



## **PAXTON CONSERVATION COMMISSION**

### **MEETING MINUTES**

**February 8, 2018**

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**Location and Time:** John Bauer Senior Center 7:04pm-11:27pm

**7:04 PM Meeting opened**

**Attendance:**

**Commissioners:** Mike Voorhis, Vice Chairman; Jim Robert, Commissioner; Tim Luring, Commissioner; Bob Ferguson, Commissioner; Donmarie Desrosiers, Commissioner, Holly Robert, Assoc. Member.

**Absent:** Lenny Anderson, Chairman; Chris Keenan, Commissioner.

**Others present:** Mia McDonald, Cons. Agent, Melissa Coady, Tighe & Bond, Michael Votruba, Tighe & Bond, Chris Acker, Tighe & Bond, Dan Martell, DCR, Mike Putnam, Paxton DPW, Bonnie Farrell, Resident, Joyce Keegan, Resident, Mike Keegan, Resident, Andrew Sebring, Resident, Ellen Smith, Applicant, David Fontaine, Applicant, Dorota Baczek, Applicant, John Morgan, CHA Engineers, Jay Hall, CHA Engineers, Glenn Krevosky, EBT Environmental.

**Minutes:** Minutes of January meeting were reviewed. TL motioned and JR seconded to approve the minutes with no changes.

**Bills:** MM Agent \$630 payroll bill. TL motioned and JR seconded; all voted in favor of paying the bill.

**Correspondence:**

Thank you note from Matt Hannson, Eagle Scout Project

Letter of Transmittal from CHA for MESA ENF "Considered Alternate Analysis Memo"

Environmental Conference flier from MACC

MA Land Conservation Conference Flier

Building Permit Application for an inground pool at 82 South Street

**Public Hearings**

**Request for Determination of Applicability at 101 Suomi Street,** (Map 13 Lot 7) by Dorota Baczek for the construction of a 16'x20' shed within the buffer zone of a wetland resource area. TL made a motion and JR seconded to issue a negative determination of applicability.

**Abbreviated Notice of Resource Area Delineation on a lot on Pleasant Street** (Map 27 Lot 166) by David Fontaine. DEP File No. 257-0311. Glenn Krevosky of EBT Environmental represented owners Ellen Smith and David Fontaine, both present. Mr. Krevosky stated that he is working on getting documentation from USGS regarding the perennial stream shown on the current USGS maps; long term plan is to submit a Notice of Intent application for a driveway to cross the wetland at the narrowest point to access the upland; more flags to be hung along the banks of the stream and possibly additional bvwa areas; new site visit will be needed prior to next meeting; new plan to be submitted for review prior to next meeting; applicant may ask for easement or purchase of adjacent property for access; previous access at the rear of the property was informal with previous owner and no longer available; owners will pursue a reasonable means of access or cross at the narrowest point. Mr. Krevosky requested a continuance to the March 15 meeting.

MV opened the hearing for public comment. Mike Keegan, resident, asked how the resource areas are delineated in the winter. Mr. Krevosky stated that the delineation was completed last fall but is possible in the winter as long as the ground is not frozen and no more than 1-2 inches of snow cover. Andrew Sebring, resident, asked how much of the parcel had been evaluated. Mr. Krevosky stated the whole property has been delineated. Bonnie Farrell, resident, asked about the future plans for the site. Mr. Krevosky said that will be in a future permit application and possibly a single family dwelling. HR asked for applicant to confirm that the driveway is not in the Drinking Watershed Protection Overlay District., which would require an application to the Paxton Zoning Board of Appeals. Joyce Keegan, resident, asked about current zoning. Mr. Krevosky replied that the property is zoned agricultural recreational and has a frontage of 286 feet. Andrew Sebring expressed concern about the woods disappearing.

TL made a motion and JR seconded to continue the hearing to March 15, 2018.

