



TOWN OF ARLINGTON

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ARLINGTON CONSERVATION COMMISSION

Arlington Conservation Commission

Minutes

March 7, 2019

Mr. Stevens called the meeting to order at 7:33 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Charles Tirone, Curt Connors, Susan Chapnick, Mike Nonni, and Pam Heidell; Associate Commissioner Cathy Garnett; and Conservation Agent Emily Sullivan. Also present were Michael Juliano, Mary Trudeau, Aletta Tibbetts, Richard Tibbetts, and Jon Atwood, as well as others who did not sign in.

Administrative

Woods Hole Group Invoice Approval for McClennen Park

The Commission reviewed the \$6,145.00 invoice. S. Chapnick motioned to approve the invoice, D. White seconded, all were in favor, motion approved.

Hatch Invoice for Spy Pond Park Project

The Commission reviewed the \$1,216.06 invoice. D. White motioned to approve the invoice, C. Connors seconded, all were in favor, motion approved.

Conditions Master List

E. Sullivan asked the Commission to review the general conditions the Commission usually includes in its permits for missing conditions, redundant conditions, and stronger phrasing.

Permit Projects Status Update

E. Sullivan informed the Commission that she was reviewing all permits to determine their status (open, closed, expired). E. Sullivan would like to audit the permit statuses to determine if any Applicants need to request a Certificate of Compliance or if any permits have expired without a Certificate of Compliance. S. Chapnick requested that all electronic files saved for new permit filings have standardized naming convention to make searching for documents easier. E. Sullivan will work on establishing a standardized naming convention.

Ocean River Institute - Fertilizer Pollution

E. Sullivan informed the Commission that Rob Moir, from the Ocean River Institute, was interested in presenting a proposed lawn care bylaw to the Commission and the Select Board. Such a lawn care bylaw would limit the application of fertilizer to established lawns to one pound

per thousand square feet of lawn, one half pound in spring and one half pound in fall. The Commission stated that they have included a general condition permitting only slow-release fertilizer to all conservation permits since R. Moir initially presented to them in the summer of 2018. The Commission recommended that R. Moir reach out to the Mystic River Watershed Association to advocate for a watershed wide policy change. The Commission also recommended that R. Moir reach out to the Select Board directly if he is interested in addressing them.

Letter on Warrant Articles: Amendments to Floodplain and Inland Wetlands Overlay Districts
The Commission asked E. Sullivan to distribute to all Town Meeting Members electronically.

MACC Annual Conference

S. Chapnick, N. Stevens, P. Heidell, C. Tirone, and E. Sullivan discussed which sessions they attended and what they learned during the Massachusetts Association of Conservation Commissions annual conference on 3/2/2019. S. Chapnick, N. Stevens, and E. Sullivan were also presenters.

Plan Modification Request: 2 Garden Street

J. Atwood summarized the proposed plan modifications to the 2 Garden Street Order of Conditions, DEP File # 091-0291 issued on 6/26/2018. The modifications include: replacing a proposed *Magnolia virginiana* with a *Nyssa Sylvatica*, replacing a proposed *Tilia Americana* with a *Quercus Bicolor*, replacing a proposed *Tilia Americana* with a *Cercis Canadensis*, the addition of a flag pole, the addition of a basketball hoop, and the addition of a porous paver walkway to the new back door.

The Commission discussed the proposed modification. D. White motioned to approve the proposed modifications as a plan change, M. Nonni seconded, all were in favor, motion approved. E. Sullivan will issue a Letter of Plan Amendment.

Working Session (continued from 2/28/2019): 47 Spy Pond Lane, Lot 1/A

The Commission reviewed documents they received from S. Seaver and M. Trudeau since the 2/28/2019 working session, including: 1) a letter from Scott Seaver in response to the 2/28/2019 working session; 2) an email chain between Conservation Commissioner P. Heidell and Town Engineer W. Chouinard in regards to feasibility and maintenance of a stormwater quality unit near the property; 3) a stormwater collection analysis conducted by the Town Engineer to determine the area of impact for two possible stormwater quality unit locations; and, 4) an EPA fact sheet on stormwater quality units.

M. Trudeau stated that S. Seaver proposed three mitigation measures to include as amendments to the NOI filed in the fall of 2018. The three mitigation measures include: 1) installing a stormwater quality unit in the street near Lot 1/A to collect and manage stormwater from the site and from the street; 2) making a one-time donation of \$5,000 to the Commission for a stabilization or mitigation effort offsite, at one of the pond's access points; and, 3) shortening the house by 2.5 feet along the entire 38-foot width of the structure, creating a

reduction of 95 square feet (2.5-feet x 38-Feet= 95 square feet), which would result in the structure being 74.5 feet away from the pond (2.5 feet farther than the last proposal which was denied by the Commission).

The Commission discussed the operation and maintenance of the stormwater quality unit with M. Trudeau. C. Tirone suggested that if the proposed work is approved, the Commission put a monitoring condition on the stormwater quality unit stating that S. Seaver would monitor or hire someone to monitor the unit twice a year for the first few years after installation.

N. Stevens asked M. Trudeau if the \$5,000 donation would go to a specific project or general conservation fund. N. Stevens suggested that the \$5,000 could be donated to the existing Spy Pond Edge and Erosion Control project but wondered if it would have a tangible impact or result that Mr. Seaver could see.

C. Garnett requested that a 3D rendering or model be made to illustrate the proposed work with the new mitigation measures so that the Commission can better understand how the proposed work impacts the resource area.

C. Connors requested an alternatives analysis that included three different house sizes with varying proximities to the pond's edge.

P. Heidell questioned how the proposed structure relates to the current limit of existing impervious surface.

M. Nonni stated that it is hard to compare the impact of the proposed structure to the impact of the proposed stormwater quality unit.

S. Chapnick compared this proposal to the 46 Spy Pond Parkway project which the Commission had approved,, stating that the increase in square feet of impervious surface and the proposed mitigation buffer area square footages are very similar.

C. Garnett expressed concern with how the Commission is permitting development along and around Spy Pond.

P. Heidell requested that M. Trudeau confirm the recommended operation and maintenance of the stormwater quality unit so that the Town can determine if it can maintain it.

N. Stevens asked M. Trudeau if she was thinking these changes would be an amendment to the NOI filed in fall 2018 or if the proposed work would be a new NOI. M. Trudeau stated that she would confer with S. Seaver and determine how they would like to proceed.

M. Trudeau requested that the working session be continued to the 3/21/2019 meeting.

Working Session: 100 Spy Pond Parkway

M. Juliano presented the proposal to tear down an existing home and rebuild a new home at 100 Spy Pond Parkway. The proposed work would include landscaping such as invasive species removal and a vegetated mitigation buffer within 25-feet of the pond's edge. The proposal also includes installing stormwater infiltration systems in the front and back of the proposed structure, which would capture all of the roof runoff. The proposed home would be a zero energy and passive home.

The Commission reminded M. Juliano to use the Cornell data when conducting his stormwater analysis for the property. N. Stevens recommended submitting a detailed landscape plan with the NOI. C. Connors recommended an alternative analysis explaining why there would be an increase in impervious surface in the AURA. S. Chapnick recommended clarifying the extent of intrusion the proposed structure would have into the AURA. C. Tirone recommended adding the 75-foot buffer line to any plans submitted in the NOI.

Meeting adjourned at 9:25pm.

The Conservation Commission's next meeting scheduled for Thursday, March 21, 2019 at 7:30pm in the second floor conference room of the Town Hall Annex.

Respectfully submitted,
Emily Sullivan