

2.11.13 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission February 11, 2013

Present Vice Chair Debra Botello, Commissioners Marla Isaac, Steven Turner, Neil Kelly, and Renwick Chapman. Absent Chair Brian Marques and Commissioner Ernest Enos.

Motion to approve the minutes-Continued

Motion to go out of order, MI, second ST, so voted.

Public Meetings

1. Davis Street, City of Taunton, (RDA), DSE-1049 Field report states this project is for the removal of an existing underground gasoline storage tank (UST) and dispenser that has exceeded its service life and replacing the system with an above ground gasoline storage tank (AST) and dispenser. The work site is located on John F. Parker Golf Course near the existing maintenance garage. The work area is relatively flat and is approximately 123 feet east of the mean annual high water mark of the Three Mile River and about 97 feet from a BVW. Hay bales are shown on the plan-this would be considered the limit of work. MR recommends that straw wattles be used rather than hay bales. None of the work is within NHESP designated habitat. The AST will be placed on a pre-cast concrete support pad with bollards spaced four feet apart around it with the entire area enclosed by a six foot security fence. Organic material will be removed from the area of the new AST and replaced with gravel which will then be compacted in order to support the concrete pad and structure. The removal of the UST will consist of excavating the pavement and soil above the tank's location and removing it along with any ancillary equipment. Once the tank is removed, soil samples will be collected and tested to determine if there were any leaks or if the tank impacted the surrounding area. The hole will then be backfilled and paved to match the current grade of the parking lot. The work is within the 200 foot riverfront area and is an approved activity under 310 CMR 10.58(6)(a), as the property and existing installation has been in place since before August 17, 1996. The work should be an improvement to the groundwater, and general health of the land and will not negatively impact the river or adjacent BVW. MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. Motion to issue a negative determination with conditions 1-5,9,14,18-20, ST, second RC, so voted. Motion to close, MI, second RC, so voted.

2. 156 Lakeview Avenue, Menard, (RDA), DSE-1050 The field report states that this project is for the construction of a 26' x 28' garage attached to a 12' x 26' addition to an existing house and located within 100 feet of Lake Sabbatia. A small portion of the addition is within the 100 foot buffer to the lake, at a distance of 95 feet. The area that will fall within the buffer is approximately 52.5 square feet. The addition will be on a concrete base and will be on the east side of the existing house. The addition does fall within the 100 year Flood Zone (elevation 65), as does most of the house. The project as presented will not negatively impact the lake or adjacent areas. The construction should adhere to requirements within the flood plain. No compensatory storage is required for this project. MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. Motion to issue a negative determination with conditions 1-4, 18-20, ST, second NK, so voted. Motion to close, ST, second MI, so voted.

Certificate of Compliance

1. 1 Elm Street, Feodoroff, (COC), SE73-2477 The field report states that this project was for the construction of a single family home with utilities, driveway, and associated grading. All work has been completed in significant compliance to the order of conditions issued on July 28, 2011. Roof drains go into drywells and the lawn area is stable. MR recommended that the TCC issue a COC for this project. Motion to approve, ST, second NK, so voted.

Public Hearings

1. West Water Street, COT Department of Public Works, (NOI), SE73-2532 The field report states that this project was for the installation of a double frame and grate at a roadway low point over an existing 8 inch ductile iron roadway culvert for the purpose of alleviating chronic roadway flooding. The work was done under an Emergency Certification in November. This situation was most likely created when the owners of the junkyard filled in some of the wetlands to create an emergency entrance that now is used as the main entrance. The DPW found that the culvert was filled with wetland debris and because there was no inlet structure, a deep sump catch basin was installed in order to catch debris prior to entering the pipe and wetland system across the street. The wetland on the west side of the street is located along the edge. The work involved some temporary disturbance to this wetland. The area was loamed and seeded with the appropriate seed mix. A section of the ductile iron culvert was cut and a cast iron double frame and grate was placed over one course of concrete masonry blocks. The roadway was returned to existing grade. The culvert was not replaced and therefore does not violate the Massachusetts River and Stream Crossing Standards. The work has been completed and this is considered an after the fact filing. Work was done with minimal disturbance to the wetland along the edge of the street. MR recommends that the TCC approve this project and issue an order of conditions. Motion to approve, ST, second RC, so voted.

2. Lot 4 Bluegrass Circle, Big Red Properties LLC, (NOI), SE73-2531 Field report states that this project is for the construction of a single family home with utilities, grading, and landscaping. The wetlands were approved under DEP file SE73-2420 and an ORAD issued on 1-13-10. The area does not fall within NHESP habitat but is within the Three Mile River ACEC. This lot is on the west side of Bluegrass Circle with wetlands within the northwest corner of the lot. All work will be outside of the 25 foot WPZ, with a siltation barrier (limit of work) set up at

least 27 feet from the wetland. The driveway will be 33 feet from the edge of the wetland while the northwest corner of the garage will be 54 feet away. The septic system will be located in the front of the lot and outside the 100 foot buffer zone. The work as presented will not negatively impact the adjacent wetlands, therefore MR recommends that the TCC approve this project and issue an order of conditions with the attached special conditions. Motion to open, ST, second RC, so voted. Motion to issue an order of conditions with special conditions 1-5, 16, 17, 19, 21, 24-27, ST, second RC, so voted.

3. 447 Broadway, Nelson Matos, Broadway Realty Trust, (NOI), SE73-2533 The field report states that this project is for a septic system repair with associated grading and paving at the above address. This property is located on the east side of Broadway with a BVW south and east of the property line. The BVW was flagged by Walter Hewitson on 1-11-13. The area to the south and east of the building is within NHESP Priority Habitat. A letter from NHESP is required prior to the release of the order of conditions. MR reviewed the wetland line on 1-31-13.

The delineation is conservative and runs along the toe of slope using pink flags numbered 1-17. There is a marked drop to the wetland from the edge of pavement running around the property. MR is in agreement with the placement of the flags. The leaching field is located in the front of the property with tanks located in the rear. A siltation barrier is depicted on the plan and is considered the limit of work. The existing cesspool will be drained, crushed, and abandoned in place (this is just outside the 25 foot WPZ in the rear of the building). The new tanks will be within the 25 foot WPZ with the closest 12 feet from the wetland. The parking area will be repaved once work is complete. The work as presented should not negatively impact the adjacent BVW therefore MR recommends that the TCC approve the wetland line as follows: flags 12-16, with flags 1-11 and 17 for reference purposes only. MR also recommends approving the project and issue an order of conditions with the attached special conditions. Motion to approve with special conditions 1-5, 10, 19, 21, 25-28-letter from NHESP, ST, second RC, so voted. Motion to close ST, second RC, so voted.

Continued Public Hearings

1. 437 Whittenton Street, Murphy/Jefferson Dev. Partners, LLC, (Anrad), SE73-2517 Motion to continue to March 11, 2013, ST, second MI, so voted.

Public Meeting

1. Middleboro Avenue, Division of Marine Fisheries, (RDA), DSE-1051 Motion to open, ST, second NK, so voted. Motion to continue to March 11, 2013, ST, second RC, so voted.

Other Business

1. Big Red Properties. MR has been out there twice. Her letter/report was read, and needs to be signed. Passive recreation in these developments is wordage in these cluster developments to keep out dirt bikes, atvs, ect. Motion to approve, ST, second RC, so voted.

2. MACC Conference. Motion to approve, RC, second MI, so voted.

Motion to adjourn, RC, second MI, so voted. Meeting ended at 7:40pm