

TOWN OF WENHAM

Conservation Commission  
Meeting Minutes of November 14 2016  
Wenham Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §18-25, written notice posted by the Town Clerk delivered to all Commissioners, a meeting of the Conservation Commission was held on Monday November 14, 2016 at 7 PM in the Selectmen Chambers.

With a quorum present, Mr. Colarusso called the meeting to order at 7 PM.

Commissioners Present: Philip Colarusso, Chair; Robert Burnett; Chris Gajeski; Leo Maestranzi; Michael Novak; Malcolm Reid

Also present: Margaret Hoffman, Planning Coordinator; Catherine Tinsley, Recording Secretary (A- 8:10 pm)

Mr. Colarusso announced the meeting was being recorded audible to produce minutes and video with permission by HWCAM.

HCA Host Community Agreement

BOS Board of Selectmen

NOI Notice of Intent

ANRAD Abbreviated Notice of Resource Area Delineation

### Continued Hearings

#### Notice of Intent - DEP 326-0357

Applicant: Larch Row Land LLC

Consultant: Griffin Engineering Group LLC

Location: 213R Larch Row

Project: Construction of two single family dwellings and common driveway within the 100-foot adjacent upland resource area to a bordering vegetated wetland.

Potential missing pieces and culvert issue and the new location of the proposed driveway

Drainage calculations questionable and Mr. Novak spoke to the need for a peer review noting the least amount of material was submitted as needed. He questioned the culvert and that drainage is being directed in a direction there is no drainage; he supported the peer review

*Vote: Mike moved and it was seconded to request a peer review for 213 R Larch Row. The motion carried by majority vote of 5 to 1 with Mr. Maestranzi voting in the negative.*

*Vote: Mr. Maestranzi moved to cont. the hearing to November 28, at 7 pm in town hall. The motion carried unanimously.*

#### Notice of Intent - DEP 326-0359

Applicant: Anthony Tambone, Wenham Pines LLC

Consultant: Kyle Lally, Hancock Associates

Location: 56-60 Main Street

Project: Site development within jurisdictional proximity to wetland resource area with construction of 23 town house units on what is currently the 32.4 acre Lakeview Golf Course.

Present for the Commission: DCI, Mike Clark, PE- Engineering Conservation & Zoning Review Wenham Pines, Peer Review

Attorney, Miranda Gooding, Glovsky and Glovsky, was present for the applicant.

Ms. Gooding began by giving the Commission a general overview of the proposed project.

- o Developed under flexible development bylaw
- o Preserving as much open space as possible
- o There is a Host Community Agreement (HCA) with the Town, negotiated by the Board of Selectmen
- o An age restricted development for people 55 years +
- o Units must be set back 500 feet from Main Street
- o The existing two family home on the property will be renovated into the two affordable units
- o The total unit count has been reduced by one unit, therefore eliminating the triplex unit; all condos will be built in a duplex style.
- o Approximately 8 % of the site would be in a Conservation Restriction.

## Approved 11.28.16

Before proceeding, Attorney Gooding informed the Commission that although they closed the hearing for the ANRAD the Commissioners did not sign the ANRAD and requested they do so procedurally before the NOI. The Commissioners agreed to do so at the end of the meeting.

Attorney Gooding introduced Alan Ackerman, Alan Designs, who was present for the applicant to speak to the Open Space Management Plan and John Dick, Chief Wetlands Consultant with Hancock Associates who worked with Roy Tiano on the plan and would respond to the Town's NOI Peer Review.

Mr. Ackerman summarized that as a condominium community, a Home Owner's Association would be formed. The Association would own the open space and grant a Conservation Restriction to the Town; a draft has been provided to the Planning Board.

Alan Ackerman spoke to the site design plan including:

- The location of the units
- The details of the HCA including the entrance road location, 500 foot set back, open space, wetlands, central area with development.
- Seventeen lots are viable to support dwellings
- The key site features include intermittent stream, Alewife Brook, trees, topography
- The site context including abutting properties Country Club, Cemetery, Wenham Lake, Open Space, setbacks, flood plains, historic farm house
- New construction: 22 units
- Affordable units: 2 units in the renovated farm house
- Working to site the duplex units to preserve the trees and the vista from Main Street
- Shingle style theme architecture with garages, balconies and porches
- An orchard appearance around the farm house
- Estimated 38 trees to be removed (mostly white pines) to be replace with Maples, Oaks along the street and a canopy mix for privacy between the condos. Only immediate area around the house will be irrigated.
- There is a detailed plan for the entrance and around the homes and farmhouse

The Commission had no questions or comments at this time.

