

Natick Conservation Commission
April 16, 2020

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

The meeting was held via Zoom online conference platform due to the state of emergency surrounding COVID-19 and the requirements to social distance and limit large gatherings. The meeting was recorded and aired on the Government Channel. Votes were taken through roll call method.

Notice of Intent continuation – 47 Water Street

There still is no DEP file number. Mr. Gardner asked for a motion to continue to April 30th, Kathy Rehl moved, George Bain seconded, all in favor 7-0.

Kathy Rehl, yes
Jeff Richards, yes
Mike Downey, yes
George Bain, yes
Doug Shepard, yes
MK Schneeweis, yes
Matthew Gardner, yes

Notice of Intent – 249 West Central Street

Matt Gardner read public hearing notice. The green certified mail cards will be sent to the office. The proposed project is full depth pavement reclamation of the West Natick Station parking lot including expansion for 40 cars and stormwater management system improvements.

Holly Palmgren, MBTA, stated a small drainage swale was delineated, but couldn't confirm if it's an isolated wetland so they are calling it a bordering vegetated wetland which receives 100' Buffer Zone jurisdictions.

A portion of project is in buffer zone. Some adjustments to landscape the islands are proposed. There will not be any increase in impervious area in 100' Buffer Zone.

Kathryn Eagan, BSC Environmental Scientist, described improvements to drainage. They will reconstruct the parking lot and add approximately 40 spaces; currently 178 spaces. There will be a new catch basin installed and she described how the system will operate. There are currently two existing oil separators before runoff in swale. Parking will be relocated with new LED lighting. No plans to touch train platform or entrance.

Mike Downey asked what the landscape plans are for reconfigured islands. No plantings have been proposed, only mulch to keep them low maintenance.

The time frame is a 4-6 weekend construction project.

Kathy Rehl asked how many islands are proposed. Currently one large island 50' x 50' concrete. Eliminating part of island for additional parking. Will be the same as now. Kathy recommended planting a tree or two for shade. Holly agreed to look into shrubs in two spaces.

Matt Gardner said the Commission would like to see a landscape plan.

Mr. Gardner asked for a motion to continue to April 30th, George Bain moved, Kathy Rehl seconded, all in favor 7-0.

Kathy Rehl, yes

Mike Downey, yes

MK Schneeweis, yes

Doug Shepard, yes

George Bain, yes

Jeff Richards, yes

Matt Gardner, yes

Request for Determination – 181 West Central Street

Matt Gardner read public hearing notice. The proposal is to construct a 40B affordable veteran's housing project at the Henry Wilson site. The application does not include the development. The applicant is seeking the determination as to the wetland resource area type that is located on the site.

Randy Johnson, representing Natick Affordable Housing Trust, described the location and history of the property. The Trust is looking at the Henry Wilson site for veteran's housing. The GIS map aware shows wetlands on the property. It was

confirmed that there are wetland soils and vegetation as the Trust was working with Fred King, a wetland scientist (though a formal delineation was not conducted). Randy conducted analysis and sampling on 3/23, 4/3 and 4/14. They show the extent of water is retained, but not sufficient information to base analysis on. The other option is to calculate total water volume choosing a more conservative approach.

Matt Gardner and George Bain are familiar with the site. Randy showed wet area in relation to train tracks. Randy Johnson's calculations support the claim that the resource area is Isolated Vegetated Wetland.

Matt Gardner stated the case Mr. Johnson is making is whether the resource area is Isolated Land Subject to Flooding (thereby subject to State Wetlands Protection Act (WPA) and local Natick Wetlands Bylaw) or Isolated Vegetated Wetland (thereby subject to only the local Natick Wetlands Bylaw). To determine an area is ILSF it must meet certain water confine requirements specified in the WPA. Matt asked if it could be Bordering Vegetated Wetland as there is significant hydraulic activity along rail line.

Randy stated there is no depression or swale. It is flat, gravelly and contains no defined body of water. Randy showed history of the area on map. Historically, probably a hydraulic connection. Railroad tracks strived as a levy from Beaver Dam brook to this area.

Marianne showed aerial imagery of the surrounding areas. She also pointed out the property is Article 97 land. The proposal coming forward is a 40B project, which means the project would not be required to undergo normal review of local laws, including wetlands. The permitting process would go before the Zoning Board of Appeals unless the project is subject to the state Wetland's Protection Act.

Randy Johnson stated there is a process to change the use under Article 97. A process that has been done for this type of project. The use would be for much needed Veteran's housing and retain the Henry Wilson's Cobbler Shop.

Mr. Gardner feels it is worth a site visit and reiterated an Article 97 conversion is a complicated process to take on. Matt would like to decide if there is enough information or have a hydrologist/wetland scientist give an opinion. Kathy Rehl and Doug Shepard both agreed.

Commission will visit the site individually.

Randy Johnson will look into whether the MBTA has an infrastructure map. He's suspicious something is under Mill Street or railroad, but thinks he can ask MBTA for any maps/culverts. In the past, Randy tried to get information from MBTA for the dog park, and is not aware of culverts under the tracks. MK suggested looking on the DEP website.

Randy Johnson feels having Fred King on the site visit might be helpful.

Mr. Gardner asked for a motion to continue to May 7th, George Bain moved, MK Schneeweis seconded, all in favor 7-0.

