

**Meeting Date: 23-01-26**  
**Meeting Location: Hybrid Teams / Police Station Conference Room**  
**Minutes Approved: 23-02-09**

**Members Present:** Carl Hommel, Susan Cahalan, Mike Amendolia, Peter Coffin, Timothy Aicardi, Damon Tinio

**Members Absent:** Bob Sweet

**Others:** 22 members of the public in room, 16 on Teams

Recording <https://www.youtube.com/watch?v=fyK8SRgIBUE> .

Quorum reached at 7:05 and the recording started. The meeting is called to order by Chairman Carl Hommel and the Conservation Commission members introduce themselves.

**Correspondence:**

Email was received from a homeowner in the Applewood Lane project, concerning stormwater runoff into their property. Damon drove by and observed substantial runoff into the street. They were not at the meeting, and email has been sent encouraging them to appear at the next meeting.

Email from Karen Friedman of Lurie Friedman, asking about an enforcement order for 23 Cape Rd. signature page for Muddy Brook Estates was passed around and signed.

Postal mail from LocaliQ regarding proof of publication was received, as well as a bill for services rendered.

**Conservation Commission Clerk**

Maya Clark has resigned her position. A job posting has been made on Insight and will be made soon on the town and MACC web sites. We are interviewing candidates.

Public Hearings begin at 7:15pm

**35-37 Hastings St / 18-20 Washington St**

DEP File Number 218-0831 Notice of Intent filed by Tomas Schutz by Goddard Consulting, LLC for applicant John Nenart. Hastings Street Plaza for the construction of properties located at 35-37 Hastings Street, and 18-20 Washington Street, Mendon, MA 01756

Peter Coffin and Damon Tineo have recused themselves from this project. The applicant requested via email to continue as they are awaiting a Superseding Order of Resource Area Delineation (SORAD) from MassDEP . Mike motioned and Susan seconded to continue this hearing until the next meeting on February 9. Passed unanimously.

**23 Cape Road**

Direct Youtube link is <https://www.youtube.com/watch?v=fyK8SRgIBUE&t=6469s> .

Continuation of discussion of Notice of Intent submitted on behalf of applicant Stephen Butte for the construction of a one-story warehouse building located at 23 Cape Road Mendon, MA 01756

Presentation by

- Dan Wells Senior Wildlife/Wetland Scientist of LEC Environmental Consultants, Inc.
- Connor Downey VP Investments BlueWater Property Group
- Kevin Demers Project Engineer DiPrete Engineering

Advanced Notice of Resource Area Delineation (ANRAD) was reviewed and approved in 2022. This is the first presentation of their Notice of Intent (NOI)

Issues and questions raised by the Conservation Commission and citizens which were addressed:

- How far from the property line is the nearest corner of the building?
  - 330.7' is the measured distance
- How far is the sound wall from the wetlands?
  - "The closest measured distance between the sound wall and a resource buffer area is 70ft. Overall 250ft of the sound wall's projected 800ft length is within a resource buffer area
- What is the buffer area for the north, west, and south?
  - 100ft for north and south wetlands, 200ft for the western stream
- What is the east-west grade difference?
  - 50ft
- Will the building be level?
  - The east side of the building will be offices and above the slab
- Where are the wells?
  - In the northeast far away from the building and roads
- Will the 12ft "Sound Wall" be sitting on a berm?
  - No it will be at the grade of the concrete.
- What is the distance from the western property line to the first manmade structure (the Sound Wall)?
  - The distance of the sound wall from the property line varies from 200' at the north end to 240' at the south end.
- Are there inserts to the drainage system to catch contaminants?
  - Yes
- Does the stormwater plan take into account water flowing into the site from adjacent property?
  - Yes
- Which way does the roof slope?
  - Mostly flat and water flows into internal drains
- Is there filtering in place for wastewater runoff from the loading bays on the west side of the building, and the trailer parking area in the southeast?
  - Yes
- Was the stormwater plan peer reviewed?
  - Yes, Graves Engineering reviewed the stormwater plan for compliance
- What size riprap?
  - During the hearing the answer was R3/R4, white granite with no coating. A followup communication says
  - Rip rap sizing will be R4 for the underground infiltration system overflow outfall, and R5 for the southern swale to accommodate the existing offsite/eastern drainage flow. The material is specified as "stone" generally, and the contractor will be required to submit a shop drawing to the project engineer of the actual material specification from a local quarry for approval
- Are there trees in the front parking lot?
  - Yes, we meet the Mendon bylaws
- What will be disturbed within the 200ft riverfront buffer?
  - Northern area of 3800 sq/ft and southern area of 3700 sq/ft totaling 7500 sq/ft. This is 6.6% of the existing onsite Riverfront Area. This is less than the 10% allowed by statute. There will be no alteration within the undeveloped Riverfront Area
- What will be disturbed within the Mendon Bylaws 25ft "No Disturb Zone"?
  - ~1137 sq/ft of previously disturbed soil and the work done will be to improve the existing flow into the riverfront area. No alteration will occur in the undeveloped zone
- Will there be any fueling of trucks, and will there be an underground fuel tank?