**Notice of Intent at Sawmill Road (Map 5 Lot 17A) by Nicholas Gove of the Massachusetts Department of Conservation and Recreation for repairs to the Eames Mill Pond Dam spillway and embankments.**

Melissa Coady presented the project for the Massachusetts Department of Conservation and Recreation: dam is deteriorating; walls are falling and have voids; dam is located on Turkey Hill Brook and creates a 60-acre impoundment; the pond is very shallow; dam constructed in 1828 with last repairs in 1973; multiple impoundments both upstream and down with additional impoundments within Moore State Park; existing Enchanta Bridge located on top of dam is structurally unsound due to rot; project proposed to bring dam and bridge up to current standards and full American with Disabilities Act (ADA) compliance. Mike Votruba of Tighe and Bond stated that a phase I and follow up inspections showed the dam to be in poor condition with deficiencies in the upstream embankment and walls; dam cannot currently pass spillway design flood for the 100-year storm; dam is 220 feet across and 25 feet wide with a spillway at the center of the embankment; top of dam is at elevation 1001.7 feet and contains an impermeable PVC liner; current standards require 1 to 3 feet of freeboard at spillway design flood, currently has less than 6 inches of freeboard; walls shall be raised to provide required free board; downstream training walls have increasing voids; 2 low level outlets with 3 foot by 7 foot sluiceways; gates exist upstream under water to control flow; north level outlet gate is inoperable.

Mr. Votruba described project: remove and replace upstream wall with stone-faced concrete wall; replace wood bridge; elevation raised to 1003.15 feet to provide required freeboard during spillway design flood events; stairs and handicapped access ramps; south level outlet gate replaced, north level outlet gate filled with concrete; trees and vegetation within 20 feet of the dam shall be cleared and grubbed, then area loamed and seeded; repairs to nearby handicapped parking lot and 5 foot wide walking path.

TL asked if hydroseed or sod would be used; Mr. Votruba stated it would be at the discretion of the contractor.

Mr. Votruba described the construction portion of the project: berm would be created within the pond with a coffer dam to perform drawdown; 60'x30' riprap pad placed within the pond for staging area; 60 acres of open water behind the coffer dam; work area will have sump pump to dewater into sediment traps; timber mats placed as temporary construction road to make riprap pad. Temporary disturbance to 270 linear feet of bank, 6,650 square feet of land under water, 1,300 square feet in flood plain with no change to flood storage capacity, all work is within the riverfront area of the stream; vegetation stabilization will be required by the contractor.

DEP File #257-0312 issued with comments. In response to DEP comments (in file), Ms. Coady responded that the 60'x30' riprap pad will stay in place permanently; DEP recommends using FGEIR

standards of 2-3 inches of drawdown per day, flow based on watershed size. Dredging may have triggered 401 water quality certification and/or permits from Army Corps of Engineers. MM requested response to all DEP comments in writing submitted to Commission and MassDEP.

TL asked how deep will the rip rap pad be and will it be visible above the water? Mr. Votruba responded that the top of the rip rap will reach 999.39' with approximately 1 foot of water to cover. Mike Putnam asked about the timeline and Mr. Votruba responded that work will take place in the summer.

Chairman Lenny Anderson submitted comment via email: will channeling occur between riprap area and low level outlet?

Mr. Votruba stated that any sediment laden flow from channeling will be addressed with sediment trap within flow channel downstream within the limit of work and will be specified in contract documents and provided in writing to the Commission.

MM requested that environmental monitoring reports should be submitted monthly and after significant rain events greater than 0.5 inches. The SWPPP reports for the site would be acceptable. HR asked if the construction sequence on page 2-11 was still accurate; Ms. Coady replied that that it is. HR asked about possible failure of such a large coffer dam. Ms. Coady replied that the contractor will be required to have over five years experience with this type of work, have a contingency plan and the height of the coffer dams shall be reduced by the drawdown levels. HR asked about possible replacement of trees. Mr. Votruba said that all trees within 20 feet of the dam must be removed and kept clear for the integrity of the dam; no tree removal proposed beyond 20 feet.

TL made a motion and JR seconded to close the hearing.

The Commission discussed conditions of the Order and required SWPP reports to be submitted monthly and after significant rain events; to include the standard condition to limit use of fertilizers and pesticides within the buffer zone and to provide notification of construction at least 48-hours before work starts. TL made a motion and JR seconded to issue the order with additional conditions described.