George Bain, yes

Kathy Rehl, yes

MK Schneeweis, yes

Mike Downey, yes

Jeff Richards, yes

Doug Shepard, yes

Matthew Gardner, yes

MVP Action Grant – Charles River Climate Compact Flood Modeling

Jillian Wilson-Martin gave a recap of the Regional MVP Action Grant. The goal is to engage other communities in the Charles River Watershed on a flood modeling/climate change resiliency project.

The ask is for the Commission to contribute \$10,000 in cash match for the grant. Matt Gardner stated it directly relates to various factors to manage watershed flooding in relation to climate change. Commission would hold onto the funds until the grant is approved. In the fall of 2020 they will get involved with a contractor or into 2021 funds would be expended.

Alfredo Vargas, 59 Felch Road and serves on Sustainability Committee, offered his support for the grant. Commission also supports the grant and likes the collaboration with multiple communities.

Mr. Gardner asked for a motion to approve Commission's \$10,000 cash match contribution, Kathy Rehl moved, Doug Shepard seconded, all in favor 7-0.

George Bain, yes
Doug Shepard, yes
Mike Downey, yes
MK Schneeweis, yes
Kathy Rehl, yes
Jeff Richards, yes
Matthew Gardner, yes

318 Eliot Street – Windy Lo Site

A neighbor downhill and across the street from the Windy-Lo construction site has noticed the vernal pool on his site has been receiving milky water and expects it is coming from Windy-Lo. Marianne Iarossi shared a map to show how the vernal pool is hydrologically/hydraulically connected to the detention basin at Windy-Lo. The vernal pool is not officially certified. The homeowner contacted Marianne to note there is sedimentation occurring and has been providing regular photo documentation.

Trask Development was notified of the sedimentation, discovered a previously unknown underground drainage pipe, cut and capped said pipe. The sedimentation appears to be still occurring. DEP has been made aware and suggested issuing an Enforcement Order. The Town Engineer along with Matt Gardner and Marianne are involved. Marianne suggested the Commission issue the Enforcement Order to take steps to remedy the situation and to figure out what's going on. Suggested hiring a stormwater engineer to determine where the sedimentation is flowing from into the vernal pool and prevent it from continuing. Would also be asking developer to conduct an ecological assessment of the vernal pool impacts.

Matt Gardner went to the site and observed the detention basin is large and filled with milky water. He would like to see the plans again. Noted the developer is responsible and has been working cooperatively. The entire site contains materials stockpiled as it is an active construction zone. The detention basins have been constructed already. The lower one is filling and reaching the built weir, leaking toward the riprap. They capped the discovered perforated pipe and wrapped in silt but a stream of milky water continues to flow into vernal pool. It looks like there is less sedimentation, but could be flow that is stirring up remaining sediment. It's hard to determine.

DEP stated it's the developer's responsibility to control the sediment at its source. Natural Heritage Endangered Species Program staff have been monitoring the vernal

pool as it is endangered species habitat. They has also noticed the sedimentation. MassAudubon has also been informed as they own resources downstream of the vernal pool.

Marianne stated there is a large stockpile of material above the detention basin with no erosion controls.

Mike Downey's concern is the process. Developers want to open up all the ground at once, then think of erosion control after. Maybe the Commission should require staggering of the development.

MK asked about Order of Conditions, but this was a Land Disturbance filing. Matt Gardner stated it might be helpful to run a silt fence around the entire site. Multiple lines of sedimentation control should be on lines. Mike feels it's a teaching moment; install double layers of erosion control so it's not washing into detention basin. Asked Trask to hire a Stormwater Pollution Prevention (SWPP) Professional. Jeff Richards said to install controls to hold the dirt piles and reduce the stormwater impacts. There is too much soil up there that is being washed downhill.

Ben Stevens feels he's fixed the problem. Marianne asked if this detention basin was built before and was designed to handle construction runoff. What happens to it post construction? George Bain feels like it wasn't built to scale. The capacity doesn't seem appropriate.

Matt Gardner recommended a double line of erosion control along the slope close to dirt pile and run down the right side. A C-shape; double line of control. It's not the final solution, just temporary. Commission agreed and feels a stormwater engineer needs to come in and evaluate what's going on. This is a band-aid fix for now until a professional reviews.

Commission agreed to an Enforcement Order instead of a cease and desist order because Ben Stevens has responded. Require erosion control wrapping around detention basis and work on hiring a SWPP Professional to provide and opinion on the issues and suggested solutions. Provide an update within seven days.

Matt Gardner asked Marianne to draft the Enforcement Order and Commission will ratify at April 30th meeting.

Update of Commission's signatures

Marianne stated there is no consensus on handling of Commission signatures. The Registry requires wet signatures or the Agent to sign (which requires a number of complicated steps). DEP is ok with electronic signatures. Suggest using electronic signatures. Once emergency is lifted, will reissue documents with original signatures so Applicants may record at Registry. Under Governor's Executive Order, Applicants do not have to record their order right away. Marianne will keep track and they will resign documents at a later date.

Trails and Forest Stewardship Committee Charter

Matt Gardner feels nine members is good. No other comments on the Charter. Ready to post and advertise.

Mr. Gardner moved to adjourn, George Bain moved, Kathy Rehl seconded, all in favor 7-0.

George Bain, yes
Jeff Richards, yes
Mike Downey, yes
Doug Shepard, yes
Kathy Rehl, yes
MK Schneeweis, yes
Matt Gardner, yes.

Meeting adjourned at 9:00 pm