want to run into a situation where someone questions why mitigation was not requested and does not fully understand the argument that mitigation would not be advantageous on this site. J. Cavanaro and S. Papich both suggested that a comprehensive description of all that had been done to date could be provided to the CO and some sort of compromise could be reached.

The CO noted that the plan states that if abandoned septic components are encountered that they will be removed and she wondered, should they find a pipe and/or a tank would there be a possibility of them digging further to find the second tank and making sure that it's removed. J. Cavanaro stated that he felt that was not too much to ask.

Chair Freeman invited any participants to comment. There were no comments from the public.

Motion: Chair Freeman moved to continue consideration of the proposed work at 12 Martins Lane, MA DEP 034-1363 to June 1, 2020.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye.

100 Industrial Park Road – DEP 034-1361, continued from 4/16/2020

Applicant: Timothy Casey, JEB Group, LLC

Representative: Kevin Hixson, BL Companies

Proposed: Warehouse renovation and demolition, and site improvements

Meeting Documents & Exhibits: Response to Comments 5/13/20 and Revised Plan Set 5/12/20

Excerpts from the staff memo: No staff memo.

The CO noted that the applicants had been double booked with the Planning Board meeting that evening. John from the 100 Industrial Park Road project and representative Kevin Hixson from BL Companies were present on the call. K. Hixson described that they'd had working sessions with the conservation staff comments as well as the

comments from the peer reviewer, John Chessia. He described some of the highlights of the changes working toward meeting storm water quality:

1, Storm Drainage. He acknowledged that they had submitted the revised plans last Wednesday and therefore not a lot of time for staff to review. He summarized that they have now isolated two areas for storm drainage on the west and south sides and will use the infiltrator component with the hydrodynamic separators and meeting the requirement for the 2 thru 100 year storm, something that the existing conditions do not meet. Overflow discharge would go through a created wetland extended detention area on south side. He noted that they do have two outlets from that created wetland that go to the South and to the West and there are outlet pipes in the revised application discharging to a riprap area and he has since considered pulling that back and using a level spreader component to get a more broad spread flow. In order to reduce the disturbance within the 50 ft buffer, they will look at that some more.

2, Added Buffer. He noted that they'd worked with conservation staff to get better graphical representation of the 50 and 100 ft buffers added to the revised plan.

3 Existing Septic System. Originally they'd planned to utilize the existing septic system, but per the peer reviewer's comment, they are currently coordinating with the landlord to come up with a solution for the system that is there currently. More will follow on that.

4 Tree Survey. BL Companies' Landscape architect, Wayne Violette, had done a tree survey and was on the call to give a summary. The original submission called for use of nonnative tree species within the parking lot and they have since removed the nonnative plum species from the plans and the revised plans show all plantings within the buffers are to be native. In compliance with Commission's Tree Removal and Replacement Policy, they'd conducted a survey to see how many trees were impacted concluding with 7 existing red maple trees over 6" in caliper, within the 100 ft buffer, will be removed for site and grading practices on the southern side and clip an existing woodland edge. They will be replacing them 1:1 with a red maple species along the southern edge of development and locations can be adjusted in the field to suit. W. Violette added that the wetland creation area mentioned by K. Hixson will be all native and further described the different zones of plant material and quantity; in the bottom of the basin, 1200 plants that can tolerate wet feet in will be planted, and plants more tolerant of drought planted along the sides of the basin.

The ACO stated that the conservation staff had not yet made a site visit in terms of this proposal and has not been able to complete her review of the submitted materials, but she added that these revisions have been improvements. She stated that there will be further comments from the peer reviewer.

Chair Freeman invited any participants to comment. There were no comments from the public.

Motion: Chair Freeman moved to continue consideration of the proposed work at 100 Industrial Park Road to June 15, 2020.

Second: Vice-Chair Zane

Roll Call: Comm'r. Hidell: aye, Comm'r. Kelly: aye, and Comm'r. Mosher: aye.

Other Business:

a. Discussion of drainage ditch maintenance at the Lehner Conservation Area

The C.O. described a drainage issue at the Lehner Conservation Area and concerns raised by four neighbors regarding flooding on their properties. The CO described the location and channel that has grown in with vegetation. Discussion followed with the Commission discussing the options to get the water flowing through the ditch again, if and where an possible storm water outfall lies, whether or not to contact Plymouth County mosquito control, and whether or not there is a state easement if the outfall is coming from Main Street. Comm'r Hidell offered to go and investigate the area and see what he can uncover before calling in mosquito control.

Chair Freeman adjourned the meeting at 8:50 pm.

Submitted, _____
Sylvia Schuler, Administrative Secretary

Approved on June 1, 2020

This meeting was recorded. To obtain a copy of the recording please contact the Conservation office.