

9.16.13 Conservation Commission Minutes

Minutes of the Taunton Conservation Commission September 16, 2013

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

Motion to approve the minutes of the August meeting, DB, second RC, so voted.

Motion to go out of the regular order of business to hear Williams Street continued violation, DB, second MI, so voted.

Continued Violation

- **Williams Street.** Other people are dumping in this area, owner is just trying to clean up the trash and clean up the area. He did not know he was wrong for being in there. A neighbor is just pulling up and dumping trash, bottles, etc in the area. Owner has witnessed him doing it, even brought bags of trash back to the person's house. Owner was asked to call MR with any license plate numbers or if he sees this occur again. Motion to dismiss the violation, DB, second RC, so voted.

Motion to revert back to the regular order of business, DB, second MI, so voted.

Discussion:

- **93 Kiana Way.** MR stated that all the request by the TCC had been fulfilled and the applicant did not need to appear tonight. Motion to approve, DB, second ST, so voted.

Certificate of Compliance

- **828 (824) Middleboro Avenue, Gosson, (COC), SE73-2526** Field report states that this project was for the demolition of an existing house and the construction of a single family home, septic system, driveway, lawn, and associated grading. All work has been completed in significant compliance to the order of conditions issued on December 5, 2012. The lawn areas are not entirely stable as the grass is sparse and the seed at the edges has not germinated at this time. MR recommends that the TCC continue this hearing to October 21, 2013 to ensure germination of the grass seed. Motion to continue to October 21, 2013, DB, second ST, so voted.
- **200 Constitution Drive, Verizon Wireless, (COC), SE73-2141** Field report states that this project was for the construction of a free standing 14' x 40' precast equipment shelter to house microwave telephone equipment and to ensure equipment grounding and lighting protection. All work has been completed in significant compliance to the order of conditions issued on October 10, 2006. All areas are stable and there is no indication of siltation into the adjacent wetlands. MR recommends that the TCC issue a COC for this project.

Motion to approve, ST, second RC, so voted.

Public Hearings

- **255 Cape Highway, Motamed/Marmar Real Estate Group LLC, (NOI), SE73-2556** Field report states that this filing is for the expansion/redevelopment of the current business to include increasing the footprint of the current building, addition of a greenhouse, a larger cooler, and additional exit only at the northeast corner of the parking lot, and increased parking for customers as well as easier access for delivery vehicles. The stormwater management will include a larger detention basin in the southwest corner. Areas of snow storage are depicted on the plan (sheet 4 of 5). There are wetlands located on three sides of this property and they were delineated by Dr. Walter Hewitson on October 15, 2012 and surveyed on February 1, 2013. MR reviewed the delineation on September 9, 2013 and is

in agreement with the placement of the flags 1WH to 9WH, and 1AWH to 64AWH. A siltation barrier is shown on the plan and is the limit of work. This filing is currently being reviewed by the DIRB prior to review by the Planning Board. The DIRB received a revised plan on August 27th and continued the hearing to September 16th awaiting a second revised plan. A second revised plan was received on September 11, 2013 and sent out to members of the Commission. This report is based on the revision dated 9/11/13. The revised plan shows a much larger addition and cooler, but both inside the 25-foot WPZ and coming within 8.2ft and 10.2ft respectively. If the applicant goes back to the original proposed sizes, that is, the cooler at 55 feet in length and the addition to 76 feet in length, both would be outside the WPZ. This would create 3040 sf addition (162 sf larger than the original), and 1166 sf for the cooler (same as original). Even if this recommendation is not pursued, the impact is less than the original plan which showed a paved parking area and exit on this side of the property. MR would also recommend moving the dumpster to the southwest behind the employee parking area to reduce the impact to the WPZ. In regards to the proposed greenhouse, MR would recommend getting rid of the second exit, moving the last parking spot in the front rear to where the exit was, and moving the sidewalk and greenhouse over 5 feet in order to increase the distance to the wetland. The applicant is proposing to add 6,433 sf of conservation area to compensate for the 5,494 sf of impact to the WPZ. The proposed areas are in the northeast corner and in the south behind the building. This would be an acceptable proposal if the TCC approves the plan as proposed. The plan shows a larger detention basin to the southwest portion of the lot which will capture stormwater through three catchbasins, and then through an oil/grit separator (OGS) before entering the basin. To the northeast a paved swale leading to a grass swale is proposed off the new exit. The 12" pipe from the manhole to the OGS is just 6 inches lower than the overflow pipe that goes directly to the detention basin. This means that when the pipe to the OGS is half full, any more runoff would be directed to the basin. MR recommends making a larger pipe to the OGS. A detail of this basin should also be submitted. In a site inspection prior to this meeting, MR observed a great deal of dumping within the buffer zone and wetlands behind the building and along the east side of the parking lot. This is not an appropriate way to dispose of produce or flowers and is a violation under the WPA and the City of Taunton Conservation By-Law. MR recommends that the applicant clean these areas up during his reconstruction and make it a point that employees use the dumpster when disposing of produce and greenhouse products. MR recommends that the TCC approve the wetlands as follows: 1WH-9WH and 1AWH-64AWH. If the Commission approves this plan, MR recommends adding the attached special conditions to the order of conditions. Lawrence Silva present for the applicant. Motion to open the hearing, DB, second RC, so voted. Plans were presented, discussion followed. RC would like to see the truck space to the left taken out along with the area in front of the 3 employee parking spaces. He feels the trucks can make the turn and not have an issue. It will cut down on disturbance into the no touch area. RC also feels maybe moving the trailer over will also free up some disturbance. Representative can speak with owner on these recommendations. RC also said perhaps look into shortening the proposed greenhouse, cooler, and addition, and moving the dumpster to another area will help too. Mr. Silva just wanted to clarify with RC, eliminate truck parking spot on left and area next to it towards left. Not sure applicant will be ok with moving the trailer because if moved further back it cannot be seen from the front of the store. ST has concerns with trucks having enough room if the parking space on left and area near employee parking is removed. ST does agree with the recommendation of moving the trailer but not removing the parking spot and area out back. MI had a question about the stream that runs through the property. MR said its more than 200 feet from the project and goes diagonally away, it is intermittent. DB asked when plowed, what is used on the parking lot? Mr. Silva is not sure what has been used. ST told DB make that part of the conditions. RC does not see any compromise on this plan. Mr. Silva said they were trying to get it so that everything worked out. His client had a laundry list of things he wanted but they took some things out to make this work. Mr. Silva would like a clear answer tonight if possible. BM recommends a continuance. Motion to continue to October 21, 2013, have applicant here as well so the TCC can ask him any questions, ST, second MI, so voted.