**Notice of Intent at Holden Road/Route31** (Map 25 Lot 32) presented by John Morgan and Jay Hall of CHA Engineers with Michael Putnam of the Paxton Department of Public Works for the rehabilitation, sidewalk construction and reconstruction, upgrade of traffic control devices, drainage improvements and widening for bicycle accommodation from Grove Street to the Holden town line. Funding from the Transportation Improvement Program, a mix of state and federal funds administered by MA Department of Transportation. MA DOT will be administering construction in fiscal year 2019. MA DOT will conduct the bid, contractor selection, construction administration and inspection. Total estimated project cost is approximately \$4 million. The road will be widened from 26 feet to 32 feet to meet MA DOT standards for minimum lane width with 5-foot bicycle shoulders for arterial roadways. A sidewalk will be added to the entire south side of the road and another sidewalk along the north side from Grove Street to the Senior Housing at 29 Grove Street; new drainage shall include 34 new deep sump catch basins spaced at 300 feet maximum utilizing existing outlets. A gravel wetland is proposed at the DPW facility to improve water quality. Profile of the road will stay the same in most places with changes of a few inches in some spots. Proposed safety improvements include additional guard rails and site distance improvement at Grove Street intersection, an overhead flashing beacon and new warning signs.

DD asked for the project duration. Mr. Morgan responded 12 to 18 months. Mr. Hall stated it is a limited project to improve the road; Asnebumskit Pond is an outstanding resource water and drinking water resource and the work shall require a 401 water quality certification, Environmental Notification Form

and review from the Massachusetts Environmental Policy Act (MEPA), as well as watershed determination of applicability from DCR; four wetland resource areas located along the route including BVW, intermittent streams, isolated wetland and outstanding resource waters; FEMA flood zone located at the pond, but not in the roadway. There will be an impact to 25 linear feet (12.5 feet on each side) of the intermittent stream bank at Channel 1. Wetland B will have 152 square feet of disturbance with 229 sf of replication proposed with seed mix and plantings. 67,000 square feet of work proposed within the buffer zone of the resource areas with 53,000 within the road and shoulder and a 5,481 sf increase in impervious area. Pine bark mulch tubes as erosion controls as shown on plans. Alternatives analysis within notice of intent application.

HR asked if there was to be any filling of Wetland C. Mr. Hall stated no. Mr. Hall stated that there would be a MEPA site visit in Feb 21 at 1030am at the DPW building. DEP has not yet issued a file number or comments. HR stated that 36 trees were proposed to be removed and can planting be incorporated. Mr. Hall said he will look for opportunities to plant new trees. BF asked what the gravel wetland will look like. Mr. Hall stated it will be grassy with some standing water. TL requested 2:1 replication ratio. Mr. Hall said he will investigate if possible and requested to continue the hearing to March 15.

TL made a motion and DD seconded to continue the hearing to March 15, 2018.

**Public hearing and comment for the proposed changes to the Paxton Wetlands Bylaw as per the MA Attorney General comments.** Public hearing not opened due to recent comments from Town Counsel. The Commission requested additional research is done to address Town Counsel comments.

**Informal Discussion:**

- Indian Hill Road Map 27 Lot 129 – possible donation of land. MM stated that the land does not abut any other conservation or GWLT lands or trails and may possibly contain dumping. HR and DD requested to perform a site visit to inspect the parcel for conservation values.

**Other Business:**

- BOH Plans & Building Permits – 82 South Street inground pool. MV will conduct site visit and sign form.

**Upcoming meeting dates:**

March 15, 2018 (March meeting moved from the 8<sup>th</sup> due to lack of quorum,) and April 12.

MM requested alternate meeting dates for July and August due to vacation schedules. Due to the far off distance of the dates, the possible change shall be discussed later in the spring.

JR motioned and TL seconded to close the hearing. The meeting was adjourned at 11:27 PM.

Respectfully submitted,

Mia McDonald,  
Agent for the Conservation Commission

**Reference Documents:**

\*As noted in the minutes, on file with the Paxton Conservation Commission.