John Dick Hancock Associates, retired, was present. Mr. Dick clarified that he started working on Wenham Pines prior to his retirement, therefore would continue working on the project with Mr. Tiano.

He reviewed that Donohoe & Parker delineated this site around 2008. The riverbank of Alewife Brook (aka the beaver pond) can be clearly seen and where the limits of the bordering vegetation wetlands are.

He identified an intermittent stream that flows south across the site, parallel with Main Street, which needs to be crossed to access the site; there are currently three crossings which will be reduced to one new crossing that is well above the limits of the flood bank.

Mr. Dick noted his concern that at during the review process, the Commission voted to close the hearing and issue an Abbreviated Notice of Resource Area Delineation which was drafted but never formally issued.

The Commission is being petitioned to sign it as part of the formal process.

The peer review questioned if the wetland was delineated and Mr. Dick stated that the wetlands were delineated according to protocol which is clearly documented.

The Chair agreed the Commission closed the hearing and would sign the ANRAD.

Roy Tiano, Engineer Hancock responded to some of the concerns in the peer review to the satisfaction of the Commission.

Mr. Clark spoke to the Committee regarding comments in the peer review that have not been resolved as identified in a letter dated November 11, 2016.

Mr. Tiano noted that the pipe which connects the border will be replaced with a drop manhole.

The applicant will control the invasive species on site including an invasive management plan as determined by the Conservation Restriction or orders. Mr. Clark recommended bi-annual reports to the Commission. It was thought this would be a part of the management plan to be discussed in detail at a later date.

The phasing plan identifies a stabilized construction entrance up the north side of the property; currently this is on the abutters property and should be documented. This is in a flood plain area.

The buildings installed in phasing need more erosion prevention plan considering the size of the project.

The construction sequence was explained by Attorney Gooding. The applicant has worked to acquire and construct the project in phases but it remains uncertain which phase/ buildings will be first pending many variables. Attorney Gooding suggested the phasing be a condition in the orders instead. Mr. Colarusso concern was that once construction starts it continues for minimal disturbance and that disturbed land does not sit for years.

The peer review recommended the applicant identify the phases, erosion / protection control for each phase and that staging areas be identified including protection controls and that the limit of work area be delineated.

## Approved 11.28.16

The test pit results have yet to be confirmed, although were thought to be correct.

Existing cart paths in the buffer zone/ wetlands are not in the initial application but should be delineated and included in the maintenance plan. These paths were not a part of the ANRAD.

The Peer Review noted the driveway hits the outside of the upland resource area of the buffer zone; Hancock said they prefer not to move the driveway after considering various other alternatives this location remains the least impactful.

The Chair asked for the square footage of impact in the buffer zone of the driveway.

It was noted that the existing well is DEP permitted.

At the request of the Commissioners, additional (3) copies of the full size revised plans will be provided.

Mr. Novak observed:

A demarcation of grass to meadow to prohibit mowing and what mix will be used and how it will be maintained in a detailed management plan. He went on to cite that construction is an estimated 4 to 5 years, and a detailed maintenance plan is paramount i.e. drainage, cleaning, inspecting.

Mr. Clark noted that some issues were beyond the peer review but are within the purview of the Commission's decision.

It was noted paths were not a part of the discussion regarding the ANRAD. The Commissioners questioned flagging the border and adding to the ANRAD.

Mr. Dick responded that the ANRAD was filed to establish the river front area and the design parameters. When the sub division plan was filed, the plan showed a delineation on that side of the property. He cited from the commission point of view the wetland line is insignificant as the only use of this area is existing paths and water intake. He offered to "freshen up" the flagging done 8 years ago.

Mr. Novak noted that this can be a part of the NOI and agreed an affidavit be provided if there are no changes or any changes be identified. The trail plan will be on the updated landscape plan.

A marked up landscape plan of one home will be provided to the Commission for review.

The hearing was open to the public for questions/ comments.

There were none.

*Vote: Mr. Reid moved, and it was seconded, to continue the hearing to date certain of November 28, 2016 at 7 pm in Town Hall. The motion carried unanimously.*

### **New Public Hearings Administrative Business:**

Endorse ORAD – DEP #326-0356 for 56 & 60 Main Street

There were no concerns of the Commission and the ORAD was signed with the exception of Mr. Gajeski who was not on the commission at that time.

**Meeting Minutes** – October 17, 2016

*Vote: Mr. Maestranzi moved to approve the October 17, 2016 meeting minutes and it was unanimous to do so.*

Mr. Maestranzi requested the minutes be done within a couple of days of the meeting and sent directly to the Commissioners for review.

### **Adjournment**

The Commission unanimously adjourned at 8:44 pm.

Respectfully Submitted By  
Catherine Tinsley  
11.20.16