

Hopedale Conservation Commission
Meeting Minutes
March 16, 2021

Call to Order: 6:02 pm by Becca Solomon
Meeting held virtually via Zoom.

Attendees on Zoom:

Becca Solomon, Dave Guglielmi, Marcia Matthews.

John Federico, Guerriere & Halnon. Eli Leino, Tim Watson, Cathy Julian, Dave Hughes.

Note: Joint meeting with W&S minutes for 4 Feb 2021 reviewed and approved with minor corrections. Minutes of 16 Feb 2021 reviewed and approved.

Notice of Intent

47 Mellen Street DEP# 1870254. John Federico presented for the applicant, Mark Wasserman, for the construction of a single-family home with an in-law suite. The septic system would be within the buffer zone with grading away from the house. The water line would tie in to town water. The Board of Health signed off and they were awaiting BOH agent Bill Fisher's approval. They have Water & Sewer approval for the septic field.

The commission stated perpetual conditions: no dumping in the Conservation land and no pesticide in the buffer zone. There will be flagging around the buffer. Any material excavated must be removed and disposed of legally. No building or alteration in the buffer zone.

The applicant still needs an Order of Conditions. The Board voted to continue the hearing pending Mr. Fisher's sign-off as health agent.

Notice of Intent

Cook and Pierce Streets, Lot 2A and Lot 3A. John Federico and attorney Eli Leino presented for the applicant, Lobisser & Ferreira Construction Co. for the construction of two duplex residential dwellings with a common driveway within the 100-foot buffer zone of a bordering vegetated wetland (BVW). The property includes an intermittent spring, and an isolated non-jurisdictional wetland which they propose to fill. The water and sewer would tie in off Cook Street.

Members of the Conservation Commission along with Chris Nadeau from Highway and Tim Watson from the Water Dept. made a site visit to the property on March 15. They expressed concerns about the design on that site bordered by a wetland and a tributary of the Mill River classified as an intermittent stream. At least five trees would be cut down, if not all trees and shrubs on the lot. The location of the driveway which is planned to come off Cook Street next to a storm drain was a concern. Discussion about moving the driveway to the front of the property

gave rise to questions about the Pierce Street cul de sac not being a town road, and the road commissioner may have disallowed it. Dave said if they came in from the front they would bypass the buffer.

The developer plans one line to each building for water and sewer. Tim Watson observed that if they provide a common water main and a common sewer main, if that sewer main breaks, who is responsible? Between the two houses, four duplexes, if the water main breaks, who is responsible? The association would have to have a kitty for repairs.

Dave and Becca suggested that 4 separate lines would work better if maintenance were needed. Utility connections are proposed in the same location as the driveway. Eli Leino said the homeowners' association could be billed on a pro rata share.

Tim Watson said the issue is to track that association. The homeowners would have to be on every deed.

Eli Leino added that they would carry hazard insurance.

Tim Watson replied that they would call the Town of Hopedale, and reiterated that it is easier to have four individual water lines and sewer lines, to avoid the town being caught in a maintenance issue. He said if there were an issue with the main, the Water Dept. would shut it off and they would need to repair it, unless they build a road to Town of Hopedale specifications and have it approved at Town Meeting.

Becca commented that the wetlands have debris in them. Underneath is a pipe and culvert to an intermittent stream. The Commission found trash on Town of Hopedale property. A lot of debris will need to be cleaned out to restore the wetland.

John Federico agreed that the applicant will clean up any debris.

Dave mentioned that the Planning Board only approved delineation of the lot line, not the plan itself. Eli Leino affirmed the fact, and added that he is also a member of the Planning Board. [Did he recuse himself?]

Dave replied that he understood it was awkward for Eli, and said that the Commission wants the easement expanded and exact measurements.

Becca said when the Commission went on the site visit, boulders had been placed to protect access to the culvert. The isolated wetland on Cook Street is owned by the Town of Hopedale. With its high water-table, the ability of this area to absorb water is crucial. The Commission would propose this wetland be cleaned up and restored.

Dave stated there are multiple issues with this project. The easement would have to be expanded so the town has access from Nelson Street.

Becca showed on the map where the access easement would go. Dave said the language in the easement has to include the Conservation Commission.

The Commission received an email from several abutters that before when areas were filled, it resulted in flooding. Cathy Julian, an abutter, said, "Your concerns are mine. Our cellar floods. After the filling of the brook, the town took eminent domain and they still come and dredge the brook. When it was swamp, it took on this beautiful form. It floods to the point we used to put ice skates on and skate.

Dave Hughes, an abutter, stated that he had just purchased the last lot on Pierce Street, the former Robert Bresciani house. He said that lot 2A floods frequently and his sump pumps have been working frequently.

Tim Watson remarked that sump pumps can't go into a sewer but can go into a drain.

The commission voted unanimously to continue the hearing to our meeting on April 20, pending approval by Water & Sewer. If the new plan is sent to the Commission two weeks prior to the April 20 meeting, we could have the OOC ready.

Order of Conditions

The Commission voted to extend the order of conditions for Plain Street Industrial Park. We will monitor the Mill River buffer with regard to conservation restrictions.

Site Visit Updates

Regarding the Pinecrest 90 acres of conservation land, where culvert cleaning is our responsibility, it was suggested that we make an inventory of culverts as a joint project with the Highway Dept. Dave said culverts, drains, and streams need to be maintained.

Becca reminded the Commission that we need to post signage on these properties.

Proposed were signs 12"x18", beginning with five signs to be posted one sign per parcel, costing approximately \$25-\$35 each. To post ten parcels of Open Space Land with 10 signs would cost approximately \$250, and 20 signs \$500. The signs would stand 250 feet apart. Poles and installation would be supplied by the Highway Dept. Dave will follow up with them.

The Commission will write letters to abutters of the 90 acres in Pinecrest. We need to have the parcels surveyed. To hire a surveyor of approximately a 30,000-foot perimeter would

cost about \$21,000 at 50¢ to 70¢ per foot plus fees. They would mark the boundary lines with rebar or spray paint. The Commission would work with the Open Space Committee and request a grant.

Another item to be funded is tree maintenance. Trees on the boundary line falling or that fell on Conservation land cannot come under the tree warden's budget. Removal of invasive species, replanting trees and shrubs, as well as tools and supplies to clear out material. Clean up of metal debris and lawn debris are other anticipated expenses.

The Conservation Commission will write up a request to the Town Administrator and Finance Committee for the above budget items.

Discussion continued of our proposed letter to the Select Board. Dave said we should send a copy of the letter to the DEP. Becca has received an updated copy of the settlement agreement between Hopedale and the Grafton Upton Railroad for the forestry land at 364 West Street. The Army Corps of Engineers also received a copy. An updated agreement has been finalized. Dave said the railroad development has huge implications for the environment. We went over the draft letter stipulating our concerns. Is there any language in the agreement that precludes the Conservation Commission from fulfilling its obligations? If the town propose trails or recreation on Parcel A or Parcel D, how would we be involved? How would it work with the easements? What is our authority on this area, and what are we responsible for? What are our statutory responsibilities under the Wetlands Protection Act? Along with the Selectmen, we want to be notified of any development plans.

The Commission voted to table the letter until the next meeting.

The meeting adjourned at 8:21 pm. The Commission's next meeting will be April 20, 2021.

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