

## Minutes of the Taunton Conservation Commission February 22, 2016

**Present: Chair Steven Turner, Vice Chair Neil Kelly, Commissioners Luis Freitas, Renwick Chapman, Debra Botellio, and Marla Isaac. Absent: Commissioner Ernest Enos**

Motion to approve the minutes of February 11, 2016, RC, second LF, so voted. DB did not vote because she was not present at the meeting.

Motion to go out of order to hear from Boy Scout Peter Horvath, DB, second MI, so voted. Peter is requesting to do his project for Eagle Scout, at Boyden. There is a utility table by the firepit, he wants to remove the top and construct a new one. The base is still in good shape. He is also requesting to install 6 birdhouses in the field at entrance to sanctuary. He would also like to remove invasive trees and brush in the front fields as it is currently impeding maintenance. DB not mowing field correct? No. TCC gave him their blessing to go forward with the project and ST signed the form to begin the process.

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

### Continued Certificate of Compliance

1. **155 Duffy Drive, Butterfield, (COC), SE73-2464** Request for a continuance to March 21, 2016. Motion to continue to March 21, 2016, DB, second MI, so voted.

### Certificate of Compliance

#### RC stepped down

1. **480 John Hancock Road, Burke/BSC Group, (COC), SE73-2543** Field report states that this project was for the construction of a gravel parking lot and water quality swale to meet the conditions of the previous NOI filing (SE 73-1879). The work has been completed and MR recommends that the TCC issue a COC to close this filing. Motion to approve, DB, second NK, so voted.

#### RC back in

2. **700 Joseph Warner Blvd., St. Gobain Performance Plastics Corp., (COC), SE73-2558** Field report states that this project was for the expansion of the parking lot from 56 spaces to 78 and a stormwater management system in front along Joseph Warner Boulevard to include sediment forebays, a water quality swale, and an infiltration basin. The siltation barrier is still up and there is no indication of siltation into the adjacent wetlands. The swale and basins were seeded but no growth was detected. There is erosion and collapsing of the southern infiltration wall. MR recommends that this filing be continued to the April 11<sup>th</sup> meeting to ensure that the walls

and erosion are secure and all areas are vegetated. Motion to continue to April 11, 2016, revised plan with elevations to be submitted, DB, second RC, so voted.

3. **Bluegrass Circle, G.A.F. Engineering, Inc., (COC), SE73-2429** Field report states that this project was for the construction of a 21 lot residential cluster subdivision with roadways, utilities, upgrading of an existing cart path, grading, and three detention basins. All work has been completed in significant compliance to the order of conditions issued on 4/28/10. All detention basins are vegetated and stable and the roadway has had the final coat and the catchbasins are clear. MR noticed a moderate amount of trash in Basin #3, and recommends that all basins have the area in front of inlets cleaned so that they function properly. MR recommends that the TCC issue a COC for this project. Motion to approve, clean basins, DB, second RC, so voted.
4. **Joseph Quinn Drive, NCC Land/CIF II, LLC, (COC), SE73-2236** Field report states that this project was for the construction of an infiltration basin to service an office building within the Town of Norton. No work was ever done on this project and the applicant wishes to close the filing. MR recommends that the TCC issue a COC for no work ever started to close the filing. Motion to accept, RC, second DB, so voted.

#### **Public Meeting**

1. **10 Glebe Street, Champagne, (RDA), DSE-1121** Field report states that this project is for a septic system repair with a 2000 gallon septic tank and soil absorption system, and the abandonment of the existing cesspools. There is a BVW located to the west of the house and was delineated by SFG Associates on 12/30/15 using pink flags numbered 1-7. MR is in agreement with the delineation which follows the toe of slope along the southwesterly side of the house. The work will involve decommissioning the existing cesspools by pumping, crushing and filling, and placing the new SAS and septic tank closer to the house and farther from the wetland. A siltation barrier is depicted on the plan at least 20 feet from the wetland (flag 5) and will be the limit of work. The SAS will be 51 feet from the wetland and the tank will be 62 feet away. The work as depicted will not negatively impact the wetland. MR recommends that the TCC approve the wetland line, flags 1-7, and issue a negative determination to include the attached special conditions. Brad Fitzgerald present. Motion to accept the wetlands line, RC, second DB, so voted. Motion to issue a negative determination with special conditions 1, 2, 3, 4, 14, 18, and 19, RC, second DB, so voted.

