

**Natick Conservation Commission**  
**February 2, 2023**

The Meeting was called to order at 7:00 by Chairman, Matthew Gardner. Members present: Doug Shepard, Chris Stillman, Jeff Richards, David Howe, Mike Downey. Members absent: George Bain.

**Certificate of Compliance – Local Bylaw – 6 North Pleasant Street**

The project consisted of the construction of a duplex (two attached single-family dwellings) with associated site features. Ryan did construct the extension on the drain pipe on the adjacent property, including riprap at the inlet to prevent debris from being carried by runoff. Claire stated there is slight ponding in the rear yard due to the seed failing to sprout in the fall. She will review the growth in spring when Ryan, the developer, seeds or hydro-seeds.

Mike Bravo, 4 North Pleasant Street, provided a summary of his concerns regarding the project, also outlined in the letter he submitted to the Commission. His primary concern is that it appears that runoff is being directed onto his property from the rear yard of 6 North Pleasant St.

Claire clarified that she did not see erosion tracks running from 6 North Pleasant to 10 North Pleasant, but did notice some minor erosion tracks running back from the deck footings towards the wetland. Mr. Bravo stated water is clearly running into his year and he's never seen any runoff coming into his yard in the past. Matt asked if there are any issues with the swale overtopping, which is what he understood the Bravo's concerns were during the initial permitting. Mr. Bravo stated that the swale improvements were done well and it seems to be function as intended. However, he feels that runoff is coming directly off 6 North Pleasant which is not what was permitted. Claire stated that she and the Town Engineer feel that once grass is in place, the runoff will not be as visible as it is right now, and it is likely that runoff travelled in a similar manner prior to the development. It was less noticeable due to the vegetation on the lot, which diffuses and absorbs some runoff. She clarified again that during the initial permitted it was stated that both driveways could be directed towards the street, but because of the site grading, only 1 could feasibly be directed to the street without significant fill and retaining walls.

Chris Stillman agreed that ground cover will stabilize and trap the water. Claire showed the approved plan and the as-built side by side and the grading is within the margins of error for field grading.

Matt said Mr. Bravo's home sits at the bottom of a hill. Yes, but his expectation was not to have water coming from other properties. He expected water to go through the wetlands as it always has. Matt stated again that his site is at the bottom of a hill. The water will be there and the intention of this project was not to buffer your property from the natural drainage flows in the area. There is no evidence it is not working. Mr. Bravo disagreed.

Mr. Gardner stated there is no data that says there is any problem. Maybe the water is entering differently or more visibly than before, but the professionals agree that the system is as it was approved. Chris Stillman remembers the initial meeting and feels the problem was mitigated.

Matt stated there is no evidence there is increase volume of water going into the culvert. Once the yard is vegetated, it will be better. Mr. Bravo does not feel grass will be the solution.

Matt feels the project was built according to the plan and sees no evidence of flow to Mr. Bravo's yard. Mr. Bravo can come back to the Commission if problems continue past revegetation of the rear yard. It sounds like grass is the answer, so he will hope for the grass to be installed and see what happens.

Matt explained to Mr. Bravo that he is hearing confidence from the Commission's side, as well as the engineers. Let's keep an eye on it. Come back to Commission and let us know if you continue to have water problems.

Mr. Gardner asked for a motion to issue a Certificate of Compliance, David Howe moved, Jeff Richards seconded, all in favor 6-0.

### **Request for Determination – Memorial Beach**

Matt Gardner read public meeting notice. Travis, Deputy Director of Parks and Recreation, gave the proposal to remove the deteriorated dock and diving board. It is a liability.

Lauren, the beach manager, gave a summary of the conditions. The current structure has not been used in two years due to its deterioration, and has been marked off-limits with orange snow fencing. It is built into the water, and secured with steel i-beams driven into the pond bottom. The contractor is proposed floating siltation controls and matting to prevent compaction on the beach.

Travis stated there is no cement and should be an easy pull out. They will attach chains and use diggers. There are approximately four rows of three steel pilings. They are rusted and hazardous. Matt Gardner asked what if a beam snaps. Would that be a hazard? Travis is hopeful they will be removed without issue but if they do snap, the beams would be cut or cut a foot below grade. Matt is concerned if you start pulling and they start to snap. There are some unanswered questions regarding dewatering, digging, and method of cutting. Matt feels the potential for dewatering and digging may result in a project more suitable for an NOI/OOC. Travis would like to do this project this spring. Matt, Travis and Claire will work with the contractor to get more details.

Commission wanted more details from the contractor in order to determine if a Notice of Intent should be filed. Claire will get in touch with him before 2/16.

Mr. Gardner asked for a motion to continue to February 16<sup>th</sup>, Chris Stillman moved, David Howe seconded, all in favor 6-0.

### **Request for Determination – 41 ½ Speen Street**

Matt Gardner read public meeting notice. Claire provided a summary of the project. DCR said this is town property, so that is how we are moving forward despite all Town records showing the land as DCR property. DPW will need to access the stream across his property. Matt asked about the likelihood of the dam being rebuilt. Claire noted that in similar situations with they get rebuilt, and that this is just a first step. We don't know if the beavers are active or if this is an older dam that is just now getting noticed with the increased rain fall during the fall/winter.

David Howe asked what the depth is. Could a beaver deceiver be used? Claire noted that because of the wetlands surrounding the stream channel, there is not enough depth to install a physical flow diversion device.

Matt would be comfortable with Claire going on the site and making the determinations about compaction protection and machinery limitations. Brian has been out to the site. They will remove the dams even on private property when staff are available.

Doug Shepard asked if anyone from Carlson Circle is here? Claire noted that no residents from the area on the call. Dennis was originally directed to DCR but because of the response he received from DCR, Claire has become the primary contact for the project. The slopes from the Carlson Circle backyard put them less at risk of damage from rising water levels.

Mr. Gardner asked for a motion to close, David Howe moved, Jeff Richards seconded, all in favor 6-0.

Mr. Gardner asked for a motion to issue a Negative 2 and a Negative 3 determination, Doug Shepard moved, David Howe seconded, all in favor 6-0.

**Request for Determination continuation – 8 Crest Road**

Mr. Gardner asked for a motion to continue to February 16<sup>th</sup>, Jeff Richards moved, Chris Stillman seconded, all in favor 6-0.

**Request for Determination – 21 Washington Avenue**

Applicant withdrew application.

Mr. Gardner asked for a motion to accept the withdrawal, Chris Stillman moved, Mike Downey seconded, all in favor 6-0.

**Notice of Intent – DEP #233-889 – 44 Beaver Dam Road**

Mr. Gardner read public hearing notice. Ben Stevens described the 10,000 sf lot. He went through the ZBA process for demolition and rebuilding. Claire Rundelli received revised plans addressing staff comments about erosion controls. Town Engineer agreed with Claire to add another chamber. The stormwater must also be located as far from the existing tree line as possible to avoid additional disturbance of existing vegetation.

There is a swimming pool buried on property that is proposed to be removed. No trees will be removed. Claire reviewed the alternatives analysis provided and agreed that the proposed project is the best for this property.

Chris Stillman lives just outside the 100 ft buffer for abutters for this project. The Commission agreed that there is no conflict requiring recusal.

Ben Stevens stated there is little riverfront disturbance and it will be a slab construction due to the high water table. Claire noted that there does need to be a mitigation area provided for the roughly

500 s.f. of increased impervious area within Riverfront Area. The Commission agreed to this being conditioned rather than hold up issuance.

Claire drafted Order of Conditions for the Commission's review.

Mr. Gardner asked for a motion to close, Jeff Richards moved, David Howe seconded, all in favor 6-0.

Mr. Gardner asked for a motion to issue Order of Conditions with the special conditions drafted, Jeff Richards moved, Mike Downey seconded, all in favor 6-0.

### **Violations**

#### **Windy Lo (305, 309, 311 Eliot Street**

Ben Stevens gave status of site. All of the site is vegetated. He is planning to file for the construction of four homes. The basins are still plugged and water has not left the Eliot Street side.

Claire Rundelli observed a slight erosion trail toward the vernal pool from the south side of Eliot Street. Sediment may be eroding from the areas disturbed by plows or may be a result of settled sediment in pipe. She reviewed photos of the site and made a visit, but there was no suspended sediment visible in the vernal pool or swales outside the detention basin at Windy Lo.

Ron had similar observations as Claire. He did not notice any sediment in channels or catch basin.

Matt Gardner asked to keep observing. Claire continues to receive biweekly reports.

### **Minutes**

December 15

January 5<sup>th</sup>

Mr. Gardner asked for a motion to accept the above minutes, Jeff Richards moved, Mike Downey seconded, all in favor 6-0.

### **Beaver Decision Tree**

Claire will provide an updated version of the tree to the Commission at the next meeting.

### **MACC**

If anyone is interested in upcoming courses, please notify Claire.

Meeting adjourned at 8:35.