

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

July 6, 2006
Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, David Williams, Allan White, Lawrence Roy, John Skarin, Dennis Demers and Michelle Higgins Associate Member, Priscilla Ryder-Conservation Officer;

Absent: none

Discussion

- Violation updates - Ms. Ryder noted that over the past two weeks there were violations at the 99 Restaurant on Glen St. and also at 479 Farm Rd. as noted in the letters of violations sent to these two locations.

Public Hearings

Request for Determination of Applicability

51 Amory Rd. - Kurt Sjostedt

Bernie Raftery a wetland consultant represented the owner. He explained that the home owner wants to remove one large 92 ft. oak tree and remove the deck and replace it with a new 500 sq. ft. deck in the same location. All work is outside 30 ft. buffer zone and will not impact Ft. Meadow Reservoir which is the wetland area. Ms. Ryder had visited the site and noted that there should be no impact with this design. The Commission voted unanimously 5-0 to issue a Negative Determination with no conditions.

Allan White arrived

Request for Determination of Applicability

679 Stevens St. - Lisa Colleton

The applicant explained that she wanted to remove 7 trees from her back yard, remove the stumps and regrade the yard to help improve drainage, so it drains away from her house. Some of this work will occur within the 20 foot buffer zone. Mr. Clancy read into the record the letter from her contractor regarding the work to be done. After some discussion, the Commission determined that the majority of the work would require a full Notice of Intent (NOI); however the trees could be removed now as long as the stumps were left in place and not pulled. The grading work will require a plan showing more details to know what is needed; the City's Engineer should look at the plan to ensure it doesn't cause any trouble with drainage into the street. The Commission also noted that there is a drainage pipe under the yard which should be located to ensure it is working properly. The Commission voted 6-0 to issue a Positive Determination requiring that a Notice of Intent be filed for the grading work. Tree removal was permitted.

Notice of Intent (continuation of public hearing)

246 Maple St. - Blue Fin Properties

Scott Patterson of Blue Fin Properties and Doug Donahue, the Engineer from Acton Survey and Engineering were present. Mr. Donahue reviewed the changes to the plan dated June 20, 2006. The new plan provided information on the drainage, stormwater management program, roof runoff details and details on the outfall structure. They explained that they would like to clean out the wetland ditch as it is full of trash and debris and isn't flowing well. They added a catch basin as required by the City Engineer. During construction the wetlands will be protected with erosion control barrier. The stream bank will be planted with wetland plants 3 ft. on center. The list of the plants to be used is shown on the

revised plans. A second egress/entrance is being considered, and they will come back to the Commission once this design has been finalized. Mr. Williams asked about providing a designated snow storage area. The engineer indicated he'd show it on the final plans. After some discussion about the drainage and plan changes, the Commission continued the hearing to the next meeting on July 20th. The Commission asked Ms. Ryder to draft a set of conditions for the next meeting.

Notice of Intent

714 Farm Rd. - Robert Valchuis

Robert Valchuis, the owner, and Richard Mainville from Gurriere and Halnon were present. Richard Manville explained the existing conditions for this site which contains the flood plain, bordering vegetated wetlands, 100 foot buffer zone and 20 foot no disturbance buffer zone. They are proposing to install 11 units of 2 bedroom condos. The drainage currently is split, half draining to Farm Rd. and the other half draining to the wetland at the rear of the site. They are proposing to install a Vortechs water quality unit to remove Total Suspended Solids (TSS). The infiltration basin is also designed to treat the 1st flush of Stormwater as well.

A special permit was issued by the City Council and the project is currently under review by the Site Pan Review Committee.

Ms. Ryder noted that the site has lots of junk piled/ dumped in the back near the wetland area. Mr. Valchuis indicated he will be cleaning this up when he demolishes the house. Previous tenants and others have been illegally dumping behind the house.

Mr. Mainville described the drainage design and manhole locations. The Commission requested a construction phasing plan, an erosion control plan that stays outside the 20 ft. buffer zone. After some discussion, the Commission agreed to continue the hearing to July 20th so that the engineer could provide the above noted items and the Commission could get comments from the City Engineer.

Notice of Intent (continuation of public hearing)

Donald Lynch Blvd. (Map 50, Parcel 7B of the Assessor's Maps) - New England Development LLC

To construct a 60,000 sq. ft. retail space on a 7.09 acre parcel. Filling of an isolated wetland (non state jurisdiction) is proposed with a replacement area proposed on Donald Lynch Blvd. At the applicants request this item was continued to the August 10th meeting.

Notice of Intent (continuation of public hearing)

215 Fitchburg St. - Assabet Valley Regional Vocational High School

Bruce Saluk of Bruce Saluk and Associates was present and noted that he had received comments from the city engineer regarding the fence around the field and the drainage pipe elevation. He noted the construction machines would access the site from Fitchburg St. through a stoned construction access. The plan also provided details on the vernal pool construction and planting. The Commission asked if there could be an educational component to this vernal pool construction and monitoring. Mr. Saluk suggested this could be added as a condition. