

Hopedale Conservation Commission
Meeting Minutes
May 6, 2022

Call to Order: 3 pm by Becca Solomon
Meeting held virtually via Zoom.

Attendees on Zoom:

Becca Solomon, Dave Guglielmi.

William (Bill) Buckley, Owner, Developer, 75 Plain Street; Hilde Karpawich and Doug Hartnett, Engineers, Highpoint Engineering.

**Public Hearing – Notice of Intent
Discussion of Special Conditions**

75 Plain Street, former Rosenfeld property. Applicant needs Order of Conditions for redevelopment of Rosenfeld Concrete site into a warehouse facility.

Becca specified that pre-construction the Commission would like to see erosion and sediment controls installed before work begins to ensure that no sedimentation enters the resource areas. An email with a picture showing it was installed will suffice. The Order of Conditions would apply to assigns or tenants. A copy of the order will be kept on site during construction. No hay will be used. Rock construction at entrance will contain no sediment. Crushed stone will be no longer than an inch.

Doug Hartnett replied that standard rock processing is $\frac{3}{4}$ " to 1-1/8". The Commission agreed.

Becca stipulated extra mulch socks will be kept on site.

Dave stated that per the Wetland Resource Book p. 14, in areas that are non-jurisdictional by themselves but contain vernal pools, no work will be allowed within those areas.

Becca added that given that this is a sandy soil area, she would like to see that post-construction BMPs get approval from this Commission before stormwater is directed into them. Specifically, any swale must fully-vegetated before water is directed into it to prevent erosion coming off the site.

She specified catch basins where trucks enter and leave. Silt socks will be installed and will be cleaned when full. As required by the state, the DEP number will be posted at the entrance to the site.

For the replication area, a wetland scientist will be on site and will report at the beginning and end of growing seasons for the first two years, with a 75% success rate, or corrective action will

be submitted by the wetland scientist. The replication area must meet the standards of the Wetlands Protection Act. If there are any changes, the Commission gets a written letter.

Dave said the Commission reserves the right to add conditions should any changes or unanticipated discoveries take place, e.g., an underground tank.

William Buckley said, "I think we can live with that."

Dave said, "When we were on the site visit there was one pond which had a pumping station and pump the water uphill to an area referred to as a washing station for the trucks with bays in which the trucks would be washed and the water left over in the process would flow into a drain. I thought that the drain would pipe it directly back into the pond. I thought it was declared in a meeting later on that the washing station had its own separate holding tank.

Doug Hartnett replied, "They told us it was a wash-water recycler. None of that remains in the site plan. And if there was any drainage that we weren't aware of that was back-feeding to the pond, that would also be removed. It should not be an issue. This is the non-jurisdictional pond. On the previous condition about coming back to the Commission if there's unforeseen circumstances or items that need the Commission's review, I assume this is only within areas of jurisdiction, and not the entire project."

Becca agreed that the Commission only has jurisdiction with the buffer zone or resource areas.

Dave stated that on the large General Plan, sheet G-100, "All plant materials shall be guaranteed for one year."

Doug Hartnett replied, "That's a standard guarantee of landscapers."

Becca said, "That's separate from our requirements."

Dave mentioned that with the potential truck parking, the buffer zone is going to be close.

Becca said that construction of areas marked as future lots may require conservation approval and that the commission should be notified.

Doug Hartnett said, "Stormwater was designed assuming these are impervious areas. These areas were set aside to maximize the marketability of the property depending on whether the tenant has specific trailer storage needs. Looking at the plan, there's just a very small area on the northwest corner. We have stormwater improvements already slated within the buffer zone in that area, and the construction of that parking area wouldn't affect the stormwater calculation at all. The stormwater is built to accommodate that already.

William Buckley added, "I think it'd be fair to add a condition that states, if we expand any of those trailer storage areas beyond what's shown on the plans, we'd have to come to the

Commission, just to have it in there and written so it's understood that you just can't expand as you wish. We'd be happy to provide notification to the Commission if those areas are not built with the initial construction."

Dave agreed that works. "Referring to the Groundwater Protection Regulation issued by the Board of Health in February of 2002, stipulating what is allowed and what is not permitted within the wellhead protection regulations. I'm wondering if we need to make a statement about the existence of specific prohibitions."

Becca said, "I think that would come under Planning Board."

William Buckley agreed that there will special condition from the Planning Board.

Becca said, "It's not necessarily wrong for us to put it in our own conditions."

She added continuing conditions surviving the expiration of the order and the issuance of a Certificate of Compliance. "Some of these are general conditions, but given the nature of the project, and when it's going to be used for warehouse, some of these should be continuing conditions. The first of which is that absorbent material will be kept on site and available for the duration of work and thereafter for any accidental spills. I think that's going to be in your Operations and Maintenance Plan. The second is regarding snow removal and storage. That snow will not be pushed into or piled into any wetland resource area but into retention basins on site. And should be kept at least 100 feet from any wetlands. Similarly, any salt or other de-icing agents or chemicals shall not be stored within 100 feet of a wetland resource area. This will probably be in your Operations Plan, but stormwater BMPs and post-construction BMP should be maintained in accordance with the written stormwater guidelines and should be required of the responsible party that's designated in the LMP and should be available to the Commission upon request, and DEP sediment and contaminant should be disposed of in accordance with all applicable laws and responsibility for maintenance and repair of detention basins and drainage systems. No dumping of landscape materials into wetlands and no further alteration without a permit, which is a requirement within jurisdictional areas." She said the Commission would discuss the conditions the applicant provided at the next regular meeting May 17.

William Buckley replied, "There's a lot of cross-over, so I don't want to waste time going over them. If there are any that make sense, feel free to add them to the list."

Becca said she would try to have a draft ready as close to final language as possible.

William Buckley replied, "If everyone's in agreement we will vote at that meeting."

The ZBA meeting was scheduled for May 15, Planning Board for May 11. Becca said, "We could stipulate that the OOC is not issued till Planning Board.

Doug Harnett said, "When we close, we have 21 days to issue. There are no assurances of that."

Dave said he wanted to hear what the Zoning Board has to say.

Becca listed three options: 1) To issue the OOC; 2) 21 days can be exceeded if we have permission from the applicant, and 3) Hold off on closing the hearing.

Dave said if the ZBA approves, the Commission can have a special meeting the next day. Becca said Friday May 20 would work for her. "We would finalize everything on the 17th."

William Buckley said, "It would be our expectation that the hearing would be closed. One of these boards needs to close the hearing. Our compliance with the Wetlands Protection Act and our compliance with the Zoning Board's Groundwater Protection District are two separate things that shouldn't be necessarily conditioned upon each other.

Becca said, "Groundwater is of interest to the Wetlands Protection Act. There are not clear performance standards on that because it's not as clearly understood. So the Commission does have interest in what the Zoning Board is going to say in regards to the groundwater districts and would want to take that into consideration."

The hearing was continued until May 17.

Dave addressed the emergency certification for septic system repair at 208 Freedom Street. "The system dates back to the 1970's and is dysfunctional. I did a site visit. They are talking about repairing the leach field and installing a larger pan. It went before the Board of Health. The owners of the house of the property are going to begin work as soon as possible. The engineer was developing plans and some type of application which may be an RDA, which they're going to submit to us. The whole thing was to give them permission to begin work as soon as possible. Because being without a septic system is a hardship and it is an emergency. Move to ratify emergency certificate for 208 Freedom Street." Emergency certificate was ratified unanimously.

The meeting adjourned at 4:01 pm. Next meeting is May 17, 2022 at 6 pm.

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