



**CITY OF GARDNER
CONSERVATION COMMISSION
Minutes of the Meeting of
February 12, 2018
Hubbard Conference Room
Gardner City Hall Annex Room 203**

Members Present:

Chairman Greg Dumas, David Beauregard, Norman Beauregard, Duncan Burns, Michael Hermanson, Donna Lehtinen, and David Orwig. Also present was Conservation Agent Jeffrey Legros.

Members Absent:

None

Guests & Visitors:

Reno Jalbert, Resident; Annette Jalbert, Resident; Anne Marie Bouchard; Ed Hutchinson, Tetra Tech, Representing MassDOT; Beth Parent, MassDOT; Susan McArther, MassDOT; Chris Mossman, PE, Trowbridge Engineering; Neil Erickson, Representing Monadnock Trust; Chris Anderson, Hannigan Engineering.

Public Hearings

The Gardner Conservation Commission Opened the joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Notice of Intent filed by Massachusetts Department of Transportation (MassDOT) Highway Division for the activities associated with the roadway improvements at the Route 2/Route 68 Interchange Rotary for traffic, pedestrian, and bicycle safety and accessibility and drainage. This project is being proposed as a Limited Project, per 310 CMR 10.53(3)(f) which allows for the maintenance and improvement of existing public roadways, but limited to widening less than a single lane, adding shoulders, correcting substandard intersections, and improving inadequate drainage systems. The project has been designed to comply with the Massachusetts Department of Environmental Protection's Stormwater Management Policy to the maximum extent practicable.

6:32 Ed Hutchinson and Beth Parent, Tetra Tech, described the proposed project and Resource Areas including improvements deep sump catch basins, a shared use path and accessible ramps, decreased pavement width, and realigned ramps for

pedestrian and traffic safety. He noted that the project would result in a decrease in impervious surface by approximately 1,200 square-feet.

6:39 Chairman Dumas asked the when the proposed start date of construction was.

Susan McArther, MassDOT responded that work would begin July 2018.

6:40 Commission D. Beauregard asked what the expected duration of the project would be.

Ms. McArther, MassDOT stated that it would be approximately 6-months of work or 1 construction period.

6:41 D. Orwig asked if the deep sump catch basins would be new or if they would be replacements to existing.

Ms. Parent stated that the existing basins would be upgraded or new basins would be tied into existing drainage system.

6:44 Chairman Dumas asked what type of erosion controls would be used.

Ms. Parent stated that compost filled filter tubes would be used as specified by MassDOT standards. She stated that filter sleeves would also be installed at catch basins.

6:50 A motion to close the hearing was made by M. Hermanson. The motion was seconded by D. Burns and voted unanimously, all in favor of closing the hearing.

6:51 *The Gardner Conservation Commission will opened the joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Notice of Intent filed by Rose Valois, 75 Oriole Street for work at 75 Oriole Street and within the unaccepted portion of Oriole Street. The work will consist of the abandonment of an existing septic system and installation of a new sewer line to connect with existing infrastructure within the unaccepted portion of Oriole Street and will end within the proximity of 42 Oriole Street. Some work will occur within the buffer zone of a Bordering Vegetated Wetland, including work within the 30-foot 'No Disturbance' Zone, of which the existing building and sewage structures are located within. No new disturbances within this zone are proposed.*

6:52 Chris Anderson, Hannigan Engineering, described the proposed project and Resource Areas including the abandonment of the existing septic system and installation and connection of a sewer line along the unaccepted portion of Oriole Street, a length of about 350-feet. He noted that silt fence and straw wattles are proposed along the edge of the existing wetland area nearest to the septic system.

6:55 Chairman Dumas asked what the duration of the project would be and how many homes are currently still on septic and wells at that location.

Mr. Anderson stated that the work would be approximately 1-month duration and that several other homes are also on septic and well at that location.

6:59 Ms. Anne Marie Bouchard, abutter, 55 Oriole Street expressed concerns related to bedrock ledge and asked if they would need to blast. She wanted to make sure the proposed plan would not cause her “tie-in” to back up and expressed concerns about the drainage if the existing swale is changed.

Mr. Anderson said that they do not plan to blast and that the City DPW and Engineering Department will be involved with any final proposal and monitoring of the project.

7:05 Agent Legros recommended compost filter tubes in place of silt fence due to the nature of the site conditions.

7:11 A motion to close the hearing was made by N. Beauregard. The motion was seconded by D. Beauregard and voted unanimously, all in favor of closing the hearing.

