

ENVIRONMENTAL PROTECTION COMMISSION
SPECIAL MEETING/PUBLIC HEARING MINUTES

May 19, 2010

8:15 P.M.

Auditorium, Town Hall

Commission Members Present: Peter Hillman, Wynne Shapiro, Michael Tone, Craig Flaherty, Rick Rohr

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Chairman Hillman called the meeting to order at 8:20 P.M.

Mr. Hillman called the first public hearing:

EPC-02-2010, 9 Mansfield Place, 10 Brown Street, LLC, proposing house demolition and new house construction within an upland review area. The site is shown on Assessor's Map #10 as Lot #67 & 68.

Mr. Rohr was recused for this application.

Lance Zimmerman, A.I.A. represented the applicant. He described the changes made to the plan in response to the previous hearing. He said they have reduced the impervious surface area by reducing the driveway and terrace. The foot bridge is proposed to be removed. The proposed house is 25 feet from the river at the closest point while the existing house is 19 feet away.

Mr. Zimmerman said they met with Richard Windels of the Friends of Goodwives River who has written an e-mail in favor of the project. He said the applicant is willing to remove the sandbar to below the water level of the river, as recommended, to avoid invasive species becoming established. He said they were in agreement that the small dam is of no consequence and may do more harm to remove by allowing sediment downstream.

Mr. Zimmerman said they are looking for a waiver of Section 883 of the Zoning Regulations requiring the drainage design to assume an undeveloped condition.

Mr. Flaherty asked if the proposed planting list had been revised. Mr. Zimmerman said no.

Mr. Hillman opened the hearing for public comment. There was no one who wished to speak.

Mr. Flaherty made a motion to close the public hearing. Ms. Shapiro seconded the motion and it passed 4-0.

The Commission proceeded to deliberate on the application.

Mr. Hillman said this application provides a good case for a waiver of Section 883 of the stormwater management regulations.

Mr. Flaherty said the applicant met the spirit and intent of the regulations. He said they have held impervious surface to a minimum and used pervious pavers.

Mr. Hillman said the applicant has met the burden of proof for a waiver.

Mr. Hillman said the applicant has made revisions to the plan in good faith as requested by the Commission. He said the Commission's engineer, Bob Oley, has agreed with the applicant's plans and revisions.

Mr. Flaherty said the restoration plan for the streambank is a very positive part of the project.

The Commission requested staff prepare a draft approval for June 2.

Mr. Hillman called the next public hearing:

EPC-06-2010, Jon & Caroline Schoudel, 29 Plymouth Road, proposing a replacement house within an upland review area. The site is shown on Assessor's Map #57 as Lot #40.

Ms. Shapiro was recused for this application.

John Schoudel represented the applicant. He said they have revised the plans to address the concerns of the Commission regarding more treatment for the first flush of runoff. They have provided an environmental assessment and a model of the property.

Peter Finkbeiner, P.E. described the plan revisions. He said the basis for the stormwater design in a coastal area is water quality not quantity. He said the underground storage elevation is driven by the high tide elevation. The culvert units are too high to capture the driveway runoff so they have revised the plans to direct the driveway first flush to a rain garden.

William Kenny, Wetland Scientist, described the environmental impacts of the project. He said the existing lawn is a steep slope that extends to the edge of the tidal pond and the proposed buffer plantings and rain garden will have a beneficial impact on the watercourse.

Mr. Hillman asked about the current health of the pond life. Mr. Kenny said it is relatively healthy.

Mr. Tone asked if the proposed buffer will help to filter lawn chemicals. Mr. Kenny said yes. Mr. Tone asked about the maintenance required for the plantings. Mr. Kenny said there would need to be inspections after the initial planting to insure that invasive plants do not come in. It would then require periodic removal of invasives like any garden.

Mr. Flaherty asked Mr. Kenny to confirm the effects on nutrient loading, thermal impacts and suspended solids reaching the watercourse. Mr. Kenny said the effects on all three would be positive.

Mr. Rohr asked about the fuel source for the generator. Mr. Schoudel said it would be a buried propane tank. The Commission discussed a stipulation to show the tank location to the north of the house and outside the upland review area.

Mr. Rohr asked Mr. Finkbeiner to clarify the size of the trap rock surrounding the cultic units. Mr. Finkbeiner said he would change the conflicting notes on the plan.

The Commission discussed the possible benefits of a gravel driveway or grass pavers. Mr. Finkbeiner said the applicant would prefer asphalt and has designed a catch basin and rain garden to treat the runoff.

Mr. Streuli, Architect, showed the Commission a model of the property and the existing and proposed house.

Mr. Hillman asked for public comment and there was no one who wished to speak.

Mr. Tone made a motion to close the public hearing. Mr. Flaherty seconded the motion and it passed 4-0.

The Commission proceeded to deliberate on the application.

Mr. Hillman said Mr. Kenny was persuasive that there is not treatment on the property now and the proposed plantings and rain garden will provide treatment. He said the plantings will provided an enhancement of the pond.

Mr. Tone said the plantings and buffer are a good precedent for the Commission to establish .He said the proposal will be an acceptable method of treating runoff to the pond.

Mr. Flaherty said the rain garden and buffer will be a gain for the wetland. He said there should be a stipulation for a maintenance plan for the rain garden and buffer landscaping.

Mr. Rohr said the proposed rain garden and plantings will be an enhancement over the existing grass. He would like the plan corrections made as a stipulation.

The Commission requested staff prepare a draft approval for June 2.

Mr. Rohr made a motion to adjourn. Mr. Tone seconded the motion and it passed unanimously. The meeting adjourned at 9:20 P.M.

Respectfully submitted,

Richard Jacobson
Environmental Protection Officer