

**CITY OF GARDNER  
CONSERVATION COMMISSION**

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

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Gardner, MA 01440

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**MEETING**

**Monday, August 23, 2021 at 6:30 p.m.**

**CITY HALL ANNEX  
SECOND FLOOR MEETING ROOM 203**

**Members Present:**

Chairman Greg Dumas, Michael Hermanson, Duncan Burns, Donna Lehtinen, David Orwig, David Beauregard, and Norman Beauregard. Also present was former Conservation Agent Lyndsy Butler, Conservation Agent Katharine Guertin, and Administrative Clerk Kris Singer

**Members Absent:**

None

**Guests & Visitors:**

Jon Allard – Fuss & O’Neill, Arthur Allan – EcoTec, Chris Keenan – Quinn Engineering, Tim Hunt – owner - CHC, Jeff Angers, Trevor Fletcher – GRAZ Engineering, Mike Leger – contractor, Dana Morse – owner, A. Jandris & Sons, Alanna Prentice – 152 High St (abutter), and Steven Rockwood - resident

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

**Minutes**

Vote to approve the Minutes of the Meeting of July 26<sup>th</sup> and August 9, 2021  
Minutes of July 26<sup>th</sup>:

- Motion to approve Minutes “as printed” made by M. Hermanson seconded by D. Orwig, and voted all in favor, with G. Dumas, D. Lehtinen, and N. Beauregard abstaining.

Minutes of August 9<sup>th</sup>:

- Motion to approve Minutes “as printed” made by D. Burns seconded by N. Beauregard and voted all in favor, with D. Orwig and D. Beauregard abstaining.

## **Notice of Intent**

### **DEP#160- 0646**

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 Fuss & O’Neil on behalf of Releaf Cultivation, LLC of 232 Old Colony Avenue, Boston, MA 02127 for the construction of a new cannabis cultivation facility located at 120 Suffolk Lane, Gardner (X37-16-14). Project is located within the buffer to Bordering Vegetated Wetland.

*Continued from 8/9/21*

- Jon Allard from Fuss & O’Neill submitted a revised plan. He also recapped the project, noting the wetland on the east side of the property as well as the detention basin to the west of the wetland. The project includes the construction of a new 50,000 sqft building with 19 parking spots. The previous plan included work in the 60’ No Build, but now the revised plan has all work being outside of the 60’ zone. There is still proposed work in the 100’ foot buffer, which totals 3,000 sqft. The work consists of bringing in new drainage pipe and some grading. The new plan also shows the addition of planted native species to foster new woodland.
- D. Orwig asked who ensures the success of the new plantings? J. Allard notes a 1 year warranty from the contractor. The owner of Releaf Cultivation, Pete Martin, can be the contact for any issues.
- D. Orwig also noticed that the new plans are not stamped by an Engineer. J. Allard believes that they are electronically stamped and possibly that stamp didn’t print out on the copies given to the Commission.
- J. Allard acknowledged that the owner wants to start ASAP, but work probably won’t start until the spring.
- M. Hermanson noted that to seed in a dormant period typically yields a greater success.
- J. Allard believes the duration of the building construction to be approximately 6 months.
- A Motion to end the Hearing was made by D. Burns, seconded by D. Beauregard, and voted all in favor.
- A Motion to issue a Standard Order of Conditions was made by D. Burns, seconded by D. Lehtinen, and voted all in favor.
- J. Allard also added that he will send the revised plans with a proper stamp.

### **DEP#160-**

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 Eco Tech on behalf of Community Health Connections, 175 Conners Street, Gardner, for the construction of a new health care facility, located at 0 Timpany Boulevard, Gardner (M12-10-8). Project is located within the buffer to Bordering Vegetated Wetland.

- Arthur Allen from EcoTec introduced himself and his team present: Chris Keenan from Quinn Engineering, Tim Hunt, and Jeff Angers from Community Health Connections.
- A. Allen began his presentation by stating that he had flagged the wetlands on property. He also confirmed no work in the 30' No Disturb zone and no structures to be built in the 60' No Build zone. The proposal includes a new 20,000 sqft healthcare facility and associating parking (101 parking spaces). The stormwater facilities are in the back of the property and there is some proposed grading in the 100' buffer.
- C. Keenan noted that the catch basins in the front of the parking lot drain to the back of the property. He also addressed the DEP comments: 1) DEP's issue with the grass/trees for the run-off area. He said that if the Commission wants to show woods, they can accommodate that request; 2) the soil test kits that they did predicated to catch full stormwater run off.
- D. Burns inquired about the sewer-water connection, and was told that it's connected to city water in the access road, but their proposal is not touching the connections in the back.
- G. Dumas asked if there was anything in this location in the past, and the answer is no. He also asked if the access road requires levelling, and C. Keenan advised no, the road is pretty flat.
- A. Allen advised that there is a small, intermittent stream under the access road and they plan to tap into that stream for the drainage. C. Keenan notes that their proposed basin is oversized and is designed to retain water from a 1-2 year storm. For a 100-year storm, it's 2 1/2 CFS, 3' per second.
- D. Burns asked about construction time-frame, and C. Keenan advised that the plan is to start ASAP. A metal building is being proposed.
- G. Dumas asked about a stormwater management plan, and was told it is included in their proposal.
- M. Hermanson asked about their snow storage plan, and C. Keenan advised that the Planning Board had asked to reduce the snow storage area. They did, though, leave the snow shelf in place. G. Dumas stated that the Commission is usually concerned about not enough snow storage.
- G. Dumas asked about a dumpster, and was advised that it's proposed to be in the back turning area along with a generator. The generator will be powered by natural gas is proposed to be "life-safety" size only.
- A. Allen added that he will follow up with the Commission in writing on his response to the DEP comments.
- A Motion to close the Hearing was made by D. Burns, seconded by N. Beauregard, and voted all in favor.
- A Motion to approve the Standard Order of Conditions (inclusive of the applicant's response to the DEP) was made by D. Beauregard, seconded by M. Hermanson, and voted all in favor.