#### **RC stepped down**

2. **305 Broadway, Marathon Holdings, LLC, (RDA), DSE-1122** Field report states that this filing is for a septic system repair to include pumping and filling in the existing system in the rear of the building and installing a new 1500 gallon septic tank and 16' wide x 32' long x 2' deep leaching chamber system in the front of the property. The wetlands were delineated by Lucas Environmental, LLC in June, 2015. The line follows contours 59 and 60 from flags A1 to A13, following the toe of slope from flag A9 to A13 and then crossing over the property line at

elevation 62 (flags A14 and A15). MR is in agreement with the placement of the flags. The closest work will be the decommissioning of the old septic system which will be approximately 17 feet from the wetland. The majority of the work and the new system will be outside the 100 foot buffer zone. Only a small portion of the grading for the leaching field will be within the buffer. The work as presented will not negatively impact the adjacent wetland. In fact, it will improve the area with the decommissioning of the old system. MR recommends that the TCC approve this project and issue a negative determination to include the attached special conditions. MR also recommends that the wetland line be approved at follows: Flags A3, A4, and A8-A13, with flags A1, A5-A7, and A14-A15 for reference purposes only. Rick Grady present. Motion to approve the wetland line and issue a negative determination with special conditions 1, 2, 3, 4, 7, 8, 14, 18, and 19, DB, second MI, so voted.

## **Amendment**

- 1. Pioneer Way, Martignetti, (Amend), SE73-2608** Field report states that this project is for the construction of a 720,785 square foot distribution facility with associated utilities and grading. The applicant now requests an amendment to the original order of conditions issued on 6/17/15. The amendment involves the acquisition of #480 John Hancock Road (the dog facility) in order to relocate and replace Pioneer Way with a private drive extending to John Hancock Road. This will involve abandoning Pioneer Way, moving the proposed driveway to the north, thus moving it farther from the BVW to the south. The stormwater management will not change. Work will involve razing the existing dog training facility, removing the pavement and stormwater structures from the existing Pioneer Way, and constructing the new proposed driveway to the distribution facility. The old Pioneer Way layout will be loamed, seeded, and landscaped, and approximately 20,000 square feet of impervious driveway surface within the buffer zone will be converted to pervious surface. In addition, lawn and trees will replace the area once occupied by the dog training facility, creating additional pervious surface. The construction does not involve moving or changing the existing pipe that currently runs under the roadway and building. The additional work will create additional pervious surface in addition to moving the roadway farther from the wetland once the current road is removed. The work as proposed will not negatively impact the resource areas on the property and will afford additional greenspace. MR recommends that the TCC approve the amendment and issue an amended order of conditions. All current special conditions remain in effect and the expiration date of the order remains 6/17/18. If more time is required to complete the project, the applicant must request an extension one month prior to the expiration date. Taylor Dowdy, Marissa Nesbitt, and Hank ? present. The dog facility will be demoed and the gravel lot gone. DB how close is the demo of buildings? In TCC jurisdiction? Yes but its nothing, just a slab no basement. Motion to issue an amendment, NK, second MI, so voted.

**(RC in)**

## Continued Public Hearing

1. **Pinehurst Street Lot 5 and 2. Pinehurst Street Lot 6**, Motion to continue both items to the end of the meeting, DB, second RC, so voted.

