

Framingham Conservation Commission

Public Meeting Minutes

Ablondi Room

January 15, 2020 – 7:00p.m.

Framingham Conservation Commission
Memorial Building, 150 Concord Street, Rm. 213 Framingham, MA 01702-8373
Telephone 508-532-5460, Fax 508-872-5616 Email: conservationcommission@framinghamma.gov

Meeting called to order at 7:02 p.m. by Chair BB

Commissioners Present

Bob Bois (BB) (Chair)
Sam Bade (SB) (Vice Chair)
Priya Gandbhir (PG) arrived @ 7:03
Thomas Liveston (TL) left @ 8:03
Temitayo Akinbola (TA) arrived @ 7:03; left @ 7:36 (sick)
William Merriam (WM)
Jennifer Forman Orth (JFO) arrived @7:45

Staff Present

Robert McArthur (RM) (Cons Administrator)
Jonathan Niro (JN) (Assist Cons Administrator)
Amber Carr (AC) (Communication & Land-
Stewardship Coordinator)

Discussions

7:02 OOC extension request, 158-1408 3& 5 Speen Street

Discussion: Pre- construction site visit was completed by staff. Project consists of rehabilitation of two detention basins. Removed vegetation and most of the soil removal. Need more time to complete project.

Motion: WM moved extend the OOC for 158-1408

Second: TL

Vote: 4:0:2

Scheduled Hearings and Meetings

7:04 NOI, 158-1512, Marcos Jose DeOliveira, 526 Hollis Street, proposed house renovations (continued from 12/18/2019)

Discussion: The Applicant contacted staff and requested to continue to 1/29/2020.

Motion: WM moved to continue to 1/29/2020 @ 7:00PM

Second: TL

Vote: 6:0:0

7:05 158-1525, Aimco Georgetown LLC, 37 Georgetown Drive, proposed expansion and repair of parking lot, stormwater drainage system, and dumpster corral

Discussion: Chris Sparages (consultant) and Brendan Riley (Aimco's Director of Construction) were present for the hearing. Staff conducted site visit before hearing. The Applicant was issued an enforcement order to enclose their dumpster area, which is located within flood zone. The Applicant wishes to expand their parking lot for a net gain of 11 spaces. There is a constructed wetland at the end of the parking lot.

A 12" concrete drain pipe extends onto city owned property and is currently completely clogged. The Applicant is proposing to replace the drainage system and ensure that it terminates on their land. Wing wall will be built at the end of the pipe with level spreader and rip rap. There will be 275 ft² of temporary alteration and all disturbance on

city property will be restored. DPW and Conservation Staff both request there not be a channelization and instead allow the water to infiltrate into the wetland naturally.

Tennis court debris was found approximately 23” deep in the test pits and it is unclear if the court was buried intact or if some debris had been left behind when the court was dismantled and removed. The original court was 1100ft² and was installed before the existence of the Wetlands Protection Act. No permit was issued to remove the court. The Applicant researched their files and found photos of dismantling work being done in the area but the extent is unclear. **Commission stated that the Applicant needs to determine whether the tennis court was completely removed or not since it is located within current flood zone and would count as fill within wetland if left in place. City DPW and Conservation staff also requested that seasonal high groundwater be determined on site.** Staff walked the wetland line in the field but noted that the line will need to be re-staked in the field before any work began.

The proposed parking lot expansion would be constructed on existing lawn and within River Front Area (RFA). There would be a net gain of 10 spaces. The Applicant is proposing to construct a pocket wetland with a filter strip extending along the length of the parking area replacing the existing parking berm. Curbing will not be included in the proposed spaces so water flow will not be impeded. A filter strip of grass and gravel will be included before the pocket wetland to help mitigate runoff in the system. DPW would like the applicant to not include more impervious parking. The Applicant needs to demonstrate to the Commission that more impervious surface would not negatively affect the surrounding area regarding flooding issues in the surrounding area. Large portions of the proposed project will be within the 30ft No Alteration Zone. The pocket wetland will be constructed at or near groundwater levels at the site. The Applicant is proposing to completely restore the 30 ft No Alteration Zone in areas around the parking lot that is currently lawn and have included a planting plan. A small portion (225ft³) of Bordering Land Subject to Flooding (BLSF) is proposed to be filled due to the grading needed for the proposed filter strip, to compensate the Applicant is proposing to increase flood storage capacity by 712ft³ by regrading another area on site.

The lawn area does not currently have much traffic from residents and the existing program to address on site litter will continue. Current dumpster area will be corralled with 8ft high fencing to deter its use by non-residents. **The Commission requested more detail to be provided on the pocket wetland including a cross-section, step by step construction sequence, and materials that will be used, as well as 1ft topography contours for the project site. All comments in letter from DPW will need to be addressed.**

Motion: TL moved to continue to 2/5/2020 @ 7:00PM

Second: WM

Vote: 6:0:0

8:02 [No DEP file#], James Snyder, 54 Beaver Street, Renovations to Mary Dennison Park

Discussion: The Applicant is formally withdrawing their application and is planning to re-submit without prejudice.

Break 8:03-8:12

Scheduled Hearings and Meetings

8:12 158-1447, Richard Terrill, 1060, 1062, 1062A, and 1020 Grove Street and 2, 36, 40, and 40R Winch Street, construction of an active adult housing development (continued from 12/18/2019)

Discussion: Jeff Roelofs (Applicant’s counsel), Mark Arnold (Goddard Consulting), and Sean Malone (SM) (Oak Consulting Group) were present for the hearing along with peer reviewer Marta Nover (Beta Group). Abutters John Mastrobatista and Madeline Leone were present with their counsel Brian Levey. Other community members were also present for the hearing.

Discussion: Stream Crossing on Winch Street

Marta Nover stated that Phil Paradis from Beta Group looked at the September 11th design plans and stream crossing protocol. In his review he agreed that there was very little flow at the crossing. The Applicant's current design follows Mass stream crossing standards and will not produce additional impacts that were not addressed in the application. The proposed box culvert will provide a better wildlife crossing compared to what is currently on site.

WM stated that the Commission understands that some disturbance needs to occur regarding the installation of the box culvert at the stream crossing but the limit of disturbance is not depicted on the plan and requested to see that. He also stated that the construction of the road was also not addressed and it is the main concern regarding impacts to the nearby wetland.

Peer reviewer stated that in their review the term "stream crossing" was used but believes that their review did include construction of the road and limits of work for the entire area.

WM states that the width of the road on either side of the culvert has not been identified and the limit of work should be staked in the field.

JR states that the most recent stream crossing protocol describes the construction process and road design in detail. There are no proposed temporary impacts to BVW. Limits of work will be marked in the field and submitted on a revised plan. Proposed reducing the width of the roadway from 24ft to 20ft but unsure if it will be approved by the Planning Board.

BB reminded the Commission that the third party reviewer and staff will be present on site during construction to ensure that it is built according to the plan if the project is approved. Staff confirmed that they would be on site and communicate with a third party reviewer to verify it would be built according to the design specs.

Discussion: Outstanding Items

BB stated Beta Group submitted comments regarding moving the project outside of the River Front Area (RFA) and need to be addressed by the Applicant including analysis. JR agreed.

BB stated the landscaping plans need to be revised. JR agreed they will update landscaping plans based on feedback they received from the Commission. All Beta comments will be responded to in the next iteration.

BB stated 12" pipe discovered at the pond needs to be investigated. JR stated they will address it in their next iteration of responses to Beta's comments.

Discussion: January 2nd Field Work by Applicant

JR stated nothing has been submitted in writing but on January 2nd field work was conducted to evaluate the hydric soil at the site near the pond. Soils and contours were evaluated by Mark Arnold of Goddard Consulting and Art Arnold of EcoTech. Ultimately the Applicant will submit a field report and a revised project to the Commission based on their findings.

BB asked if groundwater issues were found in the area. Goddard consultant stated they were looking at ground water, soil redox features, and upland soils in the area. JR stated that preliminarily it appeared as though the hydric soils do not follow the contours of the pond, which was what the Applicant was expecting to find in the field. The Applicant will follow these new wetland lines instead of the ORAD and will respect the new 30ft and 50ft Buffer Zones in their revised project. The revised project will be referred to as the 2020 plan.

Discussion: Revised project 2020 plan

JR stated that the area around the pond will stay naturalized and doesn't remove trees. 9 units were dropped from the 2019 project plan for a total of 60 units. The amount of proposed paving was significantly reduced due to loop

road being reconfigured and more duplexes are being proposed. All work has been pulled out of the River Front Area.

JN asked if that means there will not be any River Front Restoration proposed. JR said that is something that would need to be discussed. New drainage has not been engineered yet. Asked if the Commission would be receptive to putting some stormwater basins in the River Front Area in an area that is currently gravel.

RDM asked what timeline the Applicant had in mind for the Commission to see the limit of work stakes in the field, receive the new project plans, and provide peer review comments.

JR stated that tonight the Applicant is looking for initial reactions from the Commission but understands that specific feedback will not be available until the Commission has received the updated materials. The surveyor will be staking the crossing and will stake the new limit of work at the same time, as well as key intersections on the plan.

JR stated that they are receptive to hearing the Commissions reactions to major project components. Naturalization of the area around the pond would be an example. They are currently deciding whether they should do passive or active restoration around the pond with mowing management every year or two years. Any specific comments or recommendations from the Commission would be welcome and appreciated. Any comments should be collected and submitted so SM can include them in the new engineering design.

