



Medfield Conservation Commission

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Medfield Conservation Commission PUBLIC MEETING

Zoom

Minutes of Thursday, April 21, 2022 at 7:00pm

Members Present: Chair Deborah Bero, Michael Perloff, Mary McCarthy, Bobby Kennedy, Kirsten Poler, Cat Scott (7:25pm)

Staff Present: Conservation Agent Dave Henkels, Administrative Assistant Kim Chandler

Others Present: Michael Segala (Applicant, 39 Quarry Rd), Mitch Maslanka (Goddard Consulting), Chris Potts (7 Curve St.), Bill Massaro (36 Evergreen Rd), Marie C.

At approximately 7:06pm, Chair Deborah Bero called the Conservation Commission meeting to order.

Continued Hearing:

Notice of Intent/Applicant Scott Colwell/Address Elm Street Parcel 33-087 (between house # 40 and # 46 on Elm St.) Project construction of a single-family home. This filing is made under the Massachusetts Wetlands Protection Act and the Medfield Wetlands Bylaw. DEP # 214-0691. There is a request to continue until May 5, 2022; no discussion. McCarthy motioned to continue at the applicant's request to May 5, 2022. Kennedy seconded. Roll call vote: McCarthy = aye, Perloff = aye, Kennedy = aye, Scott = aye, Bero = aye. The Vote: 5-0.

New Applications:

Notice of Intent/Applicant Michael Segala/Address 39 Quarry Road Parcel 59-113. Project is the construction of an in-ground swimming pool, gazebo, patio, and ancillary structures within the 100 foot Buffer Zone of a Bordering Vegetated Wetland. This filing is made under the Massachusetts Wetlands Protection Act and the Medfield Wetlands Bylaw. DEP # 214-0695.

- Presentation by Mitch Maslanka (Goddard Consulting) on behalf of Michael Segala
- To add the gazebo level with the pool, some land to be leveled out and two, 4-ft retaining walls are to be installed to minimize grading impact down the slope
- No proposed work will be within the 50-foot no-disturb zone
- Driveway reconstruction needed
 1. 20.8% impervious currently and after construction 20% impervious Commission discussion based on questions submitted by Dave Henkels to Goddard Consulting (See "39 Quarry NOI Questions to Goddard (1)")" and on screen-shared information presented by Maslanka (Goddard Consulting) on April 21, 2022 and subsequently emailed to the Commission on April 22, 2021 (See "2022-4-21 Supplemental Info Report - DEP File #214-0695 - Medfield - 39 Quarry Road - Michael Segala". Please confirm estimated amount (cubic feet) of fill to be used during construction.

The estimated amount of fill to be used during construction is 200 cubic yards.

2. Please provide details on any storm water/drainage changes that will impact the adjacent wetlands
 - *Drainage changes are not anticipated to impact the adjacent wetlands.*
 - *Drainage patterns within the 0-50 foot Buffer Zone will remain undisturbed.*
 - *The pool's construction will result in the reconfiguration of the house's three (3) roof-drains. This reconfiguration is not anticipated to impact the adjacent wetlands. Clean roof-runoff is proposed to mimic existing drainage patterns, by continuing to drain within the 100 foot Buffer Zone.*
 - *Impervious surfaces on the site are proposed to decrease by net +/- 210 SF, decreasing stormwater runoff volume on-site.*
3. Confirm the number and type of trees are expected to be removed.
7 trees, 9 saplings, 27 shrubs, 3 vines, 32 ground covers
4. Machine/equipment access, particularly to area of cut and fill.
Machine/equipment access will be from the driveway into the back lawn, where the area of fill is located.
5. Provide detail on the impacts of construction throughout the project.
 - a) Clearing of vegetation to ground level. How will the organic debris be disposed?
Should occur from within the limit of work/erosion control barriers-; invasive species shall be dug up and removed immediately to prevent spreading; existing ground cover shall be stockpiled in backyard to be protected and transplanted back to proposed retaining walls; shrubs/ground covering beyond existing wall shall be stockpiled to backyard to be protected and transplanted back to designated areas; saplings/trees shall be felled away from the wetlands and debris should be stockpiled and removed immediately.
 - b) Where are the clearing operation landings or chipping locations? Will the limit of work (LOW) be staked by in advance?
1st – staking, 2nd – installation of (12-inch compost stocks staked at 10-foot intervals) erosion control barriers along staked limit. All construction should occur from within the limit of work/erosion control barrier, the clearing operation shall begin on backyard lawn and work towards the limit of work only as needed for equipment to reach vegetation. Chipping locations are proposed within the back lawn and driveway.
 - c) Invasive species removal is not addressed in the NOI. Proper management of this process should be defined. How will seed dispersal be managed?
After erosion control barriers are installed, invasive species shall be dug up and removed immediately to prevent spreading. Removal will be timed so seeds are not present on the plants. There are plans in place if they must be removed when seeds are present.
 - d) Site stabilization. What processes are being considered to achieve this?
Erosion control measures shall be installed prior to the start of work and are to be maintained throughout the construction period. Upon completion of erosion control installation, tree clearing and grubbing, the contractor shall initiate permanent stabilization practices during all phases of construction but not more than 10 days after the construction activity in that area has been completed. Only areas that can be reasonably expected to have construction work performed within 14 days of disturbance will be cleared at any one time. All disturbed areas shall be loamed and seeded and mulched as soon as practicable to avoid overland transport of sediment.

- e) Where are the laydown areas?
Saplings and trees shall be felled away from the wetlands. Stockpile areas can be located in the backyard and driveway.
- f) Provide a description of stumping and grubbing.
Root and stump removal will occur with an excavator/backhoe and shall be taken off-site.
- g) Is soil restoration anticipated for all temporarily impacted areas?
Existing lawn areas shall be re-loamed and seeded with lawn grass seed. Non-lawn areas will be loamed and seeded with New England Wildlife/Conservation Seed Mix or similar seed mix.
- h) Depth of swimming pool.
Expected to be 7.5'–8' deep. Either fresh water or salt water
- i) Definition of current drainage patterns versus those created by alteration. How will storm water be discharged? What mechanisms have been considered?
 - *Drainage changes are not anticipated to impact the adjacent wetlands.*
 - *Drainage patterns within the 50 foot (no-disturb) Buffer Zone will remain undisturbed.*
 - *The pool's construction will result in the reconfiguration of the house's three (3) roof-drains. This reconfiguration is not anticipated to impact the adjacent wetlands. Clean roof-runoff is proposed to mimic existing drainage patterns, by continuing to drain within the 100-foot Buffer Zone.*
 - *Drainage from the gazebo will infiltrate into the lawn.*
 - *Impervious surfaces on the site are proposed to decrease by a net +/- 210 SF, decreasing stormwater runoff volume on-site.*
- j) Is mitigation being considered for loss of canopy?
Yes, see question 5a for details. Additional plantings may need to be considered if the transplanted vegetation proves to be in poor health or exudes a suppressed growth habit.
- k) Are test pits necessary to insure soil stability?
No. A test pit may be dug by the pool contractor for the structural work on the pool.
- l) Is the area of lawn to be increased?
Yes, by a net +/- 250 SF.
- m) Why is impervious fill used in creating the retaining wall?
Impervious fill is used to minimize the amount of water that might seep into the ground behind the retaining walls. This is a standard detail used for retaining walls, but the contractor may use regular fill as that is just as an appropriate material.
- n) Confirm construction narrative on how the wetland adjacent to the concrete wall would be protected during construction, which includes keeping the existing retaining wall in place until the new retaining wall is installed.
See question 5d for erosion controls and soil stabilization. The existing boulder retaining wall is anticipated to remain in place during the construction of new retaining wall and will likely be filled on top of with new fill.
- o) Pool water discharge area description and type of clarifying products to be used.
It would be discharged outside of the 100-foot Buffer Zone, in lawn area or proposed pervious driveway. Salt or chlorine will be used as clarifying products.

- p) Is there use of new lighting anticipated? If so, what type?
Yes, low-voltage lighting is proposed for accent and safety.
- q) Is a landscaping plan anticipated?
Yes, after all permits are acquired for the project. Only non-invasive plant species are to be installed for landscaping.
- r) Will new footings be needed for the construction of the gazebo? Will that either be concrete, sonatube footings or helical piers. Helical piers would not require much ground disturbance. Sonatube footings should be hand dug. If concrete footings will be used, I would recommend that excavated soils be placed on a tarp so that the soil does not migrate.
Yes. Given that the entire area of the gazebo construction is to be filled, the easiest footings to install would be precast or pour-in-place concrete footings.

Conditions: The Commissioners identified and discussed various areas of concern, including the project classification under the Rivers Act and the Wetlands Protection Act, and the Commission generally supported the issuance of an Order of Conditions containing specific conditions to address: stockpiling and how and where fill would be stockpiled, protected from the elements and managed to reduce and eliminate migration to and impact upon the resources, including use of erosion controls to prevent migration, jute mats for stabilization and sprinkling to reduce dust; stabilization of stockpiles and area surrounding gazebo/retaining wall during construction and until soil stabilization, including use of jute mats; management of invasive species to remove existing invasive species and to prevent introduction of invasive species with fill; landscaping plans including prohibition against invasive species and preference for native plantings; discharge of water with any clarifying agents towards driveway and away from resources; request for a revised plan from Legacy Engineering with notations on items of concern with feedback on impervious fill for retaining wall construction; clerical notation on revised plan to note that Vine Brook is interior to the bordering vegetated wetlands. Specific points made by commissioners included:

1. Add note to a revised plan indicating that wetlands and buffer zones are associated with Vine Brook.
2. Designate location of stockpile for fill. Place erosion controls around stockpile.
3. Invasive plants to be identified and removed by a licensed contractor.
4. Sprinkle water on hill below pool where the gazebo will go and place jute mats to stabilize the area until the retaining wall is built and the area behind it is loamed and seeded.
5. Pre-cast or pour-in concrete footings will be used for gazebo.
6. Request explanation from Dan Merrikin /Legacy Engineering for use of impervious fill behind retaining wall and calculations for building of retaining wall.
7. Use hose to discharge pool water away from wetland toward/to driveway.
8. Submit a landscaping plan. No invasives are to be included in plan.
9. Work will be completed within 3 years of the issue of this order.

- Discussion among Commissioners regarding procedural next steps and consultation with applicant to determine applicant's turnaround time for providing revised site plan and detail with resulting request from applicant to continue the hearing to May 5, 2022 at which time the applicant would have submitted a revised plan and detail and the Commission would have a draft Order of Conditions with both applicant and Commissioners expecting to close the hearing on May 5, 2022 and issue an Order of Conditions. . Perloff motioned to continue the hearing to May 5, 2022 at the applicant's request. McCarthy seconded. Roll call vote: McCarthy = aye, Perloff = aye, McCarthy = aye, Scott = aye, Poler = aye, Bero = aye. The vote: 6-0.

Certificates of Compliance

- ***Certificate of Compliance 136/138 South Street DEP # 214-0693***

Henkels noted that he and Kennedy went to the site to inspect the reconstruction of a small bridge in a riverfront area. The erosion controls were still up and functioning properly.

Poler motioned to authorize the agent to issue a certificate of compliance. Scott seconded. Roll call vote: Perloff = aye, Scott = aye, McCarthy = aye, Kennedy = aye, Poler = aye, Bero = aye. The vote 6-0.

- ***Partial Certificate of Compliance # 1 and #4 Lincoln Court # MCC-003***

The Order of Conditions on this project was issued under the Medfield Wetlands Protection Bylaw only. That Order permitted construction of four- (4-) single-family dwellings at the site. Lot 19A (1 Lincoln Court) is beyond the Commission's jurisdiction. Lots 20A (3 Lincoln Court) and Lot 21 A (4 Lincoln Court) are beyond jurisdiction except for some portion of driveway and some grading. Lot 22A (2 Lincoln Court) has a section of common driveway and an eighteen-inch landscape wall located within the 100 foot buffer zone of an Isolated Vegetated Wetland (IVW) that is a certifiable vernal pool. This request for Partial Certificate of Compliance addresses just 1 and 4 Lincoln Court (Lots, 19A and 20A respectively). Henkels updated the Commission about his site visit and noted that he and Kennedy went to see the property. Henkels noted no concerns with the work performed. The current Order of Conditions expires on May 16, 2022. Henkels will contact the new owner to remind him that he will need to request an extension if work will not be completed by May 16, 2022. The Request for Final Certificate of Compliance is expected on May 5, 2022.

McCarthy motioned to authorize the agent to issue a partial certificate of compliance. Scott seconded. Roll call vote: Perloff = aye, Scott = aye, Kennedy = aye, McCarthy = aye, Poler = aye, Bero = aye. The vote 6-0.

Comments on Other Commission Projects

- Chipotle, 230 Main Street: Applicant to come before committee with an RDA late May/early June. Planning Board requesting comments from all boards by 5/16/22. Bero suggests that the Commission send a letter noting generally that "If there are any resources in the area of the proposed project, the Conservation Commission urges the Planning Board to avoid permitting any work within 50 feet of the bordering vegetated wetland and within 50 feet of a vernal pool." Bero suggests the Commission have a general letter to send when comments are requested and no other specific concerns are identified and/or when the project will separately come before ConComm. Urge other boards to support the general principles that guide ConComm in its decision making. Commissioners should familiarize themselves with the general principles.

Minutes

- 4/7/22
- 9/20/18
- 10/16/18
- 10/18/18
- 11/1/18
- 11/8/18
- 12/6/18
- 12/20/18

McCarthy made a motion to approve minutes with amendments as noted for 4/7/22, 9/20/18, 10/16/18, 10/18/18, 11/1/18, 11/8/18, 12/6/18, 12/20/18. Scott seconded. Roll call vote: Kennedy = aye = McCarthy = aye, Perloff = aye, Poler = aye, Scott = aye, Bero = aye. The Vote: 6-0.

At approximately 9:17pm, McCarthy motioned to adjourn the meeting. Scott seconded. Roll call vote: Kennedy = aye, McCarthy = aye, Perloff = aye, Poler = aye, Scott = aye, Bero = aye. The Vote: 6-0.

Respectfully submitted,
Kim Chandler, Administrative Assistant