



## **Arlington Conservation Commission**

Date: February 18, 2021

Time: 7:30pm

Location: Conducted through Remote Participation using Zoom

### **Minutes**

Attendance: Commission Members Susan Chapnick (Chair), Mike Gildesgame, Pam Heidell, Chuck Tirone (Vice Chair), and David White; Associate Commissioner Cathy Garnett and Doug Kilgour; and Conservation Agent Emily Sullivan. Commissioners Dave Kaplan and Nathaniel Stevens were not present. Members of the public included John Barrows, Christine Carney, and Mickey Marcus.

### **02/04/2021 Meeting Minutes**

The Commission discussed edits to the draft 02/04/2021 minutes. D. White motioned to approve the minutes as edited, M. Gildesgame seconded, all were in favor, motion approved. A roll call vote was taken. S Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, C. Tirone voted yes, and D. White voted yes.

### **Water Bodies Working Group Update**

D. White summarized the WBWG's presentation to the Finance Committee on 02/17/2021. D. White stated that the Finance Committee asked follow-up questions on the status of the McClennen Park detention basins and MassDEP's response to the Woods Hole Group's 2019 report on the ecological health of the detention basins.

S. Chapnick summarized the 2019 report, which reported that the detention basins did not exceed any Massachusetts Contingency Plan standards. There were several surface water samples that exceeded the National Recommended Water Quality Criteria for iron. Additionally, some sediment data exceeded MassDEP sediment screening level benchmarks for arsenic, lead, and zinc. Overall, the 2019 report concluded that "the observed iron flocculation at Reeds Brook does not constitute a condition of readily apparent harm" to the environment of the wetland resource area.

The Commission discussed that the operation and maintenance plan of the detention basins had not been implemented, and that sediment build-up is-may be above the permissible depth per the Order of Conditions, MassDEP #091-0134 issued by the Commission in 1997, amended in 2001. The WBWG agreed to work with the Department of Public Works to make sure the operation and maintenance plan was-is implemented.

**Request for Determination of Applicability: 25 Henry Street  
Arlington File #A21.2**

*Documents Reviewed:*

- 1) *25 Henry Street RDA packet, submitted by John Barrows for Applicant John Carney, dated February 3, 2021.*

*Resource Areas:*

- 1) *200-ft Riverfront Area*
- 2) *Reeds Brook*

The project proposes to construct a driveway and stormwater management system partially within the 200-ft Riverfront Area of Reeds Brook. The 200-ft Riverfront Area extends partially within the front of the site [\(based on Arlington's GIS maps\)](#). This project is part of a larger project to construct a single-family home on the lot, which is currently undeveloped.

J. Barrows stated that the Applicant was working with the Arlington Tree Warden on the protection and removal of trees on the property. The Applicant is also working with the Town Engineer to comply with the Stormwater Mitigation Bylaw. J. Barrows stated that the driveway would be impervious with a trench drain to recharge stormwater runoff.

C. Tirone asked J. Barrows if he had used USGS StreamStats to see if the property is actually within the Riverfront Area. J. Barrows stated that he did not check StreamStats because the Town's Resource Area Map shows the property partially within the Riverfront Area. The Commission confirmed that the property is partially within the Riverfront Area based on the Town's definition of stream in the Regulations for Wetlands Protection.

C. Tirone asked if the stormwater system included any separators. J. Barrows stated that the stormwater system did not include any separators, but there will be a sump for sand and total suspended solids removal.

P. Heidell asked if the Town Engineer had reviewed and commented on the project's stormwater report. J. Barrows stated that the Town Engineer has not responded yet. P. Heidell asked about the operation and maintenance plan for the stormwater system. P. Heidell asked whether maintenance once per year was sufficient for a property with such steep grading. J. Barrows stated that he will change the maintenance requirement to twice per year.

P. Heidell asked whether the size of the proposed stormwater units could be increased. J. Barrows stated that the stormwater units were sized based on TR-55 data, and that the NOAA Atlas data would not change the stormwater calculations significantly. J. Barrows stated that the proposed units will still reduce flooding. J. Barrows stated that any runoff from this site that does not enter the site's stormwater system will go directly into the Town's stormwater system, and will not enter Reed's Brook based on topography and location of Town catch basins.

M. Gildesgame asked for clarification on the proposed backyard stormwater system. J. Barrows stated that the backyard stormwater system would only receive roof runoff.

S. Chapnick stated that once the Commission adopts its revised wetlands regulations, the Commission will require using NOAA Atlas + data for stormwater calculations.