## Public Hearing

1. **Hon. Gordon M. Owen Riverway, City of Taunton-DPW, (NOI), SE73-2633** Field report states that this project is for the proposed roadway and safety improvements at the intersection of Gordon Owen Riverway and Williams Street. These improvements include the following:
  - a. Increase in width of travel lanes and shoulders on the Riverway to accommodate bicycles, and increase width of the travel lanes where feasible;
  - b. Install a traffic signal at the intersection;
  - c. Provide pedestrian walk signals;
  - d. Provide an exclusive left turn lane from the Riverway southbound to Williams Street eastbound;
  - e. Provide an exclusive right turn lane from Williams Street westbound to Riverway northbound;
  - f. Rehabilitate pavement;
  - g. Reconstruct asphalt sidewalks and install new concrete wheelchair ramps with detectable warning panels;
  - h. Make improvements to the existing drainage system;
  - i. Provide new pavement markings and signs; and
  - j. Relocate utility poles in widening locations.

There are two wetland areas within the project locus and these were delineated by Wetland Strategies Inc. on 9/25/15. BVW A is located in the northwest quadrant of the intersection and was delineated using flags A1 to A9. The "B" series (numbered B1-B23) is located along the south side of Williams Street, passes under the Riverway and continues into a BVW and perennial stream system. The above roadway improvements will involve both temporary and permanent alterations to wetland resource areas, as well as alterations to the buffer zone. A total of 3,150 square feet of buffer zone, 1,830 square feet of which is within the 25-foot WPZ, will be rendered impervious. An additional 3,600 square feet will be altered due to earthwork, 2,100 square feet are within the 25-foot WPZ, and the majority of the earthwork is required for the wetland replication areas. The BVW will have 1,045 square feet of permanent impact and 325 square feet of temporary impact along the east side of Williams Street. The impacts to the Riverfront Area will be within the outer (100-200 foot) riparian zone and will amount to approximately 1,190 square feet of new impervious area. An additional 460 square feet will be altered due to required earthwork operations. An erosion control plan and long term O&M Plan have been included and should be adhered to during and after construction. The proposed BMPs will increase the removal of total suspended solids (TSS) and will provide treatment for

stormwater runoff that has not previously existed, thus improving the quality of water running towards the resource areas. A 2:1 wetland replication has been proposed adjacent to the wetland on the east side of Williams Street across from #24 Williams Street. The applicant submitted a revised sheet showing the contours for the replication area per DEP's request. The project will improve safety for pedestrians, cars, and bicycles and will also provide much needed stormwater treatment in this area. MR also recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. Joseph Freeman and Greg Lucas present from BETA. They are currently working with DPW and City Engineer to take easements, not on homes side but on other side. RC any other place besides the wetlands to do this? No too close to the homes. Hopefully construction will begin in summer. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 19, 21, 25, 26, 27, and 28- follow O&M plan submitted, DB, second RC, so voted.

2. **68 Allison Ave., Swart Architecture, PC, (NOI), SE73-2631** Field report states that this project is for the construction of an addition to the existing office building, parking, and alteration of stormwater management to include the removal of the existing drainage basin and construction a new basin in the northwest corner of the property. The wetland was delineated by Michele Grenier on 10/16/15 using flags WFA1-WFA7 and WFB1-WFB8. MR first visited the site on 1/22/16 to review the wetland delineation. MR was not in agreement with the placement of the flags and requested to meet the wetland scientist at the site to review the flagging. We finally were able to review the flags and made changes to flag locations. Although MR would have moved the "B" series as well, it was not significant. Three flags in the "A" series, WFA3-WFA5, were moved closer to the project site, and flag WFA6 was no longer needed. The changes in flag location required a change in the configuration of the proposed detention basin, and the Engineer made the required changes and sent me a PDF which MR also sent out to the Commissioners. The western edge of the detention basin will fall within 13 feet of the wetland, thus falling within the WPZ. In order to minimize the impact within the WPZ, a block wall is proposed along the downgradient slope of the basin. The alteration to the basin will not impact its effectiveness regarding stormwater management, and this was the least invasive change to make. A siltation barrier is depicted on the plan and is considered the limit of work. The work as proposed will not negatively impact the adjacent wetland and the stormwater management plans meet DEP's requirements. MR recommends that the TCC approve this plan and issue an order of conditions to include the attached special conditions. In addition, MR also recommends that the wetland line be approved as follows: WFB4, WFB5, WFA1, WFA2, and revised locations for WFA3-WFA5, and elimination of flag WFA6A, with flags WFB1-WFB3 for reference purposes only. Ed Brennan applicant and Larry Silva Engineer both present. The retaining wall has a 5-6 foot height that does vary. RC concerned about the impact on the no work/disturb zone- building within 13 feet of wetlands. ST barrier? Silt fence or wattles, wouldn't mind doing a double barrier. 3-4 feet behind the wall is where they will be and it is a temporary disturbance. RC limits of existing area and new work, he is having a hard time distinguishing. Larry explained it in more detail to him. The figures show 1 foot of water in 50 year storm in retention pond, generally not more than 3 feet. NK asked is it designed for the 100 year storm? Yes peak

