

Hopedale Conservation Commission  
Meeting Minutes  
December 15, 2020

Call to Order: 6.02pm by Becca Solomon  
Meeting held virtually via Zoom.

Attendees on Zoom:

Becca Solomon, Dave Guglielmi, Marcia Matthews.  
Diana Schindler, Town Administrator. Tim Watson, Water Dept. Manager.  
Philip Shwachman, First American Realty. Andy Irwin, Irwin Engineers.  
Jayme Solomon-Zissou, Tara Costanza.

Note: Meeting minutes for 20 Oct and 17 Nov 2020 were reviewed and approved unanimously.

**Site Visit**

Dave, Becca, and Marcia visited 85 Freedom Street with Phil Shwachman and Barry Murchie.

**Discussion**

Phil Shwachman and Andy Irwin explained the wetland resources of nine properties: 85 Freedom Street, 24 Hopedale Street, 7 Fitzgerald Drive, 9 Depot Street, 9 Fitzgerald Drive, 6 Fitzgerald Drive, 32 Cemetery Street, 4 Fitzgerald Drive, and 21 Lake Street.

Andy Irwin said that Mr. Shwachman is required to maintain the dam at 85 Freedom Street, including management of trees and undesirable invasive species, according to regulations of the office of dam safety (DCR), and to keep the waterway and spillway clear. The factory has pipes that have to be maintained due to operational activities. The company plans to demolish structures to their existing foundations. They want to clear vegetation around the pond where it could fall into the water.

The Mill River goes under the mill complex and emerges in a culverted tail race. Vegetation has grown in the channel, and they want to control invasive species, but without herbicides.

Utilities will be shut off and terminated. Excavation will be needed. Now that abatement work is complete, demolition of structures can proceed to the foundation at grade. Mr. Shwachman showed a plan that Section A and C are done, and Section B remains at Hopedale and Freedom Street to the south and west. The Building Inspector has issued permits.

The plan includes sediment and erosion control. Building materials may be crushed and recycled. Vegetative management around the pond and in the tailrace is needed. The bank of the tailrace is a stone wall. If any disturbance occurs to two open lengths of the Mill River, they would stabilize it.

Dave asked, "Has the action plan for the dam been accepted?"

Phil Shwachman replied, "We have a working draft. We received a reply from DCR. The earthen part of the dam is owned by the town. The undetermined issue of stop log mechanisms and operation is still in flux.

Dave asked if the property is a river exclusionary zone.

Phil Shwachman replied, "We outlined in red the dotted lines starting at Freedom Street and going to the south. Many of these structures were built over water. We want to make sure our contractor doesn't use heavy equipment there, and not to travel over them or place debris on them.

Dave noted that would be important to put in the Order of Conditions.

Phil Shwachman pointed out a deeded easement at 1 Fitzgerald Drive where they plan a linear park.

Dave: "That explains part of my question. Was this land swap around April of 2014? Is part of that parcel designated open space? It's a restricted area."

Phil Shwachman: "The easement parcel, yes. The 1 Fitzgerald Drive property Mill River easement is separate from the 2014 land swap."

Dave: "So you own one bank or both banks?"

Phil Shwachman: "The railroad owns the ground under the water. The easement gave us the exclusive right to use both sides of the bank."

Dave asked about the pumphouse.

Phil Shwachman: "There are some deep wells and the wellheads are inside the building."

Andy Irwin: "There is an MCP disposal site for a chlorinated plume. The pumphouse is for production wells."

Dave asked, "Would we be writing an order of conditions for another owner?"

Phil Shwachman: "I don't think anyone else has the right to do anything on that property."

Marcia: "How will make sure that no debris falls into the dam?"

Phil Shwachman: "The contractor will use best practices. A crane will take off sections over the water."

Becca requested testing of the water before and after.

Phil Shwachman: "Having a baseline before we start is a good idea. And after we're finished. The water will change almost daily. Outfalls into the pond during salting of roads, the water quality changes."

Dave: "We can word it 'testing as needed'."

Phil Shwachman: "If it's not in the building now and doesn't come from the equipment, it doesn't come from us. Can we receive a draft order of conditions?"

Becca: "It's common practice to share a draft order."

Dave: "Regarding 21 Lake Street on Hopedale Pond, the bank should be cleared for aesthetic purposes. Does dredging of Hopedale Pond require a permit from the Army Corps of Engineers? We are concerned about stockpiled material with an asphalt petroleum base. We would like to see stockpiles of materials well away from resource areas."

Phil Shwachman: "There's very little asphalt, but what there is, we are going to send to recycling."

Dave: "When you install straw wattles, we need to view them."

Phil Shwachman: "The demolition contractor had contact the Water Dept."

Dave: "We're going to issue an Order of Conditions on Parcel A?"

Phil Shwachman: "Section A 9 west and 9 east. We would like to start that."

Dave: "An OOC for Section A, property maintenance and management section."

Phil Shwachman explained that Section B has been partially dismantled and is unsafe.

Becca: "With that information, it would be better to have Section A and Section B done simultaneously."

Dave: "We reserve the right to make changes when you get to Section B."

Phil Shwachman: "The first item we would approach would be the dead trees. Our tree contractor can do a fair amount of work in the winter. A thorough pruning of any dead limbs."

Andy Irwin: "They wouldn't disturb the bank."

Phil Shwachman: "Our tree contractor Northeast Tree will inspect the work with an arborist."

Becca: "We'll include that in the OOC."

Tim Watson remarked that the Water Dept. is required to monitor the river water before and after the outfall. The town services and water supply to keep the dust down is sufficient now, but once the spring and summer months arrive, water may not be sufficient.

With that, Becca closed the public hearing.

Becca said the Committee will begin work on the OOC and hold another public hearing.

**Item:**

In the mail was a copy of a letter from Water & Sewer to the DOT regarding an IRAP grant. The Grafton Upton railroad is working within a Zone 2 water protected area. The Committee will take it under advisement.

Dave reminded the Committee that we have 21 calendar days to write an OOC, and he will contact Kimberly Roth at the DEP for assistance.

Becca suggested an interim meeting to write the OOC.

Becca adjourned the meeting at 7:27 pm.

Board's next meeting is scheduled for January 19 at 6 p.m.

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