Meeting

Chairman Dumas called the meeting of February 12, 2018 to order.

Minutes

7:12 A motion was made by M. Hermanson to rescind the previously approved minutes of January 8, 2018 and to approve the Amended Minutes of the Meeting of the meeting of January 8, 2018, as revised. The motion was seconded by D. Burns and voted unanimously, all in favor.

The Minutes of the Meeting of January 22, 2018 were tabled until the next meeting due to allow for the correction of a clerical error in the date listed in the Agenda and Minutes.

Orders of Conditions

8:15 A motion was made by D. Burns to issue an Order of Conditions with Standard Special Conditions to MassDOT for the Route 2/Route 68 Rotary Pedestrian and Traffic Safety Improvements project (DEP File #160-0616). The motion was seconded by D. Lehtinen and voted unanimously, all in favor.

8:17 A motion was made by D. Burns to issue an Order of Conditions with Standard Special Conditions and to include the use of compost filter tube erosion control measures for the 75 Oriole Street Sewer Line Connection Project (DEP

File #160-0615). The motion was seconded by D. Lehtinen and voted unanimously, all in favor.

Request for Determination of Applicability

The Gardner Conservation Commission held a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Request for Determination of Applicability filed by Trowbridge Engineering on behalf of the Monadnock Trust.

7:13 Chris Mossman, PE, Trowbridge Engineering, described the proposed work which will consist of the cutting of trees at the Hobby Pond dam on Raymond Street for maintenance and safety purposes. Mr. Mossman stated that the work will occur within the buffer zone of the Bank of Hobby Pond and within the Riverfront area of the stream between Hobby Pond and Lake Wampanoag and that work would be done during frozen conditions of the lake, earthen dam, and access area from Raymond Street to avoid rutting, sedimentation, or erosion. He also stated that the trees would be cut close to the ground and that stumps would remain in place to avoid any unnecessary exposed soil and the potential for bank destabilization.

7:16 Chairman Dumas recommended that the Monadnock Trust prepare a Dam Management Plan identifying a schedule of routine maintenance and inspection requirements and activities and identifying the party, entity, or individual responsible for conducting such activities. Maintenance and inspection records should be recorded and made available to the Commission upon request.

7:27 A motion was made by D. Orwig to issue a Negative Determination on RDA #2018-2-1, related to tree removal for the purpose of maintenance of Hobby Pond Dam. The motion was seconded by D. Beaugard and voted unanimously, all in favor.

The Determination will be issued once the work area and trees have been clearly flagged and a pre-work inspection has been conducted by the Agent, and pending the receipt of a letter of permission by the Commission from the Monadnock Trust identifying and authorizing abutting property owners to conduct the removal of trees.

Request for Certificate of Compliance

7:29 **#160-0553 – National Grid Park Street Substation Project:**

Diana Walden of BSC Group presented a brief description of the work and activities associated with the construction and relocation of the National Grid substation and summarized the timeline of permitting activities: including issuance of the Order of Conditions, Amendment of the Order of Conditions, Minor-Change Requests, Extension of the Order of Conditions, and other notable administrative activities during the project.

A site inspection related to the Request for Certificate of Compliance was conducted on February 9, 2018. Present at this site visit were Ms. Walden, Vahram Dolukhanyan (National Grid), Agent Legros, and Commission Members D. Burns and N. Beauregard. Snow was a factor at the site visit and made some portions of the site unable to be properly viewed and inspected.

Ms. Walden reported on the current status of the work and condition of the site in its current, completed conditions. She also referenced, distributed, and demonstrated the final “as-built” site plans related to the overall Site and Infrastructure, Stormwater and Drainage, and Landscaping components of the plan. Finally, Ms. Walden submitted and described basic Operation and Maintenance Plans related to ongoing and Long-term Stormwater and Landscaping and Site Management Activities for the site.

The Commission commented that the Stormwater O&M Plan was vague and did not specify or assign specific duties to specific organizations, entities, or individual positions, roles, or titles within such organizations. It was the consensus of some members of the Commission that additional information should be included within the plan to better facilitate future implementation and monitoring and ensure overall compliance.

7:58 A motion was made by D. Burns to continue the Request for Certificate of Compliance related to DEP File #160-0553 to the next meeting on February 26, 2018 pending the receipt of additional information specifically related to the Stormwater O&M Plan and to allow for Commission Members to view the site during more favorable conditions when snow is not completely covering certain portions of the work and infrastructure. The motion was seconded by D. Lehtinen and voted unanimously all in favor.

