

Arlington Conservation Commission  
Minutes  
June 21, 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, Associate Member Cathy Garnett and Conservation Agent Lela Shepherd. Also present were Kara Sliwoski, Rick Gallagher, Gail Brady, Bob Hutchinson, Charles McCleanen, Michael Cohen, Fred Russell, and Brian Kennedy.

**Administrative:**

6/7/2018 Minutes

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

**Notice of Intent- Medford Boat Club**

Kara Sliwoski, SOLitude Lake Management

Documents Reviewed: Notice of Intent; Comment Letter from Division of Marine Fisheries (DMF)

The applicant is proposing to treat the Upper Mystic Lake with the following herbicides and algaecides: diquat, endothall, glyphosate, copper-based algaecide, and fluridone. These treatments will treat Eurasian milfoil, Curly-leaf pondweed, Coontail, Pondweeds, and Filamentous algae. The treatment area would cover 2.5 acres and would occur sometime between April 1<sup>st</sup> and June 30<sup>th</sup>.

SOLitude conducted a survey in 2017 but did not include it with the NOI and agreed to provide a copy. P. Heidell questioned if the herbicides proposed can harm native species. Ms. Sliwoski replied that they potentially pose a risk to native species plants as well, and clarified that the 2.5 acres includes both Upper and Lower Mystic Lakes.

The 2017 survey showed that the Mystic Lakes was dominated primarily by Pondweeds. When Ms. Sliwoski was there today she saw primarily Curly-leaf pondweed. S. Chapnick asked what other options are available for treatment besides simply using herbicides as a first response. Ms. Sliwoski responded that the management and upkeep cost of other solutions, like a benthic barrier, are prohibitive.

A comment letter from DMF was presented and discussed. DMF suggested a less aggressive long-term maintenance plan. P. Heidell asked if the Department of Conservation and Recreation (DCR) should be consulted. S. Chapnick requested an alternative approach that was multi-faceted and used a combination of hand removal, divers, benthic barriers, and smaller amounts of herbicides. Ms. Sliwoski noted that a new liquid herbicide, with potentially less environmental hazards, has been added to the FDA-approved list but has not yet been tested by the state, it is called Perocellacor and it is made by C-Pro. A pilot study was conducted in NH on an acre of milfoil, and it remained localized. It is applied using subsurface hoses from a pump.

Ms. Sliwoski also stated that DASH treats an acre in about a week for about \$10,000, making it very costly. S. Chapnick asked how the waterlilies get treated. Ms. Sliwoski stated they are treated with glyphosate because their roots are very durable and after pulling come up within a week.

N. Stevens echoed S. Chapnick's request for an alternatives analysis. P. Heidell requested a copy of the 2017 survey and input from DCR. P. Heidell asked what the triggers are when the results don't get better after multiple years of treatment. Ms. Sliwoski responded that SOLitude alters their treatment plan after every season when they re-evaluate the situation. P. Heidell commented that a very successful Herring Run is located near the Medford Boat Club and the treatment plan should consider this and be sensitive to not harming the Herring in this area.

C. Tirone suggested that the Commission needs a lake management plan to guide the Commission on how

to permit water treatments for future permits, to ensure consistency.

S. Chapnick moved to continue the hearing to 8:00 pm on 7/19, C. Connors seconded, all were in favor, motion carried.

**Notice of Intent-2 Garden St, continued from 6/7/2018**

Fred Russell

*Documents Reviewed:*

*Revised Site Plan, dated April 29, 2018*

*Memo from Town Engineer, Wayne Chouinard, undated*

*Stormwater O&M Plan, dated June 8, 2018*

The Town Engineer's comments were discussed one by one to assure that concerns about the stormwater impacts had been met. A requirement not to wash vehicles on the permeable surface was noted in comment 6. The original thickness of the stone under the permeable pavement was 2 feet; it now varies as it slopes downward. The Applicant added a catch basin outlet in the lowest area of the parking lot to absorb additional water and to serve as a monitoring site to ensure the permeability of the asphalt is functioning properly.

The first floor has garage bays used for dry storage but the building is used as office space. The garage is for service vehicles but no servicing of the vehicles will happen on site and no vehicles will be washed on site.

S. Chapnick asked if the Commission is satisfied with the proposed improvements to the Riverfront Area. C. Tirone replied that he was satisfied and that improvements far exceed those proposed at the Highrock project.

C. Tirone requested that the Applicant change the roadway sweeping schedule to two times per year in Spring and Fall rather than once a year. This would be an ongoing condition in perpetuity.

*Public Comments:*

Richard Gallagher-Asked what happens if the system doesn't work, because neighbors are regularly flooded and the additional roof runoff could make the situation worse.

Gail Brady- Owns Garden Street and wanted to know if they are proposing to dig up the road for the sewer line. N. Stevens commented that the Commission permits do not grant any property rights or rights to work on someone else's property so the Applicant still has to gain permission from any neighbor to work on neighboring property.

Mr. Russell commented that the intent is not to dig up the asphalt street but the grassy sidewalk.

Charles McCleanen- Owns property on Garden Street and presented pictures of flooding in the area from last year. He wanted to ensure that this project won't make the situation worse. N. Stevens commented that the calculations show improved drainage over existing conditions.

Bob Hutchenson-mentioned that his building is across the street and his property is on 60 foot pilings. Mr. McCleanen commented that his property is on 90 feet pilings. Both commentators felt that the water table was higher than the soil test pit shows.

C. Tirone asked why the Applicant didn't go any deeper than the 4 inches of soil and 2 feet of stone under the permeable pavement. The Applicant responded that the calculations showed that was the depth needed to accommodate the runoff.

C. Tirone motioned to close the hearing, D. White seconded, all were in favor, no discussion, the motion passed and the hearing was closed.

Conditions:

- The Commission shall be notified immediately if rain runoff exits the site;
- The Applicant shall notify the Commission a week before construction of the parking lot to verify testing of the soils.

- The Applicant shall prepare and submit an As-Built with the updated details of the porous pavement once the depth of excavation is known.
- In order to receive a Certificate of Compliance, the Applicant must show that the permeable surfacing has not failed, with a benchmark measurement of dry pavement 72 hours after a rainfall event.
- After a flood event that results in pooling of sediment on the permeable pavement, the surface shall be swept and vacuumed within a week. Normal maintenance on the permeable pavement shall occur four times a year, spread out evenly over the year. The Applicant shall maintain the permeable pavement in perpetuity.
- There shall be no vehicular maintenance or washing on the site at any time, this requirement shall be required in perpetuity.
- Native vegetation shall be maintained in perpetuity.

C. Tirone motioned to approve the project under the Wetlands Protection Act and Arlington Wetland Bylaw with the aforementioned conditions, P. Heidell seconded, all were in favor, motion passed.

#### Compost Class Sponsorship

A request was made by Jeremy Marin to continue co-sponsorship of the Compost Class with DPW. The Commission determined that Charlotte Milan, the Recycling Coordinator, would be a better sponsor, and decided to discontinue its sponsorship.

#### Friends of Spy Pond Park (FSPP) Beautification Committee Request

The FSPP requested to label the endangered Engelmann's Umbrella Sedge during peak use seasons to avoid destruction and protect its habitat. The Sedge cannot be labeled or marked as this is not allowable by NHESP. The Spy Pond Project may add to its educational signage that this area is a sensitive habitat area.

The Commission voted (by roll-call vote with each member voting in favor) to enter executive session at 9:13 pm to discuss strategy related to pending court litigation in the matter of 47 Spy Pond Lane, "Seaver Construction, Inc. v. Town of Arlington Conservation Commission".

The Commission came out of executive session at 10:20 pm.

The Commission decided to cancel the July 5<sup>th</sup> meeting due to the July 4<sup>th</sup> holiday.

D. White motioned to adjourn the meeting, N. Stevens seconded, all were in favor, meeting adjourned.

Meeting adjourned at 10:24 pm.

Respectfully submitted,

Lela Shepherd