elevation 4 feet + in 100 year, 25 year less than 2.5 feet. RC 50 year closer to the 100 year? Larry no falls in the middle, 100 uses upper discharge, 25 maintaining it. So actually it would be 3.5 feet of water for the 100 year storm then? Yes. RC would like to see a cross section of the wall in a couple of places, would like to see the design. Larry stated the wall is 10 feet back from the inside edge of basin. RC would like a cross section through that dike to see what you need. Larry prior to the wall placement they will provide calculations and design. NK asked RC what does he want to see besides certification? RC is not so sure they can get someone to sign off on it. Larry said well if we can't then we will be back here, if it cannot be done as shown. RC asked if the city engineer has reviewed it? Larry said they've seen zoning and planning, and DIRB. RC but none have approved the plan with the retaining wall yet, right? Correct. RC will have to go back to those boards then? MR said not necessarily. MR will have Mark the city engineer take a look at it. ST so they need to go out get plan with wall, and cross section detail and have it stamped and get it back by the next meeting? Brennan recommends submitting plan not less than 14 days before construction, TCC and Mark will then have time to review. RC bidding yet? Already started on that for the building. Brennan make stamped plan condition of Order of Conditions. NK approve tonight with that condition should be fine. RC plan needs to be seen by TCC, MR, and Mark the City Engineer before construction begins. Full size plan of wall section please. Motion to approve with special conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 19, 20, 21, 24, 25, 26, 27, and 28- plans for retaining wall to be submitted 14 days ahead of construction and must be stamped by a structural engineer, 29- city engineer must review and approve design, NK, second LF, so voted.

3. **Inactive Dighton Industrial Rail Line, Mass DOT Rail & Transit Div., (NOI), SE73-2632** Field report states that this project is for the installation of a chainlink fence along the top of the parapet on the west side of the bridge over Cobb Brook. This is being done for safety purposes to prevent anyone from falling into the brook from the top of the bridge. There is a similar fence on the other side of the bridge for the same purpose. Clearing will be required along the top in order to install the fence. Northeast Land & Water, LLC delineated the resource area (Cobb Brook) using flags RA1-RA4 along the north side and flags RB1-RB4 along the south of the project area. Instead of accessing the site from the end of Clay Street, the Applicant was able to get permission to access the area from Joe oliveira of #580 Somerset Avenue, which is a much more direct route to the site. The project as presented will not negatively impact the brook and will make the area much more secure for anyone walking the abandoned railroad bed. MR recommends that the TCC approve this project and issue an order of conditions to include the attached special conditions. MR also recommends that the above delineation be approved for reference purposes only. Eric Wagner present. Motion to approve with special conditions 1, 2, 3, 5, 21, 25, 26, and 27, DB, second RC, so voted.
4. **24 Laneway Street, Dutzmann, (NOI), SE73-2635** Field report states that this filing is for the construction of a single family home and garage to replace the original home destroyed by a fire. The property is located along the western shore of the Segreganset River with the Segreganset Country Club as its abutter to the east and south, and has been in existence since 1963. The resource areas (Segreganset River and BLSF) associated with the 100 year flood elevation were delineated by Nicole Hayes, PWS from Goddard Consulting, LLC on 12/9/15. The