8:00 #160-0607 – Olde English Village Stormwater Outfall Project:
Chris Anderson, Hannigan Engineering, described the status of the completed work related to the replacement of pipe and the redesign and improvement of the stormwater outfall of a privately owned stormwater system related to Olde English Village located off of Manca Drive and draining directly to Pond Brook.

A site inspection was conducted on January 18, 2018 by Agent Legros in the presence of the owner’s representative, Chris Anderson, Hannigan Engineering. The work included work within and impacts to several Protected Resource Areas including, Riverfront Area, Bordering Vegetated Wetland, Bank (of Pond Brook), and Bordering Land Subject to Flooding. Overall, the work was found to be within substantial compliance of the approved plan and as Conditioned, to protect (or limit impacts to the maximum extent practicable) those areas, as affirmed by Hannigan Engineering. It is the Agent’s opinion that the relocated, redesigned, and reconstructed outfall provides an improvement over previously existing

conditions, and therefore, it is his recommendation to issue a Certificate of Compliance, as requested.

8:05 A motion was made by N. Beaugard to issue a Certificate of Compliance for DEP File #160-0607. The motion was seconded by D. Burns and voted unanimously, all in favor.

Request for Emergency Certification

None

Enforcement Order

None

Presentations

None

New Business

- **Montachusett Regional Trails Coalition (MRTC) – Stakeholders Survey:** The MRTC is undergoing organizational and strategic planning to better understand and implement their mission. They are seeking input from potential stakeholders to help guide the process. Agent Legros will email the survey to Commission members at the Commission’s request.
- **MACC Annual Conference:** The MACC Annual Environmental Conference will be held on Saturday, March 3, 2018 at Holy Cross in Worcester. Agent Legros will be giving a presentation on prioritizing land for conservation. His talk will highlight the Gardner & Winchendon Landscape Partnership project, acquisition of the Alisaukas Conservation Area and associated aspects of prioritizing, planning, and protecting the critical habitat and unique landscape of the Bailey Brook cold-water stream ecosystem. Also presenting in the workshop, “*Don’t Just Map it – Conserve it!*” will be Stephanie Covino, Mass Audubon, who will discuss the Mapping and Prioritizing for Parcel Resiliency (MAPPR) tool, and Janet Morrison, Land Conservation Consulting, who will discuss strategic planning, funding, and developing partnerships for successful land conservation.

Old Business

- **Bailey Brook Conservation Efforts – LAND & PARC Grant Council Votes:** At their meeting of February 5th, 2018 the City Council voted (Order No. 12819) to authorize the Mayor to accept grant funds awarded to the City under the LAND grant program in the amount of \$71,038.00 and to enter into any necessary contracts to purchase approximately 93.5^{+/-} acres of the Omealia property (being a portion of Assessor’s Parcel H37-23-35) for the purpose of Conservation and passive recreation, and to borrow, appropriate, and expend up to \$114,352.00 for

the purchase of said land in fee to be permanently protected under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

At their meeting of February 5th, 2018 the City Council voted (Order No. 12820) to authorize the Mayor to accept grant funds awarded to the City under the PARC grant program in the amount of \$97,388.00 and to enter into any necessary contracts to purchase approximately 28.8^{+/-} acres of the Omealia property (being a portion of Assessor's Parcel H37-23-35) for the purpose of active recreation and park purposes, and to borrow, appropriate, and expend up to \$139,125.00 for the purchase of said land in fee to be permanently protected under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

Due diligence related to the acquisition process will begin once the contracts have been fully executed and the commencement periods have begun. Acquisition of the land as two individual parcels, under the LAND and PARC programs, respectively, is anticipated to be completed by December 31st, 2018.

- **Commission Office Supplies and Equipment:** The Commission asked Agent Legros to move forward with getting quotes for the purchase of Wetland Boots for the Commission members. Muck Boots, Kamik, or Boggs were mentioned as possible choices based on reputation, function, and quality.

Motion to Adjourn

8:33 A motion to adjourn was made by M. Hermanson. The motion was seconded by D. Orwig and voted unanimously, all in favor.

Respectfully submitted,

Jeffrey D. Legros, Conservation Agent

All materials used at the meeting are available for viewing at the office of the Conservation Agent, Room 202 of the City Hall Annex.

Minutes are available as follows:

- Minutes are available on the City of Gardner website (www.gardner-ma.gov) under Conservation Commission.
- By appointment or request in Conservation Agent's office, Room 202 of the City Hall Annex
- Community Development & Planning office, Room 201 of the City Hall Annex