



**CITY OF GARDNER
CONSERVATION COMMISSION**

Gardner City Hall – Manca Annex
115 Pleasant St., Room 202

978-630-4014

Gardner, MA 01440

fax 978-632-1905

MEETING

Monday, May 11, 2020 at 6:30 p.m.

Due to the ongoing conditions related to the COVID 19 outbreak, the meeting will be held via Zoom Meeting. Detailed instructions for participating in the meeting via Zoom Meeting information can be obtained by emailing Lyndsy Butler, Conservation Agent, at lbutler@gardner-ma.gov. All documents and permit applications can be provided electronically. Please send request to lbutler@gardner-ma.gov. All persons interested in this matter, or who desire to offer testimony, are invited to participate.

Members via Zoom:

Chairman Greg Dumas, Duncan Burns, Michael Hermanson, David Beauregard, David Orwig, Donna Lehtinen, and Martin Bowers (non-voting member). Also on Zoom was Conservation Agent Lyndsy Butler, and Kris Singer (Administrative Minute-Taker)

Members Absent:

None

Guests & Visitors:

Chris Anderson - Hannigan Engineering, Eric Bernadin – Fuss & O’Neill, John Allard – Fuss & O’Neill, Chris Lucas – Wetlands Scientist, Janet Morrison, Jim Rousseau, Rebekah Dembek, Steve Rockwood

MEETING – brought to Order by Chairman G. Dumas at 6:30 pm

Minutes

Vote to approve the Minutes of the Meeting of March 9, 2020

- Motion to approve Minutes “as printed” made by N. Beauregard, seconded by D. Beauregard, and all who were present at the March 9th meeting voted in favor.

Vote to approve the Minutes of the Meeting of April 27, 2020

- Motion to approve Minutes “as printed” made by M. Hermanson, seconded by D. Lehtinen, and voted all in favor.

Abbreviated Notice of Resource Delineation

DEP#160-0634

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetland Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on an Abbreviated Notice of Resource Area Delineation filed by Department of Public Works, 50 Manca Road, for property located at 850 West Street (H32-16-4). The application is to determine wetland boundaries.

Continuation from April 27, 2020

- L. Butler advised that a continuance was requested.
- Motion to continue to June 8, 2020 made by D. Orwig, seconded by N. Beaugard, and voted all in favor

Request for Determination of Applicability

2020- 04

The Gardner Conservation Commission will hold a joint Public Meeting under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance (City Code Ch. 650) on the Request for Determination of Applicability filed by Fuss & O’Neil on behalf of the City of Gardner, 95 Pleasant Street, for work located on Leo Drive (Lot E, Map H37-9-13A). Project is for the development of a recreational facility and parking. Project is located outside of the River Front and resource areas.

- Mr. John Allard, presenter from Fuss & O’Neill, explained the proposal of a 38 acre recreational site off Leo Dr. It is to include a sports field, playground, trails with a wetlands overlook, and parking lot. In regards to the Overlook, it will be situated within the riverfront and made of a timber platform with piers and concrete footings. Some clearing is required.
- The fields and parking will be on a ‘less steep’ area (ie. natural flat).
- The trails will be hand-cleared only, following existing trails made by the residents.
- The proposal includes two parking areas with 80 spots in one and 60 spots in the other.
- The proposal also includes rain gardens to catch run-off.
- Mr. Chris Lucas, Wetlands Scientist, noted a “wet meadow” in the center of a proposed parking lot and in his opinion it’s not classified as a federal wetland. It was the spot for tree pick-up from the logging with trucks compressing the soil. It was not noted as a wetland prior to logging.
- There is no current plan for a softball field at the location.
- The current plan indicates the site will be maintained by the city DPW.

- D. Orwig proposed a site visit and J. Allard agreed to have the parking and fields flagged.
- M. Hermanson inquired about the water and sewer lines to the site. J. Allard noted they will be piped off of Leo Dr. A proposed restroom is being considered for a future Phase and is currently under cost analysis. M. Hermanson noted that no other parks in the city have restrooms due to potential vandalism, so he suggests saving money by proposing port-o-toilets rather than a restroom.
- In regards to irrigating the field, it is still being analyzed and Mr. Jeff Legros, former Conservation Agent, is aiding in the process. It is noted that the proposal is “staying away from fertilizer.”
- G. Dumas asked about the potential for a gate at the site. J. Allard advised that it is being discussed and security at the site was one of the issues raised by residents at a recent public hearing. Limiting hours to the park facility is also being considered.
- G. Dumas also expressed concern about the need for proper irrigation in order to have sustainable sport fields. J. Allard noted a slope in the sport field because the current proposal has no plan for drainage underneath.
- Due to the potential irrigation limitations, M. Hermanson noted that the fields could only be used for recreation or soccer. J. Allard advised that the field is being proposed to meet requirements for a high school regulation soccer field.
- In terms of timing, construction is to begin after the design is approved, but there is no time frame at this point.
- A maintenance plan needs to be included.
- G. Dumas read a question from an audience member inquiring about the impact to Bailey Brook. J. Allard advised that most of the proposed fields and parking lot will be way to the east of the brook. Only the wetlands overlook will be near Bailey Brook.
- L. Butler to set up a site visit for the Commission.
- A motion to continue to June 8, 2020 was made by N. Beaugard, seconded by D. Burns, and voted all in favor.

