

Hopedale Conservation Commission  
Meeting Minutes  
March 21, 2023

Call to Order: 6 pm by Becca Solomon  
Meeting held in person. A quorum was present at Town Hall.

Attendees:  
Becca Solomon, Dave Guglielmi, Marcia Matthews, Elenore Alves.

Applicant:  
Doug Hartnett, Principal of Highpoint Engineering; and William Buckley, 75 Plain Street.

Doug Hartnett: We were asked to give a short update to requested plan edits that arose from the Zoning Board of Appeals hearing a few weeks ago. We filed for a special permit for the Phase 2 development. In the interest of furthering the objectives of the Groundwater Protection District to preserve drinking water supplies, they asked the applicant to enhance the design of stormwater management of the facility, which far exceeded the standards, even more. Highpoint went in and looked at that to see if we could do some retrofitting and enhance that. Given the constraints of the site with groundwater separation requirements, we found that there was opportunity to retrofit with hydrodynamic separators, and this exhibit was presented to the ZBA at the second meeting.

“This plan was submitted to Gray’s Engineering. Gray’s is the peer review for the ZBA and the Conservation Commission. They felt that the proposal was appropriate and recommended that we proceed with it. They had a couple of small edits.”

He presented an exhibit with yellow designating the building for Phase 2, and green the contributing watershed areas that they have an opportunity to provide enhanced stormwater treatment. That represents watershed areas that drain and enhanced aspects of the stormwater system. The proposal is to modify one of the sediment bay areas. You could call it a CSU (contact separator unit) with a discharge to the base. It improves the total suspended solids removal efficiency to 80%. We have another retro fit of a CBS (chemical bulk storage) unit with conveyance that was in the original design. We intercept that flow that was originally going to the basin on the north end of the basin intercept that do a direct discharge to the west basin, again, improving from 44% to 80% TSS. As we go around the plan, we were also able to obtain through this conveyance well to another CBS unit here.

“This is a recommendation from Gray’s at the hearing. They felt it would be more appropriate to extend this drain line to the headwaters proposal approved under this discharge into the basin. The north truck core area would drain to the water where we have to design another CBS unit dropping the CDS unit and then the discharge to the underground filtration facility that’s underneath the trailer parking area.

“In the first part of the plan we bring the conveyance swale we intercepted with the CBS unit here. Last week there was some concern by the Board of Appeals whether we had an opportunity to do something with the buildings, even though these are considered clean for the purposes of stormwater management. We found an opportunity to install a CBS unit and run it in line with a roof drain collection system.

“There’s a watershed point where the midpoint of the building and the water drains. The South and the North are picked up through scuppers on an exterior downspout, and that’s collected by a header line. We would pick up that roof drainage CSU with a discharge to the underground infiltration area here. Appropriate for the Commission’s jurisdiction as it relates to buffer zones, is this part of the overflow riprap area.

Dave: Concern with original OOC. The project came before us as a Notice of Intent with stormwater. The entirety of the stormwater is under our jurisdiction, even areas outside of the buffer zone, but we take particular interest in the areas in the buffer zone, because if you change one part of the stormwater system, you’re affecting all of it. Do we have any conflict here between our original Order of Conditions and the issuance of compliance?

Doug Hartnett: The answer is No, there’s no conflict. That certificate wouldn’t change. I would be obligated as the engineer of record to provide certification to the Conservation Commission and the Board of Appeals for construction with substantial performance with the design plans and regulations. In the Planning Board they said Gray’s will monitor the project. The Operation and Maintenance plan needs to be updated to include the CDS units for maintenance.

Becca: The scope of stormwater is not changing. According to the Wetlands Protection Act, it may fall under field changes, a minor modification.

Dave: We’ve been at this for a year.

William Buckley: It’s been two years.

Dave: We’ve tried to anticipate every possible contingency. The Commission will receive notification of a minor field change.

Bruce Hartnett: ZBA suggested conditions. We are still following our OOC.

Dave moved that the info presented constitutes a minor change. Motion passed unanimously.

Bruce Hartnett will send electronic and paper copy.

William Buckley: We will close on the property in the next couple weeks and begin construction.

Becca: You guys are already getting your permit, and the Army Corps of Engineers and EPA have redefined Waters of the U.S. effective March 1, so you might want to double check with them to get a determination that you guys are still all set on the water that drains to the Mill River, which is a traditional navigable waterway.

## **General Business**

### Conservation Area Boundary Survey

Becca: Our estimate came in higher than expected. Anything over \$50,000 needs to go out to bid through the state. In discussing with Jeff Nutting, it's over our initial budget. Every corner marked with rebar post and we can ask for key points on Bernson markers. We have over 200 corners. The estimate from Guerriere and Halden was \$5 per rebar marker.

#### Pinecrest I.

The town owns the 10-foot access ways. Off Hammond boundary. Back of Bancroft Park where the beaver dam is. Owned by Hopedale Properties LLC. Behind Ballou Road. Patrick and Westcott. Total markers needed: 10.

#### Pinecrest II.

Moore Road to Freedom Street. Lapworth Circle. Drainage easement. Tillotson, straight line both sides. State working on wetlands. Home owners asked for mosquito control. Total markers needed: 13.

Dave: This protects everyone, both homeowners and the town.

Becca: did we have bounds at Crockett Circle? Ravine and natural stream to Mill River. Army Corps and EPA jurisdiction.

Marcia moved to approve 23 markers and send to bid. Unanimous.

Minutes of February 21 approved with minor changes.

### Vegetation Clearing

We got correspondence from Keolis, the contracted agency for the MBTA as opened up the commend period for the operational plan that covers vegetation clearing and spraying along the tracks in their right of way down by Mellen Street and the Charles River. They will touch up herbicide spraying from May 1 to June 30 and use mechanical controls for brush and tree clearing. The Request for Determination is valid for 3 years. They need to submit a new RDA as the old one has expired.

Dave had a conversation with the Charles River Watershed Association about the types of herbicides. (to Marcia) This is an ideal thing for you to find out what they're using. And we did go through something similar with the Grafton-Upton railroad. MBTA is a state railway rather than a private railway so there is more regulation on it.

The town of Concord took Keolis to court and won regarding herbicide and the exemption the railroad was given. Keolis had asked for a negative determination which gave them more blanket approval. The Concord decision was a determination that was not blanket approval. When this comes back before us, as recommended by both the court and the MACC Mass. Association of Conservation Commissions, we need to make sure the RDA has the correct determinations the court approved.

Railroad bridge repair near Charles River on Hartford Avenue follow up. It was temporary work and they are coming before us with a Notice of Intent for a more permanent solution.

Contact the Bellingham Conservation Commission. The temporary stabilization may last. Daniel K with VHB was the contact.

Becca: I briefly mentioned getting our own boundary markers. We will place medallions on trees adjacent to Mellen Street sports field, etc. She showed metal discs reading "Town of Hopedale Protected Resource Area" paid for by a grant. \$300 for 100 metal plates. One design had a blue heron that is the symbol of Hopedale Parklands. Another had a turtle.

Dave will meet with Mark Mazur from Washington Tree Company on March 22 regarding Haven Way in Harmony where trees may pose a danger. If Dave determines trees pose a hazard, he will obtain emergency certification to have them removed. The homeowner will handle it since it is private property in a resource area within the 100-foot buffer zone. They may pose an imminent risk to public health and safety.

The meeting adjourned at 706 pm. Next regular meeting is April 18, 2023 at 6 pm.

Agenda will be posted per standard posting requirements. Agenda will include call-in/Zoom meeting information.