

Hopedale Conservation Commission
Meeting Minutes
June 15, 2021

Call to Order: 6:00 pm by Becca Solomon
Meeting held virtually via Zoom.

Attendees on Zoom:

Becca Solomon, Dave Guglielmi, Marcia Matthews.

Debora Anderson, Wetlands Scientist; Will Siskowitz, MACA Industries; Ron Tiberi, P.E.

Minutes of 18 May 2021 reviewed and approved.

Site Visit Follow-up

On June 10, Becca and Dave visited Hopedale Street, Greene, and the Milford Town Line with Tom Lewis, engineer, and John deWaehls, Grafton Upton Railroad, regarding herbicide treatment near the rails. The wetland areas are a no-spray zone. A vehicle would apply herbicide ten feet from the center of railroad with a boom spray. The wetlands have a 100 foot buffer, which the railroad partially preempted. Dave said there is another resource area near a small pond, near the railroad yard and in back of Griffith apartments, a wetland with native plants and wildlife habitat. GURR claims the terrain is too difficult for manpower to control the weeds. Becca would like to discuss additional no-spray zones. Near Freedom Street the water comes up almost to the tracks.

Determination of Applicability

Due to concerns about the chemicals being applied, the Grafton Upton Railroad regular herbicide spraying was continued to next meeting.

Certificate of Compliance

The commission received an as-built plan for 4 Country Club Lane from Guerriere and Halnon, Inc. An Order of Conditions was originally issued for all houses in the Harmony subdivision. The silt fence was moved farther back, trees were cut in the buffer zone, logs and slash were left. A fire pit and a grass lawn were added. Dave wants a conversation with the homeowner, who just bought the house in November. Dave requested documents and a site visit. The hearing was continued to a later date.

4 Forest Path DEP# 187-157 was referred to by Guerriere and Halnon, Inc. in a letter to the commission in which they asserted the property is in "substantial compliance" with the OOC, but admitted to "significant change". A fence was built in the buffer zone. The entire property is in the buffer zone. The commission awaited an as-built plan to include an inground pool, stone patio, and shed that had been added. A Request for Determination was supposed to have been

filed. None was found. The OOC dates back to Feb. 26, 2002. Dave asked what activity was commission on this property during the time of the OOC? If there is any future alteration of work within the buffer zone, then a COC cannot be issued. We must have a Request for Determination or a Notice of Intent. The OOC expires after three years. Then the work was unpermitted. If it was a violation of the OOC, that can be fixed. New owners moved in November, 2020. The Mass. DEP would send a superseding order to set a precedent. Becca said there is a fine of \$20,000 for violating the wetlands act. We can't be in a position of certifying work that has already occurred. Becca suggested a remedy if the work was completed after the expiration of the OOC, that wetland replication elsewhere on the property could be done. The commission voted that due to significant changes and alternations during OOC, it doesn't comply with Article 1, Section 3 special conditions. Since the OOC was not met, the COC was denied.

Notice of Intent

2 Condon Way, represented by Ron Tiberi, Debbie Anderson, and Will Siskowitz.

2 Condon Way is an industrial park off Plain Street, a vegetated wetland bordering a sand and gravel pit where they intend to build a 15,800 square foot industrial building.

A zoning vote to change the bylaw passed at Town Meeting May 22, greenlighting this facility.

There is a conservation restriction on a corner of the property. Health agent Bill fisher needs to sign off on their septic plan.

(Note: Adjacent property 121 Plain Street needs an OOC.)

Ron Tiberi said the replication plan was revised per DEP comments.

Dave questioned the replication area drainage. Surface run-off would be directed through piping to the west side, but the replication is on the east side.

Ron Tiberi said the replication area is the same as before, 60 feet wide with its own drainage area in the buffer zone. Becca asked if there were a plan to monitor the water table. Ron replied that they had planned a retention pond, the DEP told them to take it out. Debbie Anderson said they aimed for 75% survival of plants after two years. Becca said that is a requirement of the law. Dave asked for a drainage summary. Ron Tiberi said the DEP change gave him an opportunity to add more wetland area and grade it flatter.

Dave asked what would be the total displacement of wetland. Ron Tiberi replied 3,587 square feet. They would be replacing it with over 4,000 square feet.

Ron Tiberi said they separated drainage to do a proprietary treatment on the parking lot. "Road runoff is considered clean." He described a diversion chamber design. "The design is to hold

back 115% of a 100-year run-off. Everything will be going into the chamber and leach into the sands.” He described erosion control as straw wattles with wooden stakes.

Becca stipulated that invasives would be removed, such as buckthorn, multiflora rose, and oriental bittersweet., and the soil should be 40% leaf compost. Becca said Dave wants a letter from Bill Fisher approving the septic system. Dave asked the applicant, “When are you meeting with the Planning Board?”

Becca agreed to wait until the septic system and planning board approval came in. The hearing was continued to July 20.

Miscellaneous

Regarding the new ad hoc recreation committee, we have been asked to send a representative. Becca will email Jim Abbruzzese and Mike Bresciani for more details.

The Governor announced a return to in-person meetings, which would be in the Town Hall. Dave suggested we stay on Zoom for one more meeting. Becca said that per the open meeting law, we should plan for in-person meetings.

The commission discussed aerial spraying for mosquitos, and Hopedale will opt out next year.

The meeting adjourned at 8:05 p.m. The Commission’s next meeting will be July 20, 2021 at 6 p.m.

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