- No and no
- What is the life of the permanently installed sand used to filter contaminants and how long does it work at other sites?
  - Per the StormTech™ brochure on the Advanced Drainage Systems (ADS) website, this system specifies a “75-year minimum service life”
- Will there be standing water which would cause mosquitos?
  - No, there will not be an open detention basin holding stormwater for many days. Instead stormwater would flow into an underground covered cistern
- The Highway Dept has expertise in cleaning filters.
  - Yes, and should be included in maintenance plans. A followup communication from the applicant says The Operation and Maintenance Plan (report) details the inspections and possible maintenance for the stormwater practices. A sample Stormwater Facility Maintenance Agreement is given in Appendix B, which details the owner’s overall responsibilities and grants permission to the Town to inspect the system when it deems necessary and to charge any repair costs to the landowner
- Are any trees going to be removed from the southwest?
  - No. The aerial photo looked like trees would need to be removed, but during the site walk it was determined that the trees were on the south side of the property line and belonged to an abutter.
- Can the Conservation Commission require the project to plant trees and other vegetation?
  - The ConComm’s jurisdiction is within the buffer zone and almost all will remain undisturbed from existing growth. The Landscape Plan will be reviewed by the Planning Board, who are aware that trees have roots and might interfere with the underground infrastructure.

Issues and questions raised by the Conservation Commission and citizens which will be reviewed and discussed at future public hearings:

1. When will the sound study be completed? TBD, and the results might require modifications to the Sound Wall and other sections of the initial plan
2. What in the plan has been peer reviewed by Graves Engineering, and what does that peer review mean? Is there a need for additional peer review on the other parts of the NOI that they did not cover?
3. What is the maintenance plan for the entire site? What will happen after a major storm event, and what periodic maintenance will be scheduled? How can we see whether an underground filter needs replacement? Who in the Town will inspect, and what enforcement ability will the Town have to ensure the plan is followed and periodic maintenance occurs?
4. Applicant agreed to review and expand the Stormwater plan to include storms greater than 100yr magnitude
5. ConComm wishes a presentation specifically about where onsite snow dumps will be and plans to filter contaminants as they melt
6. Susan Cahalan will followup with the applicant about specific questions relating to the stormwater plan and Total Suspended Solids (TSS) and phosphates
7. The 3 comments from the MassDEP in their NOI letter were not received in time to incorporate into the existing plan, and will be reviewed and followed up with at a future meeting and plan
8. There was a question about a document giving a 80,000 sq/ft number related to the site, and what it meant for the Riverfront Area buffer zone. Applicant will review the doc and provide an explanation at a future meeting
9. ConComm would like to see technical details on the construction of the retaining wall for the building.

Moved by Peter and seconded by Mike to continue this hearing until the next meeting on February 9.  
Passed unanimously.

**106 Millville Rd**

Discussion of 106 Millville Road with Tom Schutz from Goddard Consulting. Work at this site will be done under an Enforcement Order and not an Order of Conditions. A plan was presented showing the planned work to reduce the grade of the hill. Current plan is that erosion control will be in place by Feb 24, earth work by March 31, and planting/seeding with a wildflower/grass mix by April 14. Monitoring to be done during Spring/Fall 2023 with a final evaluation after a complete growing season in 2024. Moved by Bill and seconded by Peter to continue this hearing until the next meeting on February 9. Passed unanimously.

### **73 and 75 Blackstone St**

NOI presented by Peter Lavoie on behalf of applicant, Lobisser & Ferreira Construction Corp. filing a Notice of Intent (NOI) for work associated with a proposed single-family house at 73 and 75 Blackstone Street. The project will consist of the construction of a single-family house, deck, walls, driveway, new septic system and other utilities for the new home.

Plan was presented. A site walk will be scheduled.

Motion to continue 73 Blackstone to February 9 by Mike seconded by Susan, passed unanimously.

Motion to reopen 73 Blackstone by Mike seconded by Peter, passed unanimously.

Motion to approve conditionally the NOI for 73 Blackstone based on the site walk finding no issues by Mike seconded by Susan, passed unanimously.

Motion to approve conditionally the NOI for 75 Blackstone based on the site walk finding no issues by Mike seconded by Peter, passed unanimously.

### **47 Milford**

No action

### **46 Uxbridge**

Request for Determination of Applicability (RDA) filed by Margaret Bacon of Civil Site Engineering for a proposed tight tank at 46 Uxbridge Road

Motion to give a negative determination by Mike seconded by Peter, passed unanimously.

Motion to adjourn by Mike seconded by Peter, passed unanimously.