

**DRAFT  
CITY OF FITCHBURG  
CONSERVATION COMMISSION**

**MEETING MINUTES  
TUESDAY, APRIL 30, 2019**

**COMMISSIONERS IN ATTENDANCE:** Tracey Sarefield, Chair, Bryan Breau, John Cordio, Mike Donnelly, Harry Karis, John Koutonen, David Streb, Ralph Baker (assoc. member)

**STAFF IN ATTENDANCE:** Tim Smith, Mike O'Hara

**CALL TO ORDER:** Meeting called to order at 6:03 at Fitchburg Municipal Airport, 567 Crawford St., Administration Building, Room 106.

Ms. Sarefield read an introduction stating the mission statement of the Commission, and the role & responsibilities of the Conservation Commission and the eight interests of the Wetlands Protection Act.

**PUBLIC HEARINGS**

Request for Determination of Applicability - Petrucci, 1280 Ashburnham Hill Rd., addition in Buffer Zone  
(continued from 3/26/19)

Hearing re-opened. David Petrucci & son and Bill Schultze present. Hearing re-opened. Original NOI filed for the applicant's existing dwelling built in 2001 shows stream on parcel as perennial. No indication in the OOC nor the minutes of the meeting that the Commission made a determination that the stream was intermittent.

Mike D. has visited site, it's not much of a perennial stream. Due to surrounding development over the years it has changed into a saturated wetland. The proposed addition will be on a lawn area - - no significant loss of habitat, etc. or any of the other interests of the WPA. Dave David Petrucci: the stream was dry two weeks ago. Commission agreed that the stream had no defined channel.

Public comment: None. Motion made & seconded to close hearing. Vote in favor.

Motion made (Mike D.) & seconded (Harry) to issue a Negative Determination of Applicability and also make the determination that the stream on that parcel is intermittent.

Vote 4-0 in favor (John K. & Dave abstaining).

Notice of Intent - 414 Ashburnham St., Harrison (cont'd from 3/26/19)

Hearing re-opened. Applicant is out of the country. Matt Marro, representing applicant present. Matt submitted plan revised 4/30/19 showing drain swale to the drop inlet, and also a request for a waiver from the 25-foot "No Build" and 20-foot "No Touch" zone. In the local Ordinance.

Matt: Driveway will be 3% grade. No work proposed in the No Build and No Touch zones except grading near street to allow for driveway sight distance. Erosion control barriers will be installed at the 25-foot zone to serve as the limit of work. The applicant has agreed to have Matt check the site twice a week for inspections during construction.

Ms. Sarefield stated that in the meantime, the Building Commissioner has determined that this is a buildable lot, as the previous Bldg. Commissioner had, since it has been owned separately from any adjoining lot since the times it was a legal building lot.

Public comment:

Aaron Crown, 421 Ashburnham St. – Submitted photos: water seeps off that hill even in dry weather. Questioned 3% driveway - - No driveway on that street has 3%. Concerned that runoff will still run right

across street on into his property. Blasting? All houses in area have old fieldstone foundations, questioned the effect blasting will have on them. Even if no blasting, hammering rock will cause vibrations to nearby properties.

Bryce Harrison (applicant's brother): Driveway will be pitched to the drainage swale.

John C: If there are drainage problems, who's responsible? Can applicant warranty that he'll fix it?

Kris Kelly, 394 Ashburnham St. – What effect will blasting have on stream? Also concerned w/ effect on his 1910 foundation during construction.

Robert Wells, 424 Ashburnham St. - Blasting caused damage to the house he was in during the 70s & he was 500 feet away. Mrs. Wells: Thinks this lot is not buildable & is concerned with trees falling on their property.

It was clarified that because the Bldg. Commissioner has determined that this is a buildable lot under the Zoning Ordinance, it doesn't guarantee that is it buildable under the Wetlands Protection Act.

The Commission will need to determine whether it meets the performance standards in the regulations & the local Ordinance.

Mike D. With the shallow ledge, how will straw wattles be staked? Colin: There's enough soil depth to stake them.

Matt: Bio-swale will be constructed same time as driveway, it will be directed to discharge to the drop inlet.

Tim: Erosion control barriers will need to be extended to protect the swale. Are there pre- & post-construction drainage calculations? Matt doesn't have but the P.E. that designed the plan must have done them.

Mr. Kelly: That drop inlet clogs up frequently. It was just cleared out by DPW about a month ago & it's already clogged. Matt suggested a permanent condition – that the drainage swale & inlet be cleaned out periodically. The applicant could warranty that for the first few years.

Tim suggested additional info to submit:

- Dewatering plan during construction.
- Show area where material will stockpiled during construction.
- Pre- & post- drainage calculations.
- Depth to bedrock (test holes)
- Any future yard area? (Homeowner may want to disturb more buffer zone)

Tim questioned placement of erosion controls right next to proposed stairs on right side of dwelling.

Motion made & seconded to continue hearing to next month hearing. Vote in favor.

