

Town of Stoughton Conservation Commission

Meeting Minutes, June 15, 2023

The June 15, 2023 meeting was held both remotely using Google Meets webinar format and in person.

Present: Gerald McDonald, Chair, William Francis, Vice Chair, John Morton, Lionel Lucien, David Asack, John Malley, Michael Horan.

Also present: James Conlon, Environment Affairs Officer

Motion made by Mr. Francis to open the meeting, seconded by Mr. Morton. Motion passed with a roll call vote 7-0. Meeting opened at 7:09 pm.

PUBLIC HEARINGS

DEP 298-0890: Notice of Intent; Sewer Connection Notice of Intent Grady Consulting LLC on behalf of Robert Silva, Septic Preservation Services for the Blue Hills Health and Rehabilitation Center, 1044 Park Street;

Mr. Conlon noted that this matter involves an Enforcement Order due to a failed septic system. He stated that in his view, the plan meets all specifications of the WPA.

Mr. Morton asked whether there was a previous system in place (yes), whether there will be an electrical back-up (yes), and about the size of the existing system (18k gallons).

Mr. Francis and Mr. Morton each questioned whether a 2" PVC pipe would be sufficient. Mr. Conlon had no reservations about the size of the pipe, and explained that a 2" main would be sufficient.

Motion to close the hearing made by Mr. Asack, seconded by Mr. Francis.

Mr. Asack made a motion to issue an Order of Conditions, seconded by John Malley. Mr. Francis voiced his objection,

Motion carried, 6-1.

RDA-2023-04: Request for Determination, Request for Determination of Applicability application procedure submitted by Jessica Holmes, 426 Highland Street, Demolition of existing in ground swimming pool and the reconstruction of a new 20-foot-wide by 40 long by 8 feet maximum depth in ground swimming pool in the same location

Jeffrey Scott, on behalf of applicants, stated that the existing pool on the property has collapsed, and that replacing it will be a low-impact project and only involve existing fenced-in areas. not to exceed property currently enclosed by a chain-link fence, Fence will be replaced in the same location.

Mr. Conlon had no objection to the proposed plan, so long as the wetlands are properly flagged.

Mr. Morton wished to approve with certain conditions: erosion control for down gradient and markers.

Mr. MacDonald pointed out that that the current plan as submitted includes erosion control.

Mr. Asack inquired as to the anticipated timeline for the project. Mr. Scott responded that it would take approximately three to twelve weeks and involve two excavators.

Mr. Asack moved to close the hearing; motion seconded by Mr. Malley. Motion passed 7-0.

Motion to issue a negative-3 made by Mr. Asack, seconded by Mr. Malley, with conditions: as-built plan to be submitted, and three markers to be installed. Motion passed 7-0

DEP 298-0886: Notice of Intent, Map 60, Lots 60 & 61 Atkinson Avenue Extension, Mixed Use Apartment Complex, Corvo Properties, Strongpoint Engineering, continuance;

Mr. Conlon advised that he was satisfied that Eric Diaz, present on behalf of applicant, had addressed previous concerns.

Mr. Morton asked whether this was a mixed use project (yes), and whether fencing was adjacent to wetlands. Mr. Diaz stated that there is 50' of vegetation between the lot and the wetland, and noted prior approval of the plan by the Town Engineer and Planning Dept.

Mr. Francis asked about snow storage. Mr. Diaz stated it will be cast along the perimeter.

Mr. Malley made a motion to close the hearing, seconded by Mr. Asack. Motion passed, 7-0.

Mr. Francis made a motion to approve with standard restrictions, including on salt. Seconded by Mr. Malley. Motion passed, 6-0

DEP 298-0887: Notice of Intent, Map 61 Lots 60 & 61, 1001 Washington St. Water service utility and Onsite Sewage Disposal facility, Collins Engineering, continuance;

Peter Lyons, Collins Engineering, on behalf of the applicant described the project:

Septic tank and leech field, designed to accommodate 200 gallons per days, tied in to existing structure on the property; the on-site mean-high water line is flagged; the leech field is 14' x 21'; there will be some mitigation as tanks are located within the 50-foot zone.

Mr. Conlon stated that the site will be improved, and sanitary provisions will be an amenity to the wetland.

Mr. McDonald asked whether the irrigation well will be maintained

Mr. Malley asked whether the septic tank and pump have to be within the 50-foot zone. Mr. Lyons responded that they are looking to keep them close in order to maintain gravity flow. He also stated that the only impact to the wetland would occur during construction, and that afterward, there will be a sealed covered tank.

Mr. Morton asked about what would happen were the pump to fail. Mr. Lyons responded that the plan includes 800 gallons of storage, equivalent to approximately four days of use.

Mr. Lucien asked if there is a back-up plan in case the pump was to fail. Mr. Lyons noted that any failure would trigger an alarm.

Mr. Francis asked about the purpose of the system. Mr. Lyons replied that is designed to serve an employee bathroom.

Mr. Francis made a motion to close the hearing, seconded by Mr. Malley, Motion passed 7-0.

Mr. Francis made a motion to approve subject to standard conditions. Motion passed 5-2.

DEP 298-0876: Town of Stoughton Department of Public Works, 950 Central Street; Environmental Partners on behalf of the Town of Stoughton; Marc Tisdelle, PE Town Engineer; Parking and Access. Stormwater Improvements, Continued to a future meeting;

DEP 292- 0861: Notice of Intent of Anthony Escoto, Exteriorscapes, Coneco Engineers 1823 Washington Street, proposed 2 Story Building, Wetland Replication Area, Coneco Engineering, Continuance;

Damien Dmitri, on behalf of applicant, addressed previous concerns:

Applicant has added additional screening from compost area
Added rip rap slopes
Salt storage has been moved

Mr. Conlon stated that he is happy with new drain on eastern side, and noted that removing the salt storage shed was a major plus. He also noted that if the applicant does plan to store salt that will have to come back for approval.

Mr. Malley noted that they could store salt without any additional approval so long as is outside the 100-foot zone.

Motion to close the hearing made by Mr. Asack, seconded by John Malley.

Mr. Asack noted that this project was going to have a serious impact on a sensitive area.

Mr. Conlon suggested some possible options, including hiring a third-party peer review consultant, and a five-year follow-up in regard to invasive species management

Mr. Asack stated that, given the sensitive nature of the project, the plan does not meet the Board's concerns, and made a motion that that the Board deny an order of conditions based on the plan as presented,

The Motion carried 4-3.

Fine Hearing: 1515 West Street, Mark Thomas, Winter Ends Stables for Enforcement Order; Filling in Wetlands and grading and filling in a Restricted Buffer Zone; Continuance;

Owner will perform work and return at next meeting.

Mr. Conlon advised that a fence is still needed.

Fine Hearing: Laura Benedetti and Evan A. Taylor, for violations at 53 Spallus Road; deforestation grading excavation in regulated areas, Continuance;

CORRESPONDENCE/DISCUSSION:

DEP 298-0817: Request to Extend Term of Subdivision Order of Conditions for Lawler Lane, Strong Point Engineering Solutions;

Mr. Conlon advised that the matter requires a continuing Order of Conditions.

Motion to extend the same for three years made by Mr. Malley, seconded by Mr. Francis; Motion carried, 7-0.

DEP 298-0667: Request for duplicate Certificate of Compliance, Steven Smargon, 1378 Washington Street; MASSTrails Grant, Bird Street Conservation Lands Raised Board walks and Bog Boards, follow up;

Public Works is in the process of ordering materials. No further action required at this time.

National Grid 5 Year Vegetation Management Operating Plan update;

No action required.

MADEP, 298-0883: Notice of Intervention Culvert Repair, 1651 Washington Street;

Site investigation slated for June 28th *C. W, Welch).

Fine Hearing Map 55, Lot 144 Britton Avenue, Catha! Walsh, Topline Masonry, Continued to a Future Meeting;

DEP 298-0554: 1150 Turnpike St.; Enforcement Order Mitigation Project; John O'Brien, Northeast Tank Service, Continued to a future meeting;

Branden Mahase, Sumner Street Enforcement Order Follow up, request for consideration;

MINUTES

Motion to accept minutes of May 4th made by Mr. Francis, seconded by Mr. Morton; motion passed 7-0.

Motion to accept the minutes of May 23, with spelling at top of page 5 corrected, made by Mr. Francis, seconded by Me Asack. Motion passed 7-0.

SCHEDULE

Future meetings set for July 19, 2023, and August 23, 2023.

ADJOURNMENT

Motion to adjourn made by Mr. Malley, seconded by Mr. Francis. Motion passed 7-0.

APPROVED: 6-1 on 7-19-2023