

**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

MEETING

Monday, March 28, 2022 at 6:30 p.m.

Virtual meeting, no in-person attendance

Under the Governor’s current bill regarding open meetings and Covid 19, this meeting will be held via Zoom. Detailed instructions for participating in the meeting via Zoom are posted at the bottom of this agenda, or can be obtained by emailing Katie Guertin, Conservation Agent, at kguertin@gardner-ma.gov. All documents and permit applications can be provided electronically. Please send request to kguertin@gardner-ma.gov. All persons interested in this matter, or who desire to offer testimony, are invited to participate.

Members Present:

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

Members Absent:

David Beauregard

Guests & Visitors:

Chris Mossman – Minott St. properties, Chris Anderson – Hannigan Engineering, Gardner McPherson – abutter to Riverside Rd.

MEETING – brought to Order Chairman G. Dumas at 6:30 pm

Minutes

Vote to approve the Minutes of the Meeting of March 14, 2022

- Motion to approve Minutes “As Printed” made by N. Beauregard, seconded by D. Lehtinen, and voted all in favor with D. Burns abstaining.

Request for Determination for Applicability

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Robert LaPierre**. for work to be conducted at 122 & 128 Wampanoag South Road,

Gardner, MA 01440 (W42-3-9 & W42-4-10). Proposed work consists of the removal of several potentially hazardous trees within 100 feet of a bordering vegetated wetland.

Continued from 1/24/22, 2/14/22, 2/28/22, 3/14/22

- K. Guertin advised that there has been no update since the last meeting.
- A Motion to continue to April 11th was made by D. Burns, seconded by N. Beauregard, and voted all in favor.

Request for Determination for Applicability

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the **Request for Determination of Applicability** filed by **Ronald Chevarie**, for work to be conducted at 72 Minott Street, Gardner, MA 01440 (W12-18-6). Proposed work consists of the construction of a garage within 100 feet of a bordering vegetated wetland.

- Representative Chris Mossman explained that the proposal is for a 40x40 garage on a lot which already has an existing house. He is before the Commission due to the Bordering Vegetative Wetlands, 100' Buffer Zone, and the existence of a perennial stream, which is man-made. He explained that there is a little grading which extends into the 100' Buffer. He is proposing silk fencing and a designated construction entrance.
- G. Dumas asked about the proximity of the existing tree line, and C. Mossman replied that it's back from the work area, but that some trees have been already been cut. No stumping. A wetlands engineer has been brought onto the project. G. Dumas inquired as to how many trees have been cut? C. Mossman replied that "not many" trees have been cut. It was primarily brush and invasive species.
- D. Orwig questions the 90-degree turn of the existing driveway. C. Mossman explained that they are expanding the width of the driveway to accommodate the garage. The need to do so was driven by a zoning issue regarding the lack of required frontage for this property.
- A Motion to end the hearing was made by N. Beauregard, seconded by D. Lehtinen, and voted all in favor.
- A Motion to grant a Negative 3 Determination was made by D. Orwig, seconded by N. Beauregard, and voted all in favor.

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Ronald Chevarie**, for the construction of a single-family home and associated utilities, located at 80 Minott Street, Gardner (W12-23-7). The proposed work is located within the buffers to Bordering Vegetated Wetland.

- C. Mossman, also representing this property, explained that this proposal is to build a single-story home. No foundation drain is being proposed. There will be more fill in the front yard. There is a little work in the 100' Buffer Zone – grading in the rear. The grading also encroaches on the perennial stream. C. Mossman pointed out that there are established homes already near the perennial stream. His proposal includes 3,000 sqft of alteration, which is allowed since it's less than 10% of the total lot. No construction work is being proposed in the Buffer Zone. Silk fencing is proposed and also a designated construction entrance. Thus far there are no DEP comments or a file number.
- A Motion to close the hearing was made by D. Orwig, seconded by D. Lehtinen, and voted all in favor.
- A Motion to approve a Standard Order of Conditions, pending DEP comments, was made by N. Beauregard, seconded by D. Orwig, and voted all in favor.

Notice of Intent

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on a **Notice of Intent** filed by **Gregory Romac**, for the removal and replacement of the bridge, located on Riverside Road, Gardner (H22-3-10). The proposed work is located within the buffers to Bordering Vegetated Wetland and Riverfront Area.