Commission agreed to hold site walk on Saturday, May 25<sup>th</sup> @8:00 a.m.

#### Amended Notice of Intent - TJA Pope Solar, LLC, revisions to solar array, 860 Fisher Rd.

Hearing opened. Jamie Rheault & Doug Pope present.

Jamie recapped history of proposed development on this site. The most recent approval was for a 3 MW solar array NH Solar Garden (DEP #155-655). Pope Solar is acquiring the project. Array is proposed to be downsized to 1.62 MW. Total parcel: 20 Ac. Fenced-in area to decrease from 9.75 ac. to 6.84 ac., smaller disturbed area, fewer panels (6,000), and smaller stormwater detention basin. Runoff from the solar panels will be less than the previously-approved residential subdivision.

90% of the disturbed area is outside the Buffer Zone. Erosion control barriers to be installed first, the construct rough D-basin which will serve as sedimentation basin during construction. Only after the sediment basin is inspected & approved by the Commission will permission to continue the project (site grading & installing solar panels) be given

Jamie requested amending the OOC to refer to the revised site plan dated April 23, 2019 with the same conditions as original OOC.

Note: This and the proposed array across the street (885 Fisher Rd. - next agenda item) will be developed together as a single project, which justifies the cost of extending three-phase power to the site.

Public comment: None. Motion made & seconded to close hearing. Vote in favor.  
Motion made (John C.) & seconded (John K.) to issue an Amended OOC referring to revised site plan dated with the same conditions. Vote 6-0 in favor.

Amended Notice of Intent - TJA Pope Solar, LLC, rev. location of solar panels, 885 Fisher Rd.  
Hearing opened. Jim Lattanzi, Hollis Hills Farm, David Kelly, Meridian Assocs. & Doug Pope present. The OOC for this solar array issued last year (DEP #155-677) was with the condition that it be a combined agricultural/solar project. Since that time Mass. Dept. of Agric. Resources (MDAR) & Mass. Dept. of Energy Resources (DOER) require that an Agricultural Solar project must have either Prime agricultural soils, or that the land be in the Ch. 61A program. Hollis Hills meets neither criterion. Rather than dispute MDAR's criteria, the decision was made to go with a conventional solar project  
Doug: The size of the array will be decreased, down to 1.84 MW.  
David: The panels at the southerly end of the site have been eliminated.  
Jim will still use the fenced-in area of the solar array as pasture, but for sheep, not cows.

Public comment: None. Motion made & seconded to close hearing. Vote in favor.  
Motion made (David) & seconded (Harry) to issue an Amended OOC referring to revised site plan dated April 23, 2019. Vote 6-0 in favor.

Informal - 555 Westminster St. remediation

Martin Lebo, AquAeTer, Inc. & Heather Storlazzi Ward, Boyle Assocs. present. Update on Negative Determination of Applicability issued at last meeting - tree clearing to allow access to site has been completed. Two bat boxes have been installed on building. They will be filing an NOI for May meeting for remediation behind building. Submitted 150 pp. draft for the chair for review. Asking if there's any other info Commission wants to see.  
A 120-foot long area along the Nashua R will be remediated. Site work will begin August/September (low-flow period). They will be installing cofferdam (Portadam) in river.  
Tim: Will need dewatering plan. Goal is to eliminate PCBs on site to a level to that use of that will be unencumbered. They will cut & cap the waste discharge pipes from the bldg. so that no more contaminants get into the river.

Update - Water main repair & Riverbank stabilization @ East WWTP, 24 Lanides Lane

Jeff Murawski & Tony Maressa, Wastewater gave an update. Water main has been repaired, but they need to address the continuing migration of the riverbank, in danger of undermining gas & utility lines. Relocate lines or have the treatment plant get gas & electric service via another utility (not Unitil). They need to investigate whether that can be done.  
Mike D: they can continue to fight the river, or just let it go. The river will always win.

The NOI filed for any bank stabilization will need: Alternatives Analysis since in Riverfront Area, wildlife impact analysis, since riverbank (habitat) is proposed to be altered. \

Rain Barrels / Wetlands Protection account.

Jeff also discussed ordering rain barrels again this year to provide to residents at a reduced rate. The amount of subsidy TBD, but Commission is OK w/ contributing to the cost of rain barrels up to a max. of \$1,400.

Wyman Pond NOI

Ms. Sarefield updated the Commission. Fitchburg Law Dept. has suggested changes in the special conditions & Lake Management Plan to the Westminster ConCom are considering them.  
No DEP file # issued as yet. Tim: Water Dept. wants control over the application of herbicides.

Greene's Pond RDA

John K. & Mike D. requested another Negative Determination to allow maintenance of trails on the Greene's Pond parcel owned by the Commission. Motion made & seconded to issue another Negative Determination, good for three years. Vote in favor.

Motion made & seconded to adjourn. Vote in favor.  
Meeting adjourned: 8:38 p.m.

Next meeting: 5/25/19 Site walk @ 414 Ashburnham St.  
Next regular meeting: 5/28/19