- **Hoover Street (formerly 120 Highland Street.), Garanito/Hawthorne Development, Inc., (NOI), SE73-2557** Field report states that this filing is for the construction of two single family homes with utilities and associated grading. The wetland line was approved under filing SE 73-2544 and an ORAD issued on June 12, 2013. The houses will be built at the end of Hoover Street with a proposed cul-de-sac turnaround. Dewatering and concrete washout areas are outside the 100-foot buffer zone. A siltation barrier is depicted on the plan and runs along the 25-foot WPZ and is noted as the limit of work. The house to the south is the farthest from the wetlands at 87 feet (from the closest corner of the deck). The house to the north is entirely within the buffer zone and will be 33 feet from the wetland at its closest point off the north corner of the house. A swale is proposed to run between the two lots from the edge of the roadway to the

wetland in the east. MR recommends that stone be placed at the edge of the road to prevent erosion and under cutting of the roadway.

In addition, roof drains will be connected to drywells. All work is proposed outside of the 25-foot WPZ. The project as presented will not negatively impact the adjacent wetland therefore MR recommends that the TCC approve the project and issue an order of conditions to include the attached special conditions. John Garanito present. Motion to open the hearing, DB, second ST, so voted. Mr. Garanito stated that the homes will be serviced by municipal water and sewer. Motion to approve with conditions 1, 2, 3, 4, 5, 6, 8, 17, 19, 20, 21, 23, 24, 25, 26, and 27, ST, second DB, so voted. Motion to close the hearing, DB, second ST, so voted.

- **700 Joseph Warner Boulevard, Saint-Gobain Performance Plastics Corporation, (NOI), SE73-** Field report states that this project is for the expansion of the parking lot to increase parking from 56 spaces to 98 in order to better meet parking demands of the facility. The expansion will occur on the west side of the building adjacent to Joseph Warner boulevard and will include an additional driveway. The driveway and parking areas to the northeast will also be reconfigured, eliminating those parking spaces and creating a new access to the proposed parking areas in the front and west of the building. This property abuts the Three Mile River, BVWs, and a perennial stream to the north of the property. The work will be outside the riverfront area of the Three Mile River but will fall within 80 feet of the riverfront area of the perennial stream and within the 100-foot buffer zone of a BVW. This area is currently paved and will be redesigned as a driveway with the current parking spaces relocated. The access drive separates the perennial stream from the proposed work in the area. The wetlands were delineated by LEC and approved under file # SE 73-2458 with an ORAD issued on December 22, 2010. Straw wattles will be installed prior to construction and will be considered the limit of work. The work will include changing the current configuration of the northeast parking area to a new entrance that leads to a new parking area in the front of the building and continues west to additional parking and a new entrance/exit on Joseph Warner Boulevard. Water quality swales, sediment forebay, and infiltration basin will be constructed in the front of the property and connected by a 24-inch PVC pipe. This project was reviewed by the DIRB board prior to this meeting and the stormwater management practices proposed were approved by the City Engineer. The applicant has an O&M Plan for long term pollution prevention and stormwater systems operations. The basin in the west will fall within 17 feet of the wetland while the new parking lot will be 57 feet at its closest point. Work on the reconstructed entrance in the north will be 77 feet from the wetland and unnamed stream. All disturbed areas will be stabilized and re-vegetated with trees and shrubs along the roadway and building per zoning requirements. The wet swales will be seeded with New England conservation/wildlife mix. The project as proposed will not negatively impact the adjacent resources area and will improve the treatment of stormwater while providing needed parking for the business on site. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. Matt ? present for the applicant. There is not DEP # at this time. NK is concerned if we approve anything and DEP comes back with changes, it looks bad. Motion to open the hearing, ST, second NK, so voted. RC asked if drainage was reviewed? Yes it was. MR asked that she be sent a label from the seed mix so she knows what was used and it can be filed. Motion to continue to October 21, 2013, pending DEP #, applicant/representative only needs to be present if there are any changes/requests from DEP, ST, second DB, so voted.

Violations

- **8 Thunder Road.** Homeowner Lisa White present. She has not stepped foot in the area since she received an original letter from MR. Her boyfriend, Wade did not know of the letter and dumped yard waste there. They have not been in to clean it out because the letter said to stay out of there until they met with TCC. Motion to dismiss the violation DB, second ST, so voted. MR will speak with them.
- **76 Roundtable Lane.** Homeowner riding ATV in wetlands. Did not know he was in wetland area, was on his property but not aware. He will not be in there again. Motion to dismiss, ST, second DB, so voted.

Other Business

- October 10, 2013 Workshop that MR and RC are attending. Fee is \$80.00. Motion to approve, ST, second DB, so voted.

Motion to adjourn, ST, second DB, so voted. Meeting ended at 8:15pm.

