

Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner
DATE: October 9, 2020
SUBJ: October 14, 2020 Conservation Commission Meeting



0 Patricia Drive

This application is proposing to restore a portion of an existing roadway including new stormwater treatment in the wetland buffer to access two new proposed home sites.

1. The land is reasonably suited to the use activity or alteration.

The proposed work will provide access to two undeveloped parcels where the applicant is proposing to build two homes including septic systems all outside of the wetland buffer. The access to the sites is over a former roadway whose condition is completely degraded. The new driveway will utilize a smaller footprint for access but does involve installation of pavement in an area of existing roadway and a new stormwater treatment system within the 100' wetland buffer. Given the existing roadway was constructed in this area the proposal is reasonable to access two undeveloped lots. However more details are needed as described below.

2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.

Given this was previously a paved roadway this is the most feasible and reasonable approach to the proposed home sites. However, more details are needed to better understand the stormwater treatment and filter strip proposed.

3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.

The applicant has proposed a design which amounts to a reduction in roadway width but does include new wetland buffer disturbance with the construction of stormwater treatment in the buffer. The applicant has stated the proposed stormwater pond is a temporary disturbance however staff does not believe this statement is accurate given it will not remain the same functional buffer if it is a stormwater pond. It is not clear if other options were explored. Additionally, there are no details about disturbance from the proposed filter strip which are necessary to better understand the project.

4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.

The natural vegetated state is being impacted through the creation of the new pond and stormwater treatment area. It is not clear if other options have been explored for stormwater treatment under the roadway which would not require cutting buffer vegetation. Further, it is not clear if vegetation removal is proposed where the filter strip is proposed.

5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.

The proposed project has not provided details about the wetland buffer to be impacted as described in article 10 Section 10.1017.22 (3) which requires information about the condition of the buffer with this scale of impact. (3) *More than 250 sq. ft. of alteration to the wetland buffer (regardless of the amount of alteration to the wetland): a description of the 100-foot buffer including vegetation type, the percent of the buffer with*

invasive species, and the percent of the buffer that is paved or developed. In addition, a wetland buffer enhancement plan has not been provided for this application as required in section 10.1017.25. This information is required and would be helpful for review of the project and making a better determination as to the impact to the wetland buffer and adjacent prime wetland in this area.

6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible. The applicant has not proposed any plantings and there is a filter strip proposed with no clear details about planting or construction of this. If this filter strip is going to be constructed this would amount to a larger buffer impact. Staff suggests that the applicant provide a robust buffer planting plan for along the roadway and in any disturbed areas of the buffer.

Recommendation: This application appears to be working towards a reduction of impacts however the installation of stormwater treatment in the buffer and the lack of clear details on the filter strip and no planting plan should be addressed. In addition, specific details about the wetland as required in section 10.1017.22 (3) and a wetland buffer enhancement plan as required in section 10.1017.25 need to be provided to complete the application. If these details are provided and the stormwater treatment design can be shown to be in the best location and offset all impacts staff believes this plan could be approved.

996 Maplewood Avenue

This application is an after the fact permit for cutting within the vegetated buffer strip along Thompson Pond. The applicant was working to remove invasive species but then mulched in place a strip from the shoreline of the pond extending about 15-20 feet inland where a no cut vegetated buffer strip is required. The applicant has proposed a restoration plan which is in the form of this Conditional Use Permit Application to restore the site. Additionally, due to the sensitivity of the wetland area at the rear of the site a conservation easement was recorded during the development of this property. That easement has been included for your review.

1. The land is reasonably suited to the use activity or alteration.

The applicant has stated they were working with good intentions when removing the invasive species on the site and did not intend to completely clear the vegetated buffer. So, while the work done was not allowed as it was conducted the proposed planting locations are reasonable for this project.

2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.

Given that this is an after the fact restoration plan to approve a violation of the wetland ordinance this is there is no alternative area for restoration.

3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.

The applicant has proposed a design which should if installed as proposed and maintained to be free of invasive species will over the longterm be a more functional buffer for the site.

4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.

The goal of this project is to restore the site. Given that the vegetated buffer has been effectively removed from this site the proposed planting plan will restore the site to a more functional state.

5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.

The proposed planting plan appears to be an appropriate way to restore the site. It is not clear how these plantings will be maintained and protected in the future. A statement and plan for their long term survival/success would be helpful to insure future impacts are avoided.

6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.

The applicant has proposed plantings to restore the buffer where the impact occurred.

Recommendation: While the applicant created an impact to the wetland buffer without a permit they were very responsive to staff and quickly developed a wetland buffer enhancement plan which should restore the buffer to a more functional state than what existed prior to the disturbance. If the applicant is able to provide a longterm maintenance plan for this site staff believes this is an approvable project.