WM stated he has issue with the road crossing on Winch Street and proposes there only be one entrance to the site. JR stated that the Planning Board requested there be two entrances to the site for traffic reasons and sees the impacts associated with the wetland crossing on Winch Street to be negligible. WM requested that the limit of work at the crossing be staked in the field for the Commission to see during their site visit.

BB stated that the preliminary plan seems to be receptive to the issues that were raised by the Commission regarding the pond. He requested that impacts of buildings to be included in the revised plan for both temporary and permanent disturbances.

Goddard Consultant stated that a Wildlife Habitat Evaluation for BVW or bank of pond or is not triggered through the Act. Since the new project pulls work outside of the 30ft and 50ft Buffer Zones would the Commission require a biological study be conducted? Peer review stated that as long as all work proposed is outside of the buffer zone and the Applicant is not assuming what wildlife uses the pond to conduct an alternatives analysis a biological study would not necessarily be needed. Once materials are submitted and reviewed by Peer Review, they will determine whether a request for a biological study is recommended.

JN asked if the engineer suspected that the proposed stormwater infrastructure would be changed dramatically for the 2020 plan or if most of the old design will still be used. Engineer (SM) consultant stated that areas in the River Front will most likely be similar to what was previously proposed.

Abutter Brian Klum asked what happened to the visitor parking spaces in the new plan. SM stated that visitor parking spaces will be included in the new rendition of the engineered plan.

Abutter Kathy Vasseur asked how snow storage and trash will be managed on site and whether it would be a planning issue or conservation issue. RDM stated that snow storage will be included in the O&M plan which will be submitted to the Commission for review. Trash areas will be reviewed by the Conservation Commission if they are within wetland jurisdiction. JR stated that there will be no centralized trash area on site. Private trash pick up is proposed for the site.

Brian Levey Abutter's Counsel asked what the maximum number of bedrooms allowed and what was being proposed in the updated plan. JR stated 120 bedrooms are being proposed which the maximum is allowed by the Planning Board. Brian Levey stated that the proposed project is still a maximum density project and is no

different than what has been proposed before. There are still units proposed within the 125ft Buffer Zone and the Applicant needs to prove that those units will not negatively affect impacts to the Buffer Zone.

Abutter Madeline Leone stated that the riding rink building does not have access depicted on the plan without using access from her property which is not acceptable. JR stated that they should continue the discussion outside of the Conservation Commission hearing. Abutter Leone stated that adding a road to access the building will necessitate a redesign of the entire plan and the Commission should be aware of that. BB agreed that they should continue that discussion outside of the Conservation meeting.

WM asked when the Applicant was thinking of providing updated materials to the Commission. JR would like to set a site visit before the next Conservation Commission meeting, and would like to continue the hearing to March 4th.

Motion: WM moved to continue to 3/4/2019 @ 7:00PM

Second: JFO

Vote: 5:0:0

Break 9:33-9:40

Discussions

9:40 **Revise regulations to reflect the adoption of the Mullin Rule**

Discussion: Staff had questions whether adoption of the Mullin Rule needs to be specifically mentioned in the bylaw. The Commission asked for staff to discuss with the City Solicitor.

9:40 **Request Commission members put their signatures on file at City Hall**

Discussion: Staff asked Commissioners to put their signatures on file with the City Clerk. Commissioners believe they did that when they were sworn in.

9:41 **Paperless transition**

Discussion: Staff are currently pricing out options to give tablets to Commissioners to distribute materials electronically. The Commission would still need physical full sized plans for large scale projects.

9:44 **COC, 158-1371, 85 Salem End Lane**

Discussion: Single family home renovations and plantings on site. COC request and as built plans have been received. Staff recommend the Commission issue COC.

Motion: SB moved to issue COC

Second: PG

Vote: 5:0:0

9:45 **655 Cochituate Road plan update**

Discussion: Staff communicated with Metrowest Engineering and received updated plan. There is less grading proposed on site.

9:46 **COC, 158-1338, 24 Wayside Inn Road**

Discussion: Staff conducted site visit. House was recently sold. The Applicant contacted staff and requested to continue to 1/29/2020. Staff has received COC request and as built plans.

Motion: WM moved to issue COC

Second: JFO

Vote: 5:0:0

Agents Report/ Land Management

Minutes

Sign Documents

COC	158-1371	85 Salem End Lane
OOC extension	158-1408	3&5 Speen Street
COC	158-1338	24 Wayside Inn Road

Adjournment

Motion: PG moved to adjourn the meeting

Second: SB

Vote: 5:0:0

ADJOURNMENT: 9:49 PM