C. Tirone motioned to issue a negative determination for 25 Henry Street, that although the work is within jurisdiction, it does not require a Notice of Intent (Negative Determination #3), P. Heidell seconded, all were in favor, motion approved. A roll call vote was taken. S Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, C. Tirone voted yes, and D. White voted yes. The Commission decided on the following conditions for the determination: 1) change the stormwater system operation & maintenance frequency from once a year to twice a year, 2) protect the storm drain across the street of the site during construction, 3) install erosion controls at the base of the site during construction, and 4) sweep the street in front of the site at the end of each work day.

#### **Request for Certificate of Compliance: Arlington Reservoir Phase 1 MassDEP File #091-0304**

##### *Documents Reviewed:*

- 1) *Arlington Reservoir Phase 1 Notice of Intent packet, prepared by Weston & Sampson for Applicant Town of Arlington, dated December 5, 2018.*
- 2) *Arlington Reservoir Phase 1 Plans, prepared by Weston & Sampson for Applicant Town of Arlington, dated November 20, 2018, revised January 3, 2019.*
- 3) *Arlington Reservoir Phase 1 MassDEP File #091-0304 Order of Conditions, issued by the Arlington Conservation Commission, dated January 4, 2019.*
- 4) *Request for Certificate of Compliance, prepared by SWCA Environmental Consultants, dated February 5, 2021.*

##### *Resource Areas:*

- 1) *Bank*
- 2) *Land Under Waterbodies and Waterways*
- 3) *Bordering Land Subject to Flooding*
- 4) *100-ft Wetlands Buffer*
- 5) *Adjacent Upland Resource Area*
- 6) *Arlington Reservoir*

M. Marcus presented the Request for Certificate of Compliance for Phase 1 of the Arlington Reservoir Master Plan project. Phase 1 work included renovation of the bathing beach pump house, temporary alteration of Bank and Bordering Land Subject to Flooding, and work within the 100-ft Wetlands Buffer and Adjacent Upland Resource Area.

C. Tirone asked whether the Order of Conditions for Phase 1 was recorded. E. Sullivan said the Lexington Order of Conditions was recorded, but that she needed to check the paper files to see if the Arlington Order of Conditions was recorded.

D. White motioned to issue a complete Certificate of Compliance for the Phase 1 Reservoir Project MassDEP File #091-0304, M. Gildesgame seconded, all were in favor, motion approved. A roll call vote was taken. S Chapnick voted yes, M. Gildesgame voted yes, P. Heidell voted yes, C. Tirone voted yes, and D. White voted yes.

### **Update: Thorndike Place Comprehensive Permit**

S. Chapnick updated the Commission on the status of the Thorndike Place Comprehensive 40B Permit. The Zoning Board of Appeals (ZBA) is beginning to draft conditions for the comprehensive permit application, and has asked Town departments and boards to submit draft conditions.

The Commission discussed the permanent conservation protection of the remaining ~12 acres that would not be developed as part of the comprehensive permit. The Property Owner recently proposed giving the undeveloped land to the Town with a one-time \$100,000 donation for clean-up of the land. The Property Owner also proposed donating \$25,000 to the Town annually for a period of ten years after the Town accepted the land for the maintenance and restoration of the land. The Arlington Land Trust also released a comment letter recommending that the land be given to the Massachusetts Department of Conservation and Recreation.

Some members of theThe Commission stated that the Town should not accept the land without the land going through clean-up prior to acceptance. Ultimately, the Commission agreed that the Zoning Board of Appeals should decide the best arrangement for the land ~~and that the Commission would assist with the arrangement once it was determined~~. The next ZBA hearing for Thorndike Place is scheduled for Thursday, 03/11/2021 at 7:30pm.

### **Regulatory Update: Full Draft**

The Commission reviewed and discussed a full draft of the updated regulations.

### **2021 Goals**

The Commission reviewed the goals it established in 2020 and discussed the progress made. The Commission discussed its goals for 2021, including:

1. Strengthen and update regulations for performance standards, permitting efficiency, and process clarity

- Revise the Arlington Regulations for Wetlands Protection
- Add administrative project/general project process to regulations
- ~~Have Commission review/approve special conditions and OOCs for permits prior to permit issuance~~

2. Host additional collaborative community clean-up and educational events

- Devote 1-2 hours of a meeting to a wetland topic training and invite an expert to give the training
  - Open space clean-ups depending on COVID-19 protocols
3. Improve the stewardship of conservation lands and other town open spaces
- Identify maintenance needs/gaps for ACC-managed properties and secure town resources for implementation
  - Vegetative buffers (C. Garnett's project)
  - Floating wetlands pilot project
  - Coordinate regional management of Upper/Lower Mystic Lakes
4. Improve communication and educational outreach to residents in resource areas
- Create a floodplain guidance document / resource area document
5. Other
- Maintain a master permit tracking list

M. Gildesgame motioned to close the Commission meeting, D. White seconded, all were in favor, motioned approved.

Meeting adjourned at 9:55pm.