mean annual high water (MAHW) top of bank was delineated with flags MAHW TOB1-TOB39, of which TOB17-TOB32 are depicted on the plan along the property line of the subject property. The 100 year flood plain elevation is 90 and is shown on the plan. All work falls within 100 feet of the river and the siltation barrier is depicted at least four feet from the top of bank and is considered the limit of work. The closest work to the river will be the construction of the retaining wall and grading, which will be on the west side of the existing gravel drive. The house and garage will be built over the location of the former home and a new well will be dug north of the new house. The construction of the new house and garage is allowed under 310 CMR 10.58(4)(d)1.3. as this was a preexisting lot and there are no feasible alternatives to the one proposed. MR recommends that the TCC approve this project as well as the delineation of the riverbank and issue an order of conditions to include the attached special conditions. Frank Gallagher Engineer and Ingo Dutzmann homeowner present. DB straw wattles to be used instead of haybales? Sure. RC gravel driveway remaining untouched? Yes. Finished floor elevation of old vs new? New 103 feet up from old, now will have a basement. Motion to approve with special conditions 1, 2, 3, 4, 5, 19, 21, 25, 26, 27, and 28-straw wattles to replace haybales for erosion control, DB, second RC, so voted.

5. **N. Walker, Lima, (ANRAD), SE73-2635** Field report states that this filing is for the approval of a wetland delineation at the above property, which is on the south side of North Walker Street. The wetlands were delineated by Paul Patneau, Earth Services Corporation, on 1/26/16. The first area reviewed is located in the front of the property and marked using pink flags number ESC1 to ESC21. The second area is an ILSF that may connect to the BVW in times of high volume rains through a few small channels. This area was flagged with pink flags numbered A1 to A18. According to the delineator, this area is jurisdictional under Taunton's local By Law only. Both areas host a blanket of peat moss, wetland grass species, and red maples. There were also a large number of pines, mostly seedlings, within the BVW. The ILSF had standing water while the BVW was water-logged with areas of standing water. MR is in agreement with the delineation and recommends that the TCC approve the delineation as follows: flags ESC1 to ESC25, and A1 to A18. MR recommends that the TCC issue an ORAD for this filing. Antonio Lima present. Motion to approve, RC, second DB, so voted.

### **Continued Public Hearing**

1. **Pinehurst Street (91-285) Lot 5, Coute/Pinehurst Properties Development, LLC, (NOI), SE73-2629** Field report states that this filing was continued in order for the engineer to revise the plan to address the grading and drainage concerns brought up by Commissioner Chapman. The 56 contour was revised on the northerly side of the property to make it a continuous swale along the full length of the property line. Commissioner Chapman reviewed the plans and said that they met his concerns. MR is still of the opinion that there is a large amount of impervious surface that could impact the adjacent wetlands and properties over time, although the drainage swale and basin will probably abate most of the issue. If the Commission votes to approve this project and issue an order of conditions, MR recommends that the attached special

conditions be included. Motion to approve with special conditions 1, 2, 3, 4, 5, 7, 8, 9, 15, 16, 17, 18, 19, 21, 24, 25, 26, 27, and 28- correct plan to show true extent of grading, RC, second LF, so voted.

2. **Pinehurst Street (91-285) Lot 6, Coute/Pinehurst Properties Development, LLC, (NOI), SE73-2630** Field report states that this filing was also continued in order for the engineer to revise the plan to address the grading and drainage concerns brought up by Commissioner Chapman. The 56 contour was revised on the northerly side of the property to make it a continuous swale along the full length of the property line. Commissioner Chapman reviewed the plans and said that they met his concerns. MR still has concerns that the work as presented may impact the wetland and adjacent lots due to the large amount of impervious surface although the swale and detention basin will most likely abate most of the issue. If the Commission votes to approve this project and issue an order of conditions, MR recommends that the attached special conditions be included. Motion to approve with special conditions 1, 2, 3, 4, 5, 7, 8, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27, RC, second MI, so voted.

#### **Other Business**

1. DB discuss rules and regulations. Plans should be in the hands of the TCC, 5 business days before the meeting. MR did say this time mother nature, etc things came up they did the best they could.

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