**DEP#160-**

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 D. R Poulin Construction on behalf of Adolf Jandris & Sons, Inc., of 202 High Street, Gardner, MA for the removal and replacement of an existing building located at 199 East Broadway, Gardner (R12-10-4). Project is located within the River Front Area and Bordering Vegetated Wetland.

- Trevor Fletcher from GRAZ Engineering introduced other members of the project in attendance: Mike Leger-contractor and Dana Morse- owner of A. Jandris & Sons. T. Fletcher was confused by the DEP comments and wants to go over them with the Commission.
- K. Guertin stated that she believes the DEP is deferring to the Commission to determine if the riverfront improvement proposals do improve the area, but the stormwater report cannot be considered a contributing improvement.
- T. Fletcher explained the project as a demo and replacement of a garage. The new garage will be 70x70 sqft with a 24' roof overhang. They consider this new garage an improvement because adding to the size of the building won't contribute to the impervious nature on the site. And the roof overhang will direct drainage directly to street drainage. They are also adding a rain garden to add to infiltration in the manhole up the street.
- It's also noted that the crown in East Broadway won't allow for run-off across the road into the wetlands.
- G. Dumas questioned why in their proposal that they deem the project to be exempt. It was explained that the entire area exists as impervious and they are making minor improvements to the site.
- Again they went over their proposed improvements: 1) installing a rain garden which will allow the infiltration of sediment into the drainage; 2) the new building will have stormwater run-off directly into the ground, no sediment just clean water.
- G. Dumas asked about the existence of catch basins on the site. T. Fletcher advised that there are 1 – 2 basins in the right-of-way which is city property. He is not aware of when they were cleaned.
- Dana Morse, from A. Jandris & Sons, advised that they were cleaned about 2 years prior and there wasn't much sediment present at the time of cleaning.
- D. Orwig asked about the size of the proposed rain garden, and T. Fletcher advise it is 12x30 sqft.
- G. Dumas asked about the depth of the proposed garage pad, and Mike Leger, contractor, advised it will be 4 feet deep.
- K. Guertin stated that a stormwater management plan for the rain garden is submitted in the proposal and that more stormwater structures are an improvement. D. Orwig is still concerned about the maintenance plan, and K. Guertin suggested that any concerns can be put on as a condition. G. Dumas also noted that there is not current contact information for cases of emergency. T. Fletcher advised that it is the property owner's responsibility to maintain catch basins on the property. D. Morse stated that he can maintain basins on his

- property, but who will maintain the basins in the right-of-way? Will the state handle them?
- G. Dumas asked for examples of a standard maintenance plan to be sent to A. Jandris & Sons. He also asked for Jandris to send the report of the last basin cleaning. T. Fletcher confirmed that he could submit a maintenance plan with more detail. D. Orwig suggests a yearly report, and G. Dumas would like 24-hour contact information included in the plan.
  - Alanna Prentice, an abutter from 152 High St., advised that she is having erosions issues with her back yard (which abuts the back of the property in question), and she has received no response from D. Morse. She estimates that she is losing 2 to 3” a year. G. Dumas said that since the issue is not tied to the wetlands it doesn’t fall within the purview of the Commission. She stated that if Jandris doesn’t care about the abutter’s property, will he care about these maintenance plans. D. Morse advised that there is rip raff present for erosion control. G. Dumas suggested that Ms. Prentice speak to the City Engineer for additional help.
  - A Motion to continue the Hearing to September 13<sup>th</sup> was made by D. Beauregard, seconded by N. Beauregard, and voted all in favor.

### **Request for Determination of 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 Jeffrey Alisaukas for work to be conducted at 23 Airport Road, Gardner, MA 01440 (H17-10-4). Proposed work is to spread beach sand along the buffer to Kendall Pond.

*Continued from 6/28/21, 7/26/21, 8/9/21*

- There were no representatives present to speak on the case.
- K. Guertin advised that she did receive a hand-written receipt for the sand.
- G. Dumas also advised that the email sent to the Agent was rude and vulgar. He will reply to the email, clarifying that the Commission is asking for a receipt of the soil, inclusive of soil analysis, and for a silt fence to be installed.
- K. Guertin will draft an Enforcement Order.

### **New Business**

#### **Upcoming Meetings**

September 13

September 27

**7:46 pm** A motion to adjourn was made by D. Orwig. The motion was seconded by D. Burns, 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.