- Chris Anderson from Hannigan Engineering explained that the work is proposed to replace an existing bridge which crosses over the Otter River. The work also occurs in neighboring Templeton and April 11th is Templeton's scheduled Conservation meeting. The issues at hand are the Bordering Vegetative Wetlands, River Front, and Flood Plain Elevation (in Templeton only).
- The project affects the 3 concrete abutments (one on each side of the river, and one in the middle of the river). Their proposal plans for two new concrete pillars on either side of the river. The decking will be constructed off-site and be brought in, starting on the Templeton side. Straw waddles and silk fencing are proposed. Hydraulic booms are proposed for the heavy equipment. MacKenzie Engineering drew up the plans.
- D. Orwig thought that the new abutments would be done while the bridge is still there. C. Anderson clarified that yes, the piers will be done while the existing bridge is still active.
- D. Burns inquired about the length of time for the project. C. Anderson does not have a definitive answer yet. He replied that it could be approximately one week or so. He also added that they have not decided on a contractor yet.
- C. Anderson also stated that the prefabricated steel will be brought in on a flatbed. The intent is to be completed by next winter, noting that timing is urgent due to safety concerns of the existing bridge.
- G. Dumas asked for more clarification on the proposed concrete pillars. C. Anderson replied that the existing footings will remain intact. There is no substantial demo work. The middle abutments and existing side abutments serve no structural purpose for the new bridge. The deck is designed to accommodate the elevation (slope stabilization). Trying to avoid erosion issues.
- G. Dumas asked how deep the pillars will go. C. Anderson noted approximately 6' deep and 18" at the base. They are trying to do this during the "low season." If de-watering is necessary, they can work with the Commission. G. Dumas also wanted to clarify that the middle abutment is stable, and C. Anderson stated that per the structural engineer, it is.
- C. Anderson noted that there is a DEP file number, but no comments yet. The Commission is in agreement to wait for the DEP comments.
- K. Guertin questioned that the flood plain is not on the Gardner side, too? C. Anderson reiterated that it only shows on the Templeton side. K. Guertin also inquired about flood storage for the piers, and C. Anderson stated that they are not needed for this project.
- M. Hermanson noted that if the DEP comments come in prior to April 11th, the Commission will need to have Mr. Anderson available for our April 11th meeting, but it conflicts with Templeton's scheduled Conservation meeting. G. Dumas noted that Mr. Anderson could address the comments in a letter to the Commission. D. Burns suggested that the Commission continue the case to the April 25th meeting.
- An abutter, Gardner McPherson, broached a number of concerns. He confirmed that the existing bridge was built around 1900 to 1905, making the existing piers and pillars very old. He is concerned about the pier becoming loose and also weight limits for the bridge. Currently there are no postings to stop large trucks from travelling over the bridge. In terms of the project's timeframe, his concern is with elderly people who are house-bound living on the Gardner side. He is also concerned about who the contractor will be. Could a bond be put into place in case anything goes wrong? Also, the width of the deck is a concern. Will it be wide enough for plows? C. Anderson will reach out to MacKenzie Engineering to provide weights and confirmation. G. Dumas noted that some of those points are out of the Commission's purview.
- A Motion to continue the case to April 25th was made by D. Burns, seconded by N. Beauregard, and voted all in favor.

- D. Burns also requests a site visit for the Commission, and K. Guertin will make the arrangements.

New Business

Elementary School peer review

- K. Guertin advised that both Tighe & Bond and Fuss & O'Neil want to have site visits. She advised that she hasn't walked the site recently. G. Dumas stated that he wants the Commission to be included on these site visits.
- Steve Rockwood, an abutter, submitted photos he took at the site showing a number of concerning issues. G. Dumas indicated that in terms of some of the photos (leaching around footings, as an example) they are normal construction site issues, and any problems would need to be fully evaluated after construction. There were also numerous photos of trash (Styrofoam packing material, etc) strewn about the site. These are not acceptable. The Commission knows that construction sites typically have a laborer walk the site daily. They also need to ensure that the dumpsters are securely covered. K. Guertin will contact Fuss & O'Neil to have the site cleaned up. D. Burns wants a date as to when it will be cleaned up.
- G. Dumas suggests once a week site visits.

Matthews St.

- K. Guertin advised that the property is clear-cut now. She needs to get out there to verify things. Currently the Building Permit is on hold until she can confirm things. Is the dirt located on this site from the hospital construction? The tracks indicate that theory.
- G. Dumas notes that the Building Department needs to monitor the dirt movement. He is concerned about dirt getting into storm drains.

Upcoming Meetings

April 11

- 7:22 pm** A motion to adjourn was made by D. Burns. The motion was seconded by N. Beauregard, and voted unanimously, all in favor.

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Katie Guertin is inviting you to a scheduled Zoom meeting.

Topic: Gardner Conservation Commission

Time: Mar 28, 2022 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/97901057193?pwd=Ny84NkVLM2lEcXBRRGtsRzVvMHczdz09>

Meeting ID: 979 0105 7193

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