

# Memo

TO: Conservation Commission Members  
FROM: Peter Britz, Environmental Planner  
DATE: July 1, 2020  
SUBJ: July 8, 2020 Conservation Commission Meeting



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## Borthwick Avenue Power Poles

The original Conditional Use Permit for this project was issued July 1, 2019. According to the applicant due to unforeseen circumstances during construction, the project was changed to replace Poles 3171/48 and 3171/50 (in lieu of Pole 3171/49 as previously permitted) and to remove Pole 3171/49. The actual impacts with the change were 3,348 square feet of temporary wetland impacts (a net increase of 1,121 square feet) and 3,359 square feet of temporary buffer impacts (a net decrease of 1,208 square feet).

According to *Article 10 Section 10.1017.60* the applicant must satisfy the following conditions for approval of this project.

1. *The proposed construction is in the public interest.* The impacts proposed from this project are all temporary and other than new or replacement power poles there are no permanent impacts due to the proposed amendment. This project is being completed to serve the public interest to maintain the electric grid.
2. *The design, construction and maintenance methods will utilize best management practices to minimize any detrimental impact of such use upon the wetland and will include restoration of the site as nearly as possible to its original grade condition and vegetated state.* The project is to improve the electrical network or grid. The temporary nature of the project impacts is due to the use of timber mats which will be removed from the site and vegetation will restore naturally.
3. *No alternative feasible route exists which does not cross or alter a wetland or have a less detrimental impact on a wetland.*  
The way the project is designed using timber mats and the closest access point is the most feasible alternative for this project. The longterm impact will be minimal once the vegetation has grown back.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The vegetation where the timber mats are positioned will be impacted temporarily however the vegetation will come back naturally.

**Recommendation:** Staff recommends approval of this project as proposed.

## 140 Edmond Avenue

The property owner completed improvements to the lot without a Wetland Conditional Use Permit for work done within the 100' wetland buffer. The unpermitted work amounts to an overall reduction of impacts to the wetland and wetland buffer. This application proposes additional work such as a 2' wide infiltration trench and landscaping in the wetland buffer.

*1. The land is reasonably suited to the use activity or alteration.* The impacts proposed from this project include six parking spaces of 1,169 square feet which were converted from asphalt and gravel to pervious pavers. In addition, there is a proposed landscape area in the wetland buffer of 583 square feet. While the work was done before a permit was granted there is a reduction of impact to the wetland buffer with the completed work due to increased infiltration and reduction of stormwater discharging directly to the adjacent wetland area.

*2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The area converted to pervious pavers has been used for parking since the business has been located here for forty years. Due to the topography of the site there is little additional area for parking on the site.

*3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The improvements which have been made in the buffer, while made before a permit was granted, overall should enhance the functions of the wetland areas adjacent to the site.

*4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The area where the work has taken place is either existing parking area or lawn area which is being converted to a 2' wide infiltration trench and to buffer plantings to enhance the site.

*5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed project should not cause adverse impacts to the adjacent wetland area or the wetland across the street due to the direction of water flow from the site.

*6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant is proposing to install wetland buffer plantings to offset the impact and enhance the wetland buffer area. This landscape work has not yet been completed.

**Recommendation:** Staff recommends approval of this project as proposed.