



SHREWSBURY CONSERVATION COMMISSION
SHREWSBURY, MASSACHUSETTS

MINUTES

Regular Meeting: February 21, 2023 – 7:00 P.M.
Location: Selectman’s Room, Shrewsbury Town Hall, 100 Maple Avenue, Shrewsbury
Attending: Martha Gach, Jason Port, John Ostrosky, Kenneth Polito, Chris DeLauder
Also in Attendance: Eleah Caseau, Conservation Agent; Andrew Truman, Town Engineer

1. Review and Approve Minutes –

- a. *K.Polito M to approve the following minutes. M.Gach S, V 5-0.*
 - i. *March 15, 2016: no revisions*
 - ii. *November 20, 2018: no revisions*
 - iii. *March 16, 2021: no revisions*
 - iv. *January 17, 2023: include meeting adjourned on minutes and who motioned.*

2. Sign bills

- a. *K.Polito M to approve community advocate bill for \$221.10 M.Gach S, V 5-0.*

3. Meetings and Hearings – 7:05 P.M.

285-1956 ***Continued Public Hearing regarding the Notice of Intent filed by Rashid Shaikh, 24 Sheryl Drive, Shrewsbury, for the construction of two single-family houses at 42 Sadler Avenue & 37-39 Melvin Avenue.***

Scott of Goddard Consulting is presenting. Also in attendance is Bert Corey, Professional Engineer of DGT Associates. CC concerns about building department approval of project at last meeting was addressed by building department letter retrieved by applicant. B.Corey stated that the garage design has been revised to add flood vents to satisfy the building departments requirements. Discussion was had about the flood plain elevations across the property and how each space is designed to meet requirements. It was clarified that the spaces are designed to meet up to 1.5 ft. of flooding.

S.Jordan stated that they have designated the stream as intermittent because of up-gradient location being designated as such also. He noted that if this does not please the Commission, an exception to the regulation states that lots laid out before the River Act of 1996 are grandfathered in and can be developed upon with a stream designated as perennial.

M. Gach had questions about the stream’s behavior. S.Jordan stated that abutters may have better observations of the stream, but that the dam upstream should help control water flow and that velocity of flooding waters should stay within the stream channel with lateral flooding that loses velocity as flood waters rise. He stated that this is an infrequent occurrence on the property, only occurring during extreme flood events.

K.Polito expressed concerns about education and maintenance requirements for future homeowners.

Plan has been revised to reflect comments made by CC and Conservation Agent. Limit of work, tree removal, and planting plan have been revised on plan. No specific planting plan has been designed for the site.

C.DeLauder recommended that deck piers be moved back a foot or two outside of the 30 ft. buffer zone.

CC recommended that a condition include no additional openings be in foundation besides flood vents to prevent future homeowners from storing belongings or readily accessing space under home. CC recommended an additional condition that storage not be below certain height in basement or garage. Discussion had about how the compensatory storage is laid out across the property and how it will work.

M.Gach asked abutters and neighbors to speak to the velocity and flow of the river during flood events.

Public Questions and Comments.

Elaine Strzelewicz, 37 Everett Avenue: noted history of flooding in recent years, and that she will send photos of 2021 flood. Taylor Janulewicz, 38 Sadler Ave.: In my experience, the flooding occurs pretty quickly, and depending on the size of the storm, it can take several days for it to go back down. I also had a question about wildlife access in the area and whether they could access the area and get in under the home?

B.Corey: the doors will lock in place until there is flooding to add a bit of buoyancy and unlock them, so there should be no critters getting in there or any natural materials in there during dry periods.

Hearing continued to March 21, 2023.

RDA New Public Hearing regarding the Request for Determination of Applicability filed by Dominick Esposito III, 128 South Quinsigamond Avenue, for the complete removal of 3 trees and stumps at 128 South Quinsigamond Avenue, Shrewsbury.

Dominick and Julianna Esposito, the homeowners, are presenting.

2 major reasons to bring the trees down. We've had them assessed because the trees have been deteriorating and in recent storms, several large limbs have come down, and the some of the trees are close to the retaining wall adjacent to Lake Quinsigamond. We're working on repairing the retaining wall and these trees would impede that process. We would like to remove the trees and the root systems because the roots have infiltrated the wall and are pushing it over. There are 2 maples and an Oak, but one has a codominant trunk and we're worried the rot in the trunk could cause the tree to fall onto the house and the lake. We're planning to replant and will be back before the commission for their recommendation of trees and to repair the retaining wall.

No Public Questions and Comments.

K. Polito M a negative determination. M.Gach S, V 5-0.

RDA New Public Hearing regarding the Request for Determination of Applicability filed by Sharon Weber & Brian Meacham, 4 Woodchuck Hill Road, Shrewsbury, for the removal of trees at 4 Woodchuck Hill Road.

Sharon Weber and Brian Meacham, the homeowners, are presenting.