Notice of Intent

DEP# 160- 0635

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Chair City Realty Trust, 442 West Broadway, Gardner, for redevelopment and renovation of an existing automobile dealership located at 440 West Broadway (Parcel 17-14-1;17-14-3;17-14-5;17-14-6;17-9-10). Projected is within the buffer zone of a Bordering Vegetated Wetland.

Continuation from 4-27-20

- Chris Anderson from Hannigan Engineering reiterated that the project is due to the property owner renovating their building and re-configuring their parking lot. They need to re-establish a catch basin because over time the basin has been filled with asphalt grind, potentially due to snow removal and general wear and tear. Part of the proposal is a request for a waiver for the 30 foot buffer zone to establish erosion control. He noted that there is no planned work in that area, and that it is a precautionary request.
- A site walk was done with L. Butler shortly after the last meeting in April, but the site was only flagged this morning due to scheduling conflicts.
- G. Dumas inquired about maintenance records from the owner, but there doesn't appear to be any on record. C. Anderson is proposing that one will be recorded with the deed and it can be used as a monitoring tool for the Commission.
- G. Dumas also expressed concern regarding roof run-off.
- D. Orwig expressed concern about snow piles, and L. Butler would like to see designated areas noted for snow piles. L. Butler also noted that she has seen the original 2012 filing, and there are no mention of snow piles and the current plan does not indicate any at this time either.
- D. Burns suggests a site visit, and L. Butler will set one up within the next couple of days.
- Motion to continue to June 8, 2020 was made by D. Burns, seconded by N. Beaugard, and voted all in favor.

DEP#160-

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands Protection Act and the City of Gardner Wetlands Protection Ordinance on the Notice of Intent filed by Fuss & O'Neil Inc. on behalf of Mark Pelligrino for the City of Gardner, 95 Pleasant Street, for new construction of an elementary school, parking, extension of utilities, and other related amenities (Parcel W27-1-11, W27-11-1, R27-5-3, W27-11-3) Projected is located within the River Front area and Bordering Vegetated Wetland.

- Eric Bernardin of Fuss & O'Neill gave the overview of the project as a pre-K through grade 6 Elementary school to be built off of Pearl St. He summarized wetlands and streams that are on site. He did note that their plans meet the 100-year storm event, all to DEP storm water guidelines.
- G. Dumas inquired about snow storage, and end aisles are planned in the parking lot. It is presumed that the city DPW will do snow removal.
- D. Beaugard wanted everyone to be aware of the water problems that occurred when the Middle School was built near the site.
- G. Dumas, given the large scale of the project, suggest a 3rd party review (not to be with Fuss & O'Neill). He also expressed concern over the lack of allowed

- timing for the Conservation Commission review in their current timeline. E. Bernardin advised that 95% of their drawings are complete.
- Motion to continue to June 8, 202 made by D. Burns, seconded by N. Beauregard and voted all in favor.

New Business

- Acceptance by the Conservation Commission of a conservation restriction on 20.47 acres of land owned by the Gardner Fish and Gun Club, Inc., to provide permanent protection to the Bailey Brook riverfront area, including wetlands complex and flood plain.
 - Janet Morrison reviewed that the 20+ acres south of Clark St should have a conservation restriction to protect the resource around Bailey Brook. This will permanently protect the area.
 - A Motion to approve the restriction made by N. Beauregard, seconded by M. Hermanson , and voted in favor with M. Hermanson abstaining.
- Discuss mowing of Alisaukas Conservation Field and contract extension with Mr. Lapierre.
 - L. Butler advised that the existing contract will be up in September. It was agreed that provided there is adequate funding it should be renewed. G. Dumas would like to obtain quotes for a 3-year extension and move funds to the appropriate account, if necessary, as the city is not equipped for that type of mowing.

Motion to Adjourn

8:02pm A motion to adjourn was made by M. Hermanson. The motion was seconded by D. Burns, and voted unanimously, all in favor.

NOTICE: These Agenda items consist of items that are reasonably anticipated by the Chair to be discussed at the meeting and are specifically allowed to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Agent of the Conservation Commission