

Town of Franklin



Conservation Commission

**July 16, 2020
Meeting Minutes**

As stated on the agenda, due to the growing concerns regarding the COVID-19 virus, this meeting will be conducted as a Remote/Virtual Conservation Commission meeting. In an effort to ensure citizen engagement and comply with open meeting law regulations, citizens will be able to dial into the meeting using the provided phone number, or citizens can participate by using the Zoom link provided on the agenda.

Chair Bill Batchelor called the above-captioned meeting to order this date at 7:00 PM as a **Remote Access Virtual Zoom Meeting**. Members in attendance: Jeff Livingstone, Jeffrey Milne, Paul Harrington, Alan Wallach. Members absent: None. Also present: Jen Delmore, Conservation Agent.

Commencement

Chair Batchelor announced this meeting will be conducted as a Remote Access Virtual Zoom Meeting. This meeting will be video recorded. He confirmed via roll call Conservation Commission members who were present.

Note: Documents presented to the Conservation Commission are on file.

Election of Officers

Chair and Vice Chair Elections

There was a motion made by Jeffrey Milne to nominate Bill Batchelor to continue as Chair of the Conservation Commission for another year. The motion was seconded by Alan Wallach and accepted with a roll call vote of 5-0-0. Roll Call Vote: Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes; Batchelor-Yes.

There was a motion made by Paul Harrington to nominate Jeffrey Milne to continue as Vice Chair of the Conservation Commission for another year. The motion was seconded by Bill Batchelor and accepted with a roll call vote of 5-0-0. Roll Call Vote: Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes; Batchelor-Yes.

PUBLIC HEARINGS:

Public Hearing – NOI – 469 Maple Street – Maple Hill Subdivision

Mr. Bill Buckley of Bay Colony Group, representing the applicant, addressed the Commission regarding the project for the construction of a 58-lot residential subdivision. It includes 7,255' of roadway, driveways, grading, drainage, and utilities that lie partially within the 100' buffer zone to a bordering vegetated wetland and within the 100' buffer zone to two isolated vegetated wetlands. The project involves a 73.3-acre parcel of land located at the end of Kimberlee Avenue, Bridle Path, and Hancock Road. The site is served by Town water and will have individual house septic systems. He explained the topography of the site including elevations and discussed the wetland areas as shown on the provided plans. He stated the BVW is part of the intermittent stream system. He noted that at least 100 test pits

have been done; there are both very impervious and not very impervious soils on the site. He stated that this filing is solely for the roadway and infrastructure associated with the subdivision; proposed houses that are within the buffer will file individual NOIs. He explained that detention basins A and B lie within the buffer zones; a portion of basin F lies within the buffer zone. He reviewed the associated narrative provided to the Commission in their meeting packet. He noted that there are no impacts in the 0' to 25' zones. He stated that only two percent of the area within buffer zones is being altered through pavement. He explained the project is broken down into three phases. He discussed where and when erosion controls for the project would be installed as it is a phased plan. He stated silt sock and construction fencing would be used.

Ms. Delmore stated that a DEP file number was received; however, BETA, the Commission's peer reviewer, and the applicant have been going back and forth with different plan sets, and BETA is still in the review process. As such, there is no final report yet from BETA on the stormwater, there is a memo from WSI about the wetland review, and there is an active ORAD on all the active resource areas on site that will expire next July. She recommended continuing the public hearing to allow more time for peer review of the stormwater system.

Mr. Buckley requested a continuance until the Commission's last meeting in August; he stated they are still having meetings with the Planning Board.

Mr. John Cetrano, 64 Bridle Path, noted that on Mr. Buckley's slide drainage basin G was noted as Lot 41. He asked if this basin encroached upon the lot where a house is being built? Mr. Buckley noted that G is a wetland, not a detention basin. The house on that lot will be within the buffer zone.

Mr. Michael Doherty, 50 Bridle Path, stated he spoke at an earlier meeting. The neighborhood is worried about traffic. They had hoped the developer would enter through Maple Street. They are hoping now that the developer will build a temporary construction road through Maple Street which would involve going over an existing culvert. When this question was raised in the past, the Conservation Commission said it would consider this proposal. He asked that if the developer was to put in a temporary construction road, would the Commission consider that. Mr. Buckley stated that as of right now, that is not part of their filing. Chair Batchelor stated that the Commission can only vote on what is presented to the Commission. Mr. Doherty asked for an explanation of the road phasing. Mr. Buckley reviewed the plan phases and the proposed temporary roadway.

Mr. Christopher Brady and Ms. Lisa Brady, 36 Kimberlee Avenue, asked Mr. Buckley what is planned behind their house at the end of Kimberlee Avenue. Mr. Buckley explained the basins and vehicle storage proposed near 36 Kimberlee Avenue. Mr. Brady stated there is a well on their property; he asked if the sediment basins would contaminate their well. Mr. Buckley stated that before water gets into the basin, it is cleaned per federal, state, and local regulations. He noted that he could not determine how long the temporary basin would be in existence, but it would be only for the first phase. Ms. Brady asked if the temporary basin is normally located so close to an already existing house. Chair Batchelor stated it is not in the jurisdiction of the Commission to say where temporary basins should go; the Commission only maintains the jurisdiction of the wetlands.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for 469 Maple Street, Maple Hill Subdivision, to August 27, 2020 at 7:00 PM. The motion was seconded by Jeff Livingstone and accepted with a roll call vote of 5-0-0. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

Public Hearing – Continued - NOI – 162 Grove Street

Mr. Rick Goodreau of United Consultants, Inc. addressed the Commission for the construction of a building addition, entrance walkway, relocated driveway, parking lot expansion, two stormwater systems, and site grading and landscaping. He stated revised plans have been completed and submitted to the Commission. He gave a brief overview of the existing structures and parking areas; he noted an overview of the existing site conditions was outlined at the last public hearing. The parking area will be serviced by water quality units and underwater system. He reviewed the proposed drainage and stormwater system. He stated WSI had one comment in their review letter which has been addressed. They received a peer review letter from BETA today; with respect to the stormwater system, all review comments have been addressed. Two comments regarding bollards are at the discretion of the Planning Board. He stated that a DEP file number has not yet been received.

Ms. Delmore stated that other than the receipt of the DEP file number and DEP comments, she has no issues with the project. She recommended continuing the public hearing to allow time for DEP to comment and BETA to review.

There was a motion made by Jeffrey Milne to continue the public hearing for the NOI for 162 Grove Street to July 30, 2020, at 7:00 PM. The motion was seconded by Alan Wallach and accepted with a roll call vote of 5-0-0. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

Public Hearing – Continued - ANRAD - 340 East Central Street

Mr. Scott Goddard of Goddard Consulting, representing the applicant, addressed the Commission for the confirmation of a Bordering Vegetated Wetland (BVW) and requested confirmation of BVW flags GC1-34, 600 linear feet. He stated the wetlands have been flagged. This was under an NOI about four years ago; it has been refiled with an ANRAD. They hope to return to the Commission in the future with an NOI for redevelopment of this property. He reviewed the Site Plan and explained the wetland line. He stated that wetland modifications were made based on Ms. Lenore White's comments on the BVW. He stated there is an additional feature on the site which is a drain line coming in from Rt. 140. The culvert has been there since the 1970s. He noted that four year ago these areas were not identified as wetland resource areas. After today's onsite meeting, the plan was updated with notations of bylaw only-drainage ditch/intermittent stream and bylaw-only vegetated wetland and sent to the Commission; the notations are labelled as bylaw-only as it pertains to Franklin bylaw only.

Ms. Delmore stated the flag revisions and labelling shown on the July 6th plan are not the same as shown on today's plan. She would prefer to wait until the plan is cleaned up and stamped for approval to be voted on. Mr. Goddard explained the minor differences in labelling. He confirmed the labelling would be added and the new plan would be stamped.

There was a motion made by Jeffrey Milne to continue the public hearing for the ANRAD for 340 East Central Street to July 30, 2020, at 7:01 PM. The motion was seconded by Paul Harrington and accepted with a roll call vote of 5-0-0. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

GENERAL BUSINESS

Minor Buffer Zone Activity: 17 Cherie Lane

Ms. Rebecca Raymond addressed the Commission for the removal of 10 trees and brush clearing. She stated that the house has been empty and not maintained for several years. The trees and the brush are outside the 25' buffer zone to the wetland.

Ms. Delmore stated she performed a site visit on July 1, 2020, and recommended approval.

There was a motion made by Jeffrey Milne to approve the Minor Buffer Zone Activity for 17 Cherie Lane. The motion was seconded by Alan Wallach and accepted with a roll call vote of 5-0-0. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

Minor Buffer Zone Activity: 14 Garnet Drive

The applicant addressed the Commission for the construction of a patio under the existing back deck. The proposed patio is outside of the 50' buffer to the wetland.

Ms. Delmore stated she performed a site visit on July 9, 2020, and recommended approval.

There was no motion or second made to approve the Minor Buffer Zone Activity for 14 Garnet Drive. A roll call vote of 5-0-0 was taken. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

Permit Modifications/Extensions: None.

Certificates of Compliance: None.

Violations/Enforcement: None.

Minutes: June 25, 2020

There was no motion or second made to approve the meeting minutes for June 25, 2020. A roll call vote of 5-0-0 was taken. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

Discussion Items: None.

Chair and Commission Comments: None.

Executive Session: None.

There was a motion made by Jeffrey Milne to adjourn the Remote Access Virtual Zoom Meeting. The motion was seconded by Alan Wallach and accepted with a roll call vote of 5-0-0. Roll Call Vote: Batchelor-Yes; Milne-Yes; Harrington-Yes; Wallach-Yes; Livingstone-Yes.

The Remote Access Virtual Zoom Meeting adjourned at 8:30 PM.

Respectfully submitted,

Judith Lizardi
Recording Secretary