We would like to remove 12 trees from the back of the home to install solar panels and receive more morning sun on the roof. These consist mostly of small swamp maples, yellow birches, and beech trees. Additionally, we would like to take 3 trees down by the sidewalk to prevent rooting under the sidewalk, but are unsure who owns those trees and 1 down by the power box so it's not hanging over the power box. J.Ostrosky noted that the entire property is within the Inner Riparian Zone and that generally, no disturbance of any kind is allowed there. CC discussed the number of trees being removed and alternatives to cutting them all down. Applicant asked about the trees at the front of property by the sidewalk. A.Truman explained that they are owned by abutting property and town and that it would be up to them to remove them.

No Public Questions and Comments.

K.Polito M a negative determination with condition that trees be topped to 5 feet below the roofline. M.Gach S. V 5-0.

285-1953 New Public Hearing regarding the Notice of Intent filed by Nicholas Soutter, 36 Old Brook Road, Shrewsbury for the construction of a retaining wall to stabilize and level the backyard lawn at 36 Old Brook Road.

Kate O'Donnell of EcoTec Inc. is presenting.

K.O'Donnell gave overview of wetlands and riverfront area as well as existing conditions of structures on property. Based on DEP comments, a 2:1 mitigation area is proposed on the slope leading to the existing BVW. This plan proposes removing invasive species currently present and planting native wetland species. Straw bales and silt fence are proposed erosion control. CC advised that retaining wall design be submitted for review.

Public Questions and Comments.

Brian Meacham, 4 Woodchuck Hill Road: will trees be removed, how does this project differ from another project (see RDA for 4 Woodchuck Hill Road above)?

K.O'Donnell responded that 2 trees will be removed, and that this property is in the outer riparian zone and significant mitigation is required and is being done.

Continued to March 21, 2023.

285-1958 New Public Hearing regarding the Notice of Intent filed by the United States Department of Labor, 2101 Wilson Blvd., Suite 400, Arlington VA for the construction of a driveway, parking lot, and stormwater management system to serve the Grafton Job Corps Center at 295 Green Street, Shrewsbury or 100 Pine Street, Grafton.

Norman Hill of Land Planning Inc. is presenting. Jeff Harrison of Vivid Design is also attending.

N.Hill gave an overview of existing conditions and highlighted wetland areas on site. Parking lot will be surrounded by berm so all stormwater on site will be captured and directed to an underground filtration chamber. CC asked about where snow piles will be stored and discussion about possible options followed.

Discussion about where infiltration system daylight and alternatives to avoid getting so close to wetland. No plan changes proposed.

K. Polito M an Order of Conditions that snow laydown area be designated in 'laydown area' as referenced in plans page C-104. C.DeLauder S. V 5-0.

285-???? New Public Hearing regarding the Notice of Intent filed by Plug Power, 968 Albany Shaker Road, Latham, NY, 12110, for the construction and installation of hydrogen storage and compression system pad and associated tree removal and site work at 42-44 Bowditch Drive.

POSTPONED TO MARCH 21, 2023

4. New & Old Business

a. Discuss/Sign Orders of Conditions, Determinations of Applicability

- 285-1956 42 Sadler Avenue & 37-39 Melvin Avenue *Hearing continued.*
- RDA 128 South Quinsigamond Avenue *Negative Determination Issued.*
- RDA 4 Woodchuck Hill Road *Negative Determination with Conditions Issued.*
- 285-1953 36 Old Brook Road *Hearing continued.*
- 285-1958 295 Green Street *K.Polito M to issue Order of Conditions with condition that snow storage area be designated as referenced. C.DeLauder S. V 5-0.*
- 285-???? 42-44 Bowditch Drive *Postponed to March 21, 2023.*
- 285-1859 257 Gulf Street *Extension Permit for 2 additional years issued. K.Polito M. M.Gach S. V 5-0.*

b. Discuss Enforcement Orders

- i. 56 Oregon Ave (285-1819)
- ii. 284 South Quinsigamond Ave
- iii. 29 Redland Ave
- iv. 23 Bayview Drive- *Discussion of existing conditions and suggested actions.*

c. Discuss/Sign Certificates of Compliance

- i. 34 Cherry Street (285-1849) *Issued.*
- ii. 280 South Quinsigamond (285-1825) *Request to DEP, notification to Shrewsbury Conservation.*
- iii. 935 Main Street (285-1738) *Not Issued.*
- iv. 16 Old Brook Road (285-1924) *Issued.*
- v. 20 Bay Road (285-1591) *Issued.*

d. Conflict of Interest Certifications

5. Bylaw Review

- a. Item 5
 - i. what is the significance to highlighted date
- b. Item 7
 - i. instead of "...removal of trees..." use "**alteration of trees including removal, trimming or planting**"
 - ii. Include the prioritization native species
- c. Item 8
 - i. Specify amount of replication area required
 - ii. Remove "adequate security" and add or clarify definition
- d. Item 11
 - i. Clarify when appeal period begins

M.Gach M to present the draft bylaw to town council for review in preparation of town meeting. K.Polito S. V 5-0.

6. Discussion item: 443 Lake St., 457 Lake St., 104 Grove St. and the Community Preservation Act

K.Polito M to adjourn. C.DeLauder S. V 5-0. J.Ostrosky adjourned the meeting.

Respectfully Submitted by Eleah Caseau, Conservation Agent. February 28, 2023.