

Arlington Conservation Commission
Minutes
June 7, 2018

Mr. Stevens called the meeting to order at 7:30 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Mike Nonni, Charles Tirone, Curt Connors, Susan Chapnick, Pam Heidell, and Conservation Agent Lela Shepherd. Associate Commissioner Cathy Garnett was not present. Also present were Ivana Pejatovic, Bill Copithorne, Katie Enright, David Logozzo, Peter Speros, Jennifer Hardy, Rich Kirby, and Rob Larsen.

Administrative:

Mystic River Restoration Project

Bill Copithorne, Assistant Town Engineer, and S. Chapnick explained that since the thaw in February and the recent rains of the past couple weeks, the work completed in the fall has caused the emergency overflow to fail and the riprap is sitting at the end of the swale before the outlet to the river. Because of this, repair is needed to get it back into working order. B. Copithorne proposes to add additional riprap along the banks to the high water mark, stating that the peninsula needs to be built up more than it was by putting larger riprap stones that won't be moved by the force of the water. Jute matting under the stones will also be needed to hold in the soil until the vegetation has taken hold on the siding. He expects it to take 2-3 days of reforming and cleaning, and 1 week of construction work, and then additional time for plantings. The community planting will take place in the fall and plant donations will need to be investigated. The initial estimate for the original repair was around \$8,000, but the current estimate is \$15-20k. Funding from Public Works will be provided to cover these additional costs. L Shepherd will file a revision of the budget with DEP next week. The Commission determined that no formal permit alteration is required as this work is considered a field change.

Notice of Intent, continued from 5/17/2018: 2 Garden Street

D. White moved to continue the hearing at the request of the Applicant to 6/21/18 at 8:15 pm, C. Connors seconded, all were in favor, motion passed.

Working Session-Ivana Pejatovic, Algonquin Pipeline Project

During the earlier part of the work, 2 oak trees were accidentally removed by applicant's contractor. The Conservation Agent required a 2 to 1 replacement per the Commission's regulations. DCR will not agree to these terms and would prefer a donation to their Tree Fund. DCR has agreed to replace 1 to 1 in the same location; the contractor has purchased 4 trees and wants to know how they can comply with both agencies. Ms. Pejatovic explained that FERC is requiring them to be off of DCR property by the end of June.

C. Tirone suggested that the two extra trees be planted at the Mystic River Restoration Project. L Shepherd mentioned that the Algonquin Pipeline Project has a different DCR representative, and that the DCR agent on the Mystic Outfall Project has not yet met his tree replacement requirement, and these trees could potentially go towards that quota. L Shepherd will coordinate with Thomas Valton and the DCR contact at Mystic Project to see who will allow the planting. There was overall agreement with this approach from the Commission; no permit amendment will be required. A revised planting plan with cover letter explaining the changes will be filed next week by Ms. Pejatovic.

5/17/2018 Minutes

D. White motioned to approve Minutes as edited, C. Tirone seconded, all were in favor, motion carried.

Woods Hole Group Invoice

An invoice submitted in December was not paid and needs to be approved for payment in the amount of \$1,607.50 for planning the risk assessment and testing associated with the McLennan Detention Basin. S. Chapnick motioned to approve payment, D. White seconded, all were in favor, motion passed.

McLennan Park Detention Basin-ecological assessment testing update

S. Chapnick gave an update of the sampling conducted last week in Reed's Brook and the Detention Basin.

Iron flocculation was confirmed in these sampling locations, they are fairly positive it is not coming from the landfill. The amount of iron flocculation is not likely causing harm to the ecology because it is a very thin layer. We are waiting on the results and report of the water sampling.

Notice of Intent, continued from 5/17/2018: 10-16 Mill St, High Rock Church

Katie Enright, Howard Stein Hudson for the Applicant

Documents Reviewed: Design Approach:

Resource & Environmental Conservation, dated May 23, 2018
Graded, Drainage, and Utilities Plan (Revised Site Plan), dated May 25, 2018
Letter from Carlisle Construction Materials, signed by Ronald Goodman, no date

After the last meeting Ms. Enright spoke with their architect to address the Commission's concerns about environmental upgrades. They will switch from a black roof to a grey-toned roof, but they would prefer to avoid a white roof, because it might be a programmable space in the future. They also discussed where the trash would be required to be located; it was determined that a dumpster outside would be required. The Applicant has proposed an enclosed dumpster in the back of the property, farthest away from the resource area as possible. Instead of one tall dry well they will meet recharge requirements for B-type soil by installing two 3-foot sectioned dry wells.

S. Chapnick inquired about the potential soil contamination from the current use as an auto servicing center. Ms. Enright explained that this was evaluated when Highrock purchased the building and was not a concern when securing their loan.

The Commission discussed whether the site would allow for another tree planting. Ms. Enright stated the root system would be in conflict with the building, but that they could provide planter boxes at the front entrance on Mill Street. N. Stevens and D. White agreed this would be an improvement. The space can accommodate two 6' x 10' planter boxes. M. Nonni stated that this size won't accommodate a tree very well but a large shrub with perennials would be acceptable. C. Tirone suggested an ongoing condition of 120 square feet of designated planting area, beyond the 45 sq. feet of already proposed planting area in the back of the building, to be maintained at all times (as a continuing condition); it may change location on the site, but must remain 120 square feet. M. Nonni suggested shrubs that reach 15-25 feet at maturity. C. Tirone suggested a simpler approach of requiring the number of shrubs required in each box.

The Commission concluded that a mixture of shrubs and perennials selected from the Native Plants List would be sufficient, with a plan submitted at a later date, which will be approved by the Conservation Agent.

D. White motioned to close the hearing, C. Connors seconded, all were in favor, the hearing is now closed.

C. Tirone motioned to issue an Order of Conditions under the Wetlands Protection Act and the Arlington Bylaw and Regulations with the following conditions:

- Submission of a planting plan prior to construction, with native plants-mix of shrubs and perennials
- Maintaining 65 feet of pervious surface, ongoing condition
- Construct and maintain 165 square feet of permanent planting area, ongoing condition
- Inclusion of the grey roof and dry wells as per revised plans

C. Connors seconded, five were in favor, S. Chapnick and P. Heidell abstained as they were not present at the prior public hearing on this matter, motion passed.

Notice of Intent- continued from 5/17/2018: 114-116 Milton Street

Peter Speros

Documents Reviewed:

Nordesign & Build LLC, Architects Narrative, dated 6/6/2018

At the prior hearing, the Applicant was requested to come back with 2-1 compensatory flood storage, as the requirement had not been met. The Applicant submitted calculations provided by his architect showing proposed storage tanks with a capacity that goes beyond the 2-1 requirement.

D. White moved to close the hearing, C. Connors seconded, five were in favor, S. Chapnick and P. Heidell abstained as they were not present at the prior public hearing on this matter, the hearing is now closed.

D. White motioned to issue a permit, with the included amendments, C. Tirone seconded, five were in favor, with the condition that the tanks are maintained in perpetuity, S. Chapnick and P. Heidell abstained, motion passed.

Notice of Intent- continued from 5/17/18: 107 Fairmont Street

Rich Kirby, LEC

Documents Reviewed:

Revised Site Plan, dated 5/30/2018

The revised site plan was reviewed. N. Stevens asked about their O&M Plan. The Applicant stated it was included in their NOI.

Public Comments:

Jennifer Hardy, direct abutter, -expressed concern that any new owner or potential future owners would not comply with the O&M Plan, and she would like to know if there are any other measures that could be taken that are self-maintaining.

S. Chapnick mentioned that it would be an ongoing condition to maintain the Cultech system, and if Ms. Hardy notices flooding and improper functioning of the system, an Enforcement Order could be issued.

C. Tirone requested a perpetual condition that the Cultech system be maintained with the property and must be replaced if it fails.

Owner is willing to commit to gutter guards for the storm drains. The Commission will condition this requirement in the Order.

There will be 3 replacement trees, based on the new wetland Bylaw regulation requirement for the removal of a 20-inch caliper tree.

C. Tirone requested bi-annual inspection of the gutter and the down spouts as a condition in the Order.

D. White motioned to close the hearing, C. Connors seconded, five were in favor, S. Chapnick and P. Heidell abstained as they were not present at the prior public hearing on this matter, motion passed, the hearing is now closed.

C. Tirone motioned to approve the permit with the special conditions discussed and a two-year maintenance requirement for the tree replacement, M. Nonni seconded, five were in favor, S. Chapnick and P. Heidell abstained, motion passed.

Second Zoning Working Group

The Commission designated Pam Heidell as their representative to this group.

91 Dothan Enforcement

The Conservation Agent was called out to this site because an abutter was being flooded by work happening next door in Winchester. The Winchester Public Works Department was out there replacing a pipe to make it consistent with the size of pipe to either side of the property. In investigating the situation, Ms. Shepherd found out that the owner at 91 Dothan St had filled Reeds Brook about 10 years ago. Fill constitutes an

ongoing violation under the Wetlands Protection Act. The Commission discussed what next steps to take and determined that L. Shepherd should follow up with the Town Engineer to find out more information and contact the Winchester Public Works to find out what type of pipes are used, to see if iron flocculation in Reeds Brook is coming from old metal pipes upstream in Winchester. L. Shepherd will follow up with Paul Gangi, the Water and Sewer Director in Winchester next week. The Commission will consider at a later meeting the information Ms. Shepherd obtains and decide what enforcement action, if any, to pursue.

MVP Action Grant Update

L. Shepherd informed the Commission that Arlington won an action grant for the full amount requested of \$399,260. A public listening session is scheduled to review the Phase 1 process and outcomes on June 11, 2018 from 6:00-7:30 pm in the main room of the Senior Center.

Spy Pond Permitting Update

L. Shepherd and N. Stevens met with the DEP Waterways Division in Boston to discuss permitting of the Spy Pond Project. It was determined that the entire project could be filed under Ch.91 and likely would be fast-tracked for a decision after the 30-day public commenting period, which would meet the planned project construction schedule. Hatch will have everything ready to file this permit request in the next couple weeks. L. Shepherd is currently investigating who our Harbor Master is so that she can file a 10A/Mooring permit for the new pier. This is an annual permit, but once approved can be submitted with the Ch.91 application and if approved would be permitted in perpetuity.

Creation of a fund for Land Stewards Donations

All donations should be directed to the Arlington Land Trust under the Arlington Conservation Stewardship Fund account.

C. Connors motioned to adjourn the meeting, N. Stevens seconded, all were in favor, meeting adjourned.

Meeting adjourned at 10:03 pm.

Respectfully submitted,

Lela Shepherd