

**Natick Conservation Commission**  
**February 17, 2022**

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

**General Business**

**Community Organic Farm Annual update – Casey Townsend**

Casey Townsend reviewed 2021 Annual Report and 2022 forecast.

1. Silva pasture and Taylor Estates
  - Chinese chestnuts and American Persimmons planted in the fall
2. Synergy between town departments
  - Senior CSA shares
  - Housing authority CSA shares
3. Goats at Water Town are eating a lot of poison ivy to ensure the trail on the other side of the fence remains accessible.
4. Visitors continue to climb
  - 2020 – 20,000
  - 2021 – 25,000
  - Stayed open throughout COVID.

Loss of the barn 3/17/21 defined the year. The cause is thought to be a heat lamp. Nothing has been rebuilt, but steps are being taken. Casey was assisted by MetroWest in developing a plot plan, which can also be used in the future for other projects.

He reviewed a preliminary barn design, that shows minimal changes. Same footprint but upgrading the timber frame, stairs, and railings. It will still be a functioning farm storing eggs, etc., but also educational. Looking to permit in as soon as possible. They will probably start construction after this year's summer program and go into 2023. They have a \$200,000 matching grant to rebuild.

**2022 Forecast**

Pasture health plan. The non-profit hired a livestock manager. The health of the animal hoofs determines if a pasture is healthy. They want to maximize soil health to ensure healthy animals. Choosing smaller animals for young children will result in less cows and pigs in the Farm's livestock, but will also let pastures improve.

They have switched up some species of animals, specifically sheep, to also maximize pasture health. They are also hoping to add ducks to the lineup in the next couple of years, and have been working with Claire to make sure that is feasible.

They also hope to build a new animal husbandry building. It's a modular unit, birthing, turkeys, storage. The stalls can be broken down or set up for birth, etc. Center isle for groups visiting.

Matt thanked Casey and agreed holistic planning makes sense. Commission had no questions.

**86 Kendall Lane continuation – DEP #233-871**

Applicant requested continuation. Mr. Gardner asked for a motion to continue to March 3<sup>rd</sup>, Doug Shepard moved, Chris Stillman seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes

Chris Stillman, yes

Mike Downey, yes

Jeff Richards, yes

Matt Gardner, yes

**Notice of Intent continuation – DEP #233-873 – 21, 46, 48 Graystone Lane**

Ben Stevens, Trask Development, is proposing three houses within 100ft of a vernal pool and intermittent stream. Claire gave an update. The Homeowners Association for Graystone will be combined with the HOA for the proposed Wayside Cluster. The mowing notes will be included in the Maintenance Covenant at that time.

Ben again confirmed that no additional walls are going to be constructed along the back of the lots, after a question from Jeff.

Mr. Gardner asked for a motion to close, Doug Shepard moved, Chris Stillman seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes

Chris Stillman, yes

Jeff Richards, yes

Mike Downey, yes

Matt Gardner, yes

Mr. Gardner asked for a motion to issue the standard Order of Conditions and with an added special condition regarding the HOA language. Jeff Richards moved, Mike Downey seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes

Chris Stillman, yes

Mike Downey, yes

Jeff Richards, yes

Matt Gardner, yes

**Notice of Intent – 233-864 – 32 Union Street**

Peter Bemis, the project engineer, apologized for the number of continuations. The developer wanted to get the Planning Board issues resolved. While there are a few things that need to be

amended he believes they will be finished up with the Planning Board soon. He is requesting a continuation but would like to give an overview of where the project currently stands.

The proposal is for 42 units in a 2 ½ story building with underground parking. A few temporary drop off spaces out front. He reviewed parking and locations. The retaining wall is proposed to raise the grade at the lot to match the front of the lots and allow for enough depth to install chambers under the rear parking lot. A pathway is proposed along the side of the property to connect to the Community Senior Center, which they hope will become a public gathering point.

They hope to improve the existing, unofficial path to the Community Senior Center and Union Street. The grade change is significant, so the new path will be ADA accessible. Claire asked if he was proposing a hand railing? He stated it was not required. Claire stated that if the grade is between 5% and 8.33% would require a railing.

Mr. Bemis reviewed the drainage plan. He explained that water currently ponds on the lot due to grading associated with the sewer pipe on the Town land behind these lots. The pipe is at a higher grade than the rear of the sites and the wetlands so creates a blockage. There are existing SW pipes coming off Union Street that will be replaced. In the future, he would like to discuss to open up bridge to eliminate ponding.

Matt did recall a very wet last fall on site walk. Historically, this property didn't have these conditions.

An abutter described the proposed chamber system and the discharge points for the Town drainage system, which have been designed to create spread out discharges going toward the resource area, reducing erosion. Steve Cosmos, reviewed the landscaping plan. Housing for birds, bats and hats proposed. Claire did note that this is not an ideal location for bat houses, but thinks bird houses are appropriate. Low lighting proposed to reduce wetland impact. Will send a video link of renderings to the Commission.

Matt would like to see the snow storage plan. The engineer clarified that because the space is limited, the snow will be removed off site.

Peter brought up the only remaining concern of the planning board is if the drive aisles can be constructed as proposed because they are in the setback. He is planning on speaking to the Zoning Board to determine what the final call on that will be.

Jeff Richards asked if the conditions are rocky in the rear. Yes, they will probably hammer if they need to but the major grade changes will result from fill being brought in versus material being removed.

Peter Bemis would like to come back in four weeks.

Mr. Gardner asked for a motion to continue to March 17<sup>th</sup>, Jeff Richards moved, Chris Stillman seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes  
Mike Downey, yes  
Chris Stillman, yes  
Jeff Richards, yes  
Matt Gardner, yes

**Certificate of Compliance – DEP #233-863 – 5 Hardwick Road**

Ron Strohsahl gave a review of the minor project changes. The applicant put in less fill, along with shifting and reducing the patio.

The shed has been removed, but occurred after the as-built was completed. There is an engineered certification.

Commission had no questions.

Mr. Gardner asked for a motion to issue a Certificate of Compliance, Doug Shepard moved, Mike Downey seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes  
Mike Downey, yes  
Chris Stillman, yes  
Jeff Richards, yes  
Matt Gardner, yes

**Notice of Intent – DEP #233-872 – 0 Wyndmere Lane Detention Basin**  
**Major Stormwater Permit – Phase 1**  
**Major Stormwater Permit – Phase 2**

Violation Update

Matt asked for an update on the enforcement order. How are things currently functioning? Claire received updated stormwater management plans.

Brian Butler and Ron Strohsahl identified erosion locations. Stump grinding and straw wattles installed were placed to attempt to clean the water before heading to vernal pool. Further uphill showed to measure clarity of water. Water was clean. It appears the methods being used are reducing sediment issues.

The water leaving the site that goes into catch basin was showing lower amounts of sediment. Reviewed water samples taken. Matt is not sure what to make of it. Ron stated it is not drinking water, but it is clean and transparent. Chris Stillman stated that the NTU numbers showed the water to be fairly clean. Matt stated the water leaving the site and going into the catch basin and vernal pool is getting cleaner. The large detention basin is within 4-6 inches of overtopping as of this week. The water does not seem to be infiltrating. What will happen when it rains?

Ben stated that they have installed a pump to bring the water levels down. As of that afternoon, the water is down 16-17 inches and has been pumping since 10:00 this morning. Presuming even with  $\frac{3}{4}$  inch of rain it will be fine. Pump is set up two feet below basin and is pumping 100% clean, but still going through a silt sack for additional silt removal.

Will the system operate as advertised? It has been an experiment from day one. We need to know what is being built and will it work down the road. How do we get confident that this will work? Ben's opinion is that the basin is working but needs some amendments to better manage sediment. Ben, Brian and Ron need to start at the top with the forebay. If repairs there don't succeed, we need to rebuild the basin. Once we can nail down if the issue is with the forebay, they will need find the right treatment for the bottom. Something that can stick. The rock there now is no longer clean but they are waiting for the growing season to make those changes. They are hoping to know what to do by late spring. In the meantime, will keep it pumped.

Matt has no issues experimenting to find solutions as long as nothing affects off site resource areas. Water cannot leave the site in an uncontrolled manner or jeopardize resources down the road and public safety. We need assurances.

Claire suggested Brian, Ben and Ron submit a formal document that can be referenced and we can continue to get monitoring reports. Maybe the Commission can vote to check the boxes.

Mike Downey stated that he has concerns about potential soil sloughing on the slope leading down to the detention basin, and asked if he missed something in the monitoring report about that. That could be a big problem which may lead to a landslide, and it is only 3-4 ft higher for basin. Is there a reason for soil sluffing? Was it overlooked? The representatives from Oxbow stated that they would review that at their next visit and include details in the report.

Mike Downey asked if anyone reviewed the pipe that dumps into the vernal pool? Anyone from the town reviewing Eliot Street? Claire brought it up with the Town Engineer and is hoping to get the pipe TV'd to determine if there are additional issues with the Town pipes that may be contributing to the sediment in the vernal pool.

Matt stated that things seem to either be working as designed or not working at all. We need assurances, and he is looking to Ben, Ron and Brian to put a plan in place. The consequences are permits pulled, fines, violations. Chris Stillman asked Ben and Brian to go over engineering of the system.

Ben reviewed the timeline for the proposed work needed to get the site as stable as possible. He feels the expansion solved a lot of the silt problem, and is asking for 60-120 days. If necessary, he will rebuild the basin with stone or change bottom to grass. To do that, he will present a plan to the Commission.

Claire is expecting a monitoring plan for after rain events. Matt things monitoring is essential and part of the Order of Conditions. He is not willing to go 60-120 days, but is willing to give them time to pull together a plan. Ben is in this problem in the next 5,6, 8 years while construction

occurs and we can't keep dealing with this problem for that full time. Claire asked if they can bring that plan of attack by the March 12<sup>th</sup> meeting?

Matt would like plans submitted regularly. He will be pushing for fines and revoking permits if things happen again.

Claire stated that updates on the Windy-Lo enforcement order will be on every agenda moving forward. Chris Stillman asked for date on over engineering. Doug Shepard stated the more data, the better and on a continued basis.

Matt asked Claire if she would check out the slope and snow banks tomorrow. Claire agreed to do that during her site visit.

An abutter request was submitted to set aside funds for the abutter to hire a third party to check the health of the vernal pool. Matt doesn't support that, and Claire agrees that wetland funding could not be used for a private abutter but if the Commission wanted to hire a third-party they could.

#### Major Stormwater Permit (cont'd) – Phase I

Claire received revised plans from Bruce Saluk, project engineer, showing the accurate locations of the swale and pipe. The O&M plans presented under this filing and the Phase II filing are quite different. It should be broken down in phases. Matt reviewed the lots in phase 2. Matt would like to see the concerns around the detention basins addressed. He thinks this should be picked up at next meeting. Everyone wants to move the project along appropriately.

Ben stated that the lots on this side were cut to close to final grade during the roadway construction, and he doesn't plan on starting on the house construction for these lots until mid-summer. He will continue to update Claire. Only active work is utilities and the Lot 8 house at this time. He will review with Claire when she is on site tomorrow. The utility work includes a trench to put electric conduits along Wyndmere Lane. Along with the retaining wall construction along Eliot Street. In April/May the old parking lot on the east side of Wyndmere will be ripped out and seeded. Ben asked if Claire could administratively approve this trench work and complete the wall? The Commission agreed to that. Mike Downey would like additional erosion control along Eliot Street. If additional ground is being disturbed, more erosion controls should be in place.

The Commission is okay with Claire to oversee. She will work with Ben.

#### Notice of Intent – 0 Wyndmere Lane Detention Basin

Matt Gardner read public hearing notice. The proposal is to construct a detention basin with associated grading.

#### Notice of Intent -Windy Lo Phase 2

Matt Gardner read public hearing notice. The proposal is for Phase 2 of 23-house construction of Windy-Lo Subdivision. Ben Stevens started with a review of the basin first. The rear yards of the lots on this currently a bit of a meadow area. The construction of the basin will result in disturbance and then the area and the shallow basin will be re-vegetated. These houses will have

walk-out backyards, so not much grading is needed for these lots. The last lot (Lot 23) other will be handled separately. Lot 9 and 10 will drain to town system on Everett Street.

Bill McDowell wanted a berm to direct the overflow from the yard runoff to the basin rather than the isolated wetland to the north. The Commission expressed interest in a site visit to see the existing topography.

For the Major Stormwater Permit, Ben stated every house will have a dry well system. To take roof runoff. Soil testing was done in 2018, with some additional pits done in late 2021. Matt Gardner asked if test pit data is in exact location of the detention basin feature? Only a 2018 test pit was done there but groundwater levels were high. Is this an infiltration or is the system intended discharge into the wetland on the abutter's property? Matt asked if staff could determine if this would be legal.

Mike Downey stated there was 4 ft of water at 66 Everett Street. Will this be impacted by the proposed work at Windy Lo? Claire described the drainage systems along Everett and Eliot Streets.

Commission's homework is to review topography and flow and understand if the way the system is designed to minimize flow the small isolated wetland to the north. Another Notice of Intent for Lot 23 will be submitted for discussion at next meeting.

Mike Downey feels the topography looks entirely different than he expected. Matt suggests another site visit. Mike asked if Ben could stake the basin area out? Ben agreed to complete that prior to a site visit. The site visit date will be determined once the NOI for Lot 23 is submitted.

Mr. Gardner asked for a motion to continue all 3 filings to March 3<sup>rd</sup>, Chris Stillman moved, Mike Downey seconded, all in favor

Mr. Gardner asked for a roll call vote:

- Doug Shepard, yes
- Mike Downey, yes
- Chris Stillman, yes
- Jeff Richards, yes
- Matt Gardner, yes

### **General Business**

#### **MACC Annual Environmental Conference**

Claire asked to notify her tomorrow if interested.

#### **Virtual Meetings**

Claire noted that the allowance for all virtual meetings has been extended to July. The Commission requested that a vote for when to return to in person be included on the next agenda.

### **Invoices**

Beaver Solutions LLC – maintenance of Pickerel Pond Beaver Deceiver - \$340

Mr. Gardner asked for a motion to pay out of the Trails Maintenance fund, Doug Shepard moved, Mike Downey seconded, all in favor 5-0.

Mr. Gardner asked for a roll call vote:

Doug Shepard, yes

Mike Downey, yes

Chris Stillman, yes

Jeff Richards, yes

Matt Gardner, yes

**Minutes**

December 2<sup>nd</sup>

December 16<sup>th</sup>

Minutes will be on the next agenda.

Meeting adjourned at 9:50pm.