

**Natick Conservation Commission**  
**January 16, 2020**

The Meeting was called to order at 7:00 by Chairman, Matt Gardner. Members present: Doug Shepard, George Bain, Mike Downey, Jeff Richards, MK Schneeweis, Kathy Rehl

**Notice of Intent continuation – DEP #233-828 – Charles River Dam**

Bill McDowell, Town Engineer, stated they would either conduct the dam maintenance or remove the dam but further investigation is needed. He is therefore asking to withdraw the application without prejudice. Whatever project gets selected, it would require a new NOI filing. There will be a series of public meetings and the public will have an opportunity to be involved as the process moves forward.

Marianne Iarossi asked for monthly updates from DPW. Mr. McDowell stated there was nothing found in the sediment sampling to preclude option of dam removal. He will submit monthly updates of the process.

Matt Gardner stated a call with DER was held to gather more information.

Candy Holton, resident, asked if the sediment sampling information will be posted online. Bill responded yes.

Bill noted we have stopped completely to pursue exploration of dam removal options. There is no information on the removal at this time. We want to be very transparent and mindful of people's time. We will go forward with alternative analysis. There will also be public outreach.

The dam is capable of holding 160 acres; one ft deep. 1/24/20 scope of work for alternatives analysis and price expected.

1. Alternatives analysis.
2. Hydrologic and Hydraulic Study.
3. Dam can handle the new 100-storm rainfall.
4. New earth and embankment accuracy.

Matt Gardner clarified under a dam removal, the spillway will be altered or removed, the earthen berm and its trees will not be impacted. Matt asked Mr. McDowell if they can do nothing. Yes, but based on the water impoundment it's classified as a high hazard dam. The Town of Natick owns the dam and therefore the liability. If we choose not to do the work, we look negligent.

Joel Lewandowski asked would they do a 3D photo rendering and if flooding will occur downstream. They will create a photo rendering, not 3D. Anyone is in danger of flooding near water. The same volume of water will be traveling downstream under either alternative. The existing dam and spillway does not act as flood control today.

Candy Holton asked if it is safe to say the general public meeting will be held after all the alternatives analysis data is received? Bill stated when we have all the data, probably in June.

Ben King, Glen Street, asked if the Historic Commission is involved. Yes, along with State and Federal and other agencies. The alternatives analysis report will be public record.

Mr. Gardner asked for a motion to accept the NOI withdrawal without prejudice, Kathy Rehl moved, Jeff Richards moved, all in favor 7-0.

### **Notice of Intent continuation – 45 Mill Street**

Scott Goddard, Goddard Consulting, wetland consulted with Connerstone Engineering.

1. Came before Commission a year ago with NOI for two houses.
2. Went to ZBA.
3. Applicant proposed one house in December.
4. Applicant wants to keep the two house application however.

Reviewed the area with wetlands. There is a perennial stream approximately 8 ft wide. It would not reach their site. Mr. Goddard's assessment is it does not qualify as a BVW or ILSF but could be considered IVW which is only subject to the local Bylaw. He further argued the IVW do not meet the interests of the Bylaw and the ConCom should consider not regulating it. Pointed to a similar situation on East Central Street (233-673 and 672) which the ConCom permitted filling of an area affiliated with infrastructure and not jurisdictional.

Due to existing infrastructure, we could contemplate reducing No-Disturb and No-Build zones. Read local Wetland Bylaw. Asking Commission to consider to not regulate the area.

Proposing 60 plantings within the back zone of property, all native species, to act as a wetland restoration area. We can add wildlife that doesn't exist now.

Matt Gardner asked what is the plan for construction? Two houses, two lots. The edge of the deck touches the 25 ft wetland buffer. Plan dated 10/8/19 depicts new flag locations – moved 8-10 feet. Modified plans to new setbacks.

George Bain asked how would plants function to new owner. A post and rail fence would be appropriate. Matt stated the relief is to do a disturbance within 40 ft up to 25 ft.

Kathy Rehl, noted that the Kennedy School had more underground drainage infrastructure that the State determined was jurisdictional.

Grace Napier, neighbor, stated in 2010 the town fixed the pipe. She also argued the area has ecological benefits and disagreed with Mr. Goddard on these aspects.

Matt Gardner stated no house on culvert; it's to build 45 ft to the edge of that area. It is a steeper slope

Trees will be removed which is why a screening of trees will be planted, along with bushes and now plantings around culvert.

Matt Gardner – no changes to existing topography of that wet area, trees will be planted west, and a French drain in the middle of the lot between houses.

It appears to Matt Gardner that the question is BVW or not. Get plugged into Kennedy School whether it's relative or not.

Scott – if BVW, it's still the plan.

Doug Shepard stated plantings will impede the flow if 500-year storm. Will remove all invasives.

Kathy Rehl noted plan dated July 22, 2019. The Applicant submitted original plan with two houses and new delineation.

George Bain suggested notifying the nursing home to clean up their area as well and restore the natural resource area.

Commission requested for February 6<sup>th</sup> meeting:

1. Full site landscape plan.
2. Revised plans with current proposal, new delineation, and abutter's requests from ZBA process.

Mr. Gardner asked for a motion to continue to February 6<sup>th</sup>, Kathy Rehl moved, George Bain seconded, all in favor 7-0.

### **Amended Order of Conditions -72 Eliot Street**

Matt Gardner read public hearing notice. The proposal is to amend an Order of Conditions to include a patio, retaining wall and minor grading.

Scott Jordan, Eco-Tech, representing Joel Lewandowski, described proposed amendment. The original OOC was issued April 2018 for 215 SF addition off rear of property with deck. The land slopes slightly to east and toward the Charles River. They would like to level area to make useable. Proposing permeable paver patio under and behind the deck – 217 SF under deck, 784 SF total. Reviewed the volume of fill and erosion control. Retaining wall will be 2 ft tall.

Kathy Rehl feels the stone wall is too much disturbance and would prefer that it was pulled outside of No-Build zone. Mr. Lewandowski stated it would be tough aesthetically. Mr. Jordan confirmed there would be no earthwork in the No-Disturb, just erosion controls.

Commission agreed to a site visit. Applicant agreed to:

1. Stake out wall
2. More detail how retaining wall will be constructed
3. Planting plan

MK Schneeweis asked for a maintenance plan for the pervious pavers.

Site visit Saturday, January 25<sup>th</sup>, 9:00 am.

Mr. Gardner asked for a motion to continue to February 20<sup>th</sup>, Jeff Richards moved, George Bain seconded, all in favor 6-1-0.

### **Request for Determination – 5 Phillips Pond Road**

Matt Gardner read public hearing notice. The proposal is to add a 3' x 8' cantilever off of existing porch foundation.

Commission had no issues with the proposed plan.

Mr. Gardner asked for a motion to close, Jeff Richards moved, Kathy Rehl seconded, all in favor 7-0.

Mr. Gardner asked for a motion to issue a Negative 3 Determination, Doug Shepard moved, MK Schneeweis seconded, all in favor 7-0.

### **Request for Determination – 11 Phillips Pond Road**

Matt Gardner read public hearing notice. The proposal is to replace the existing deck. Sue McArthur, McArthur Environmental Consulting, LLC, representing homeowner Margareta Sewerin-Olsson and Olle Olsson.

Ms. McArthur reviewed the plan. The bank of pond was delineated. The property is in the Riverfront area to the Charles River and 100' BZ. The replacement deck will be 3 ft larger to be in line with the stairs; 3 ft by 19 ft. Deck is 26 ft from the bank of pond.

Sonar tubes will be hand dug. Might use the existing Sonar tubes depending on their condition and add 3-4 more tubes. Or can cantilever out the 3 ft.

Commission had no concerns.

Mr. Gardner asked for a motion to close, George Bain, Mike Downey seconded, all in favor 7-0.

Mr. Gardner asked for a motion to issue a Negative 3 Determination, Doug Shepard moved, George Bain seconded, all in favor 7-0.

### **General Business Discussion**

#### *Natick Community Organic Farm proposed work - update*

Casey Townsend, Executive Director of the Organic Farm, came for annual visit to update Commission. Casey reviewed last year's construction of the sugar shack and other renovations.

Casey is looking for a grant to redo the farm house. The interior is a Phase II project. The outside portion is the big project this summer.

The Goatscaping project is underway; utilizing pastures and other town-owned property where there are invasive plants. Visual areas like JJ Lane Park could be good candidates.

Working with the Real Food Campaign and sent soil samples to them. Not tilling. Strong soil, strong plants. No negative to impact to vegetable growth.

1952 farm aerial was given to Casey. He hopes to return the pasture and will remove a few trees. Will plant willows for wind protection along crops. Invasive species to be removed, perennial fruit shrubs planting which can provide to farmer's markets and CSAs.

Matt reiterated 100' BZ jurisdiction.

*Net Zero Planning Process – Jillian Wilson-Martin*

Jillian gave an update toward town going net zero and the process and plan moving forward which the ConCom will be a part of. Eversource committed carbon neutral by 2030. Maximizing solar roof tops, adding battery reducing energy.

*Boston Foundation Grant*

Commission received a grant from the Boston Foundation - \$2,824.00

Meeting adjourned at 9:45