

Town of Stoughton Conservation Commission

Meeting

4-20-2023

The meeting was held using Google Meets webinar format, in compliance with MA legislation.

Present: Gerald McDonald, Chair; John Malley; Michael Horan; William Francis; John Morton; Lionel Lucian; David Asack (joined at 7:30)

Also present: James Conlon, Environmental Affairs Officer

Motion made by Mr. Francis, seconded by Mr. Morton to open the meeting 7:04 PM, Motion passed with a roll call vote.

Public Forum:

Atkinson Ave Extension Parking Lot

Letter sent to residences regarding a gravel lot on Atkinson Ave Extension to allow for parking for conservation land. 200 Acre site. Funding being requested from town meeting through CPA funds.

John Malley requested what the timeline is. Mr. McDonald advised that funds need to be approved at town meeting. Funds would be available in as of July 1, 2023. Then the commission would seek bids for design and construction and would likely be completed in Spring 2024.

Mr. Morton noted that a small lot would allow access to conservation land that was not otherwise accessible.

Mr. Lucien asked if the lot would the gravel lot meet the requirements. Mr, McDonald advised no plan for paving, but gravel or stone dust. Engineer will provide options.

Dr. David Petersile 235 Daly Drive Extension asked about the plot plan – he just got a letter. Asked about site security – would it be gated to prevent late and over-night parking. Mr McDonald advised that no plans at this point. Like the Lesser Playground access to conservation land, this would be patrolled by Town PD.

Public Hearings:

DEP 298-0884 NOI – 45 Lawler Lane – SWAK LLC

Motion Mr. Lucien – seconded by Mr Horan to open the hearing. Passed Unanimously.

Mr. McDonald Read the legal notice into the record.

Eric Dias for the applicant provided a presentation of the project.

Mr. Conlon advised he inspected the property and advised this project is in line with what was originally presented with this subdivision during original review of the subdivision. No issues that he notes.

Mr. McDonald advised that he would like to see the split rail fence extended along the full 50' buffer.

Mr Morton not comfortable with 70% of the building in the 75' no build zone. Mr. Dias advised that only small portion of the deck is in the 75'. Mr. Morton would like to see markers at the 100' buffer so future owners would know. Mr. Morton asked about the lawn in the 75' zone and what the status of vegetation in the 50' – 75' area. Mr. Dias advised that it is forested now. Mr. Morton not comfortable with deforesting for a lawn.

Mark Zamanian 5 Lowe Ave– Asked about roof mitigation system as to how it works. Mr. Dias advised it releases the water, untreated, as it is not required to be treated. Can handle a 100 year event.

Tirzah Cook 56 Walnut Court – concerned that her house is down grade of the lot. Concerned deforestation of the area would increase flooding on her property. Mr. Dias advised that part of their plan confirms that no additional run off would go on her property. The 100 year tank is designed to put the water into the ground and avoid any issues down gradient. Ms. Cook also concerned that since the forest slows down water run off – taking forest down and placing lawn, is will increase run off speed. Mr. Dias advised that the clearing was configured in a way to mitigate this.

Mr. Morton advised he is not willing to approve with the deforestation and lawn construction.

Mr. Malley asked if it can be approved without the lawn. Mr. McDonald advised that it is up to the applicant is willing to tweak it.

Mr. Conlon stated that most of it is as required by regs. Vegetative buffer 50' along a majority of the wetland line. Maybe we can approve a conservation easement.

Mr. Morton stated that we need to be consistent in how we treat this. Said would be willing to look at approving with a smaller deforestation.

Mr. Lucien asked if the house can be moved at all. Mr. Dias advised no ability to move it towards the road as they are 3" from the 25' set back.

Mr. Dias said that the clearing was approved was at prior infrastructure hearing. Mr. Morton noted that at that hearing it was stated that each house lot had to stand on its own. Mr. Dias advised he is comfortable with the design as presented.

Mr. McDonald suggested the applicant may want to make some adjustments. And come back, but up to the applicant. Maybe vegetation on part and lawn on part.

Mr. Francis asked if there is a way to max out at 20-15 feet at the back of the house rather than 25'. Mr. Dias would consult with his client.

Mr. Conlon advised he shares concerns of wetlands and chemical fertilizer. Noted there is a stone wall in the 50' buffer that assists in water run-off.

Mr. Dias advised he will request a continuance.

Motion by Mr. Francis, seconded by Mr. Morton to continue to May 4th 2023. Passed unanimously.

Dep 298-XXX – ORAD , 0 Eagle Rock Road

Motion by Mr. Francis, seconded by Mr. Morton to open the hearing. Passed unanimously.

Mr. McDonald Read the legal notice into the record.

Mr. Conlon advised applicant requested continuance to May 17th 2023.

Motion by Mr. Francis, seconded by Mr. Morton to continue to May 17th 2023. Passed unanimously.

RDA - 1404 West St – Septic upgrade

Motion by Mr. Francis, seconded by Mr. Lucien to open the hearing. Passed unanimously.

Mr. McDonald Read the legal notice into the record.

Mr. Conlon advised that he sent link to the applicant. Mr. McDonald suggested tabling.

Motion to table by Mr Francis, second by Mr. Lucien to table. Passed unanimously

9:14 PM Motion my Mr. Francis, seconded by Mr Asack to take of the table. Passed unanimously.

Mr. Conlon advised Mr. Lavoie not present. Work was done already done and done well and he recommends we approve.

Mr. Morton suggested a letter go out advising this was done without approval but we will not take action. Mr. Morton said that we make a motion for a negative 3 with the letter. Second by Mr. Asack. Passed Unanimously.

Dep 298-0882 – 62 Farnham Rd (con't)

Ms. Karen Catrone for the applicant.

Mr. Conlon noted that he recommends the plan.

Mr. Morton asked what changes were.

Ms. Catrone noted the differences in the plan.

Mr. Conlon would like a final as built plan.

Paul Giannakoulis homeowner advised that it is a bedroom, living room and bathroom.

Motion my Mr. Francis, second my Mr. Asack to approve. Passed unanimously.

DEP 298-0876 – Town of Stoughton Public Works 950 Central St (Con't)

Motion by Mr. Francis, seconded by Mr. Horan to continue to May 17th, 2023. Passed unanimously

DEP 298-0869 – NOI 563 Highland St (Con't)

Motion by Mr. Francis, seconded by Mr. Morton to continue to May 17th, 2023. Passed Unanimously.

DEP 292-0861 – NOI 1823 Washington St – Exteriorscapes (Con't)

Mr. Conlon advised that he did a site visit with owner, engineer and member of the commission. Mr. Conlon advised that he advised applicant revised plans were needed. Also he made recommendations. Mr. Conlon received revised plan but it has not been reviewed and he cannot make a recommendation.

Mr. Damien Dmitruk for the applicant. Discussed the buffer zone issues and salt storage. He provided revised plans for us to review on line with him and reviewed the changes.

Mike Toohill – Coneco Engineering – advised he is not changing the wetland replication.

Mr. Malley asked for the revised 50' and 75' be shown on the plan.

Mr. Morton asked about existing pavement in the replication area. Mr. Dmitruk advised it will be removed. Mr. Morton asked what the status of the land between existing 50' and 75' buffers. Currently it is vegetative woods, meadow and pavement.

Mr. Francis asked said he needs the plan to make further comment.

Mr. Lucien asked if there is any connectivity to the isolated wetland. Mr. Dmitruk and Mr. Toohill advised there is no connectivity. Wants to be sure we are getting equal or better wetlands in the re-created areas. Mr. Toohill advised it is larger size and connected to the rest of wetlands and will have native species.

Mr. Horan noted that replication would be an improvement. Asked about how they will remove invasive species. Mr. Toohill advised is varies depending on the species. For the isolated wetland it will be dug out to the roots. Mr. Horan asked about herbicides. Ms. Lori MacDonald- Coneco Engineering advised how the herbicides would work to mitigate issues as well as how planting would be done.

Mr. McDonald asked Mr. Conlon if there was a maintenance plan submitted as well. Was advised by Mr. Conlon it has been done.

Motion by Mr. Malley, seconded by Mr. Morton to continue to May 4th, 2023. Passed unanimously

Fine Hearing 1515 West St –

Fine Hearing 53 Spallus –

Correspondence – Discussion

441-R Canton St Emergency Certification –

Jim not ready to issue

Mr. Morton asked is an enforcement order was issue. Mr. Conlon advised it was not.

Boy Scout project – Aadil Khond - Historical signs at Glen Echo

Mr. Khond provided a summary of his Eagle Scout project regarding historical signs at Glen Echo.

Mr. Francis asked about location of signage and whether Selectboard needs to be involved as there is a small portion that was carved out as under control of Selectboard so it should go to Selectboard for approval.

Mr. McDonald suggested he go to town engineer to be sure who has jurisdiction.

Motion by Mr. Morton, seconded by Mr. Francis to approve subject any approvals that may be needed by other boards. Passed unanimously

Wild lands Trust – Tess Goldman

Ms. Goldman presented pictures of dumping and trash on conservation restriction. She provided a copy of the letter to neighbors regarding dumping. Looking for Conservation Commission to sign off on letter. Mr. Conlon advised we cannot enforce the terms of the conservation restriction but can be involved in situations where there are wetlands issuing. Mr. McDonald noted that the letter keeps the onus on the trust, not the Conservation Commission.

Mr. Morton noted that we do have jurisdiction over the wetland areas. Maybe we can put up signage in the areas we have jurisdiction, with the approval of property owner.

Ms. Goldman advised that trustee would be on board with signage.

Mr. McDonald would like the issue separated with letter from the trust and signage from Conservation Commission. Suggested adding the Conservation Commissions jurisdiction. Mr. McDonald will provide revision and we can look at approving after.

Knolls Brook Extend aquatic management

Mr. Conlon recommended approval for 3 years.

Motion by Mr. Francis, second by Mr. Asack to approve. Passed Unanimously.

DEP 298-0819 – Request for final certificate of compliance – no action

DEP 298-0554 – 1150 Turnpike – nothing requested form owner – no action

Sumner Street Enforcement order – no action

New Business

Motion by Mr. Francis, second by Mr. Asack to re-appoint Mr. Morton to CPC. Passed unanimously.

Mr. Francis advised that the conservation land at Campanelli Drive is full of trash. Would like to get it cleaned up.

Mr. Francis asked about field mowing. Mr. Conlon will look into it.

Motion to Adjourn 9:29 PM by Mr. Francis, 2nd by Mr. Lucien – passed unanimously

Minutes Submitted by John Malley.

APPROVED: 5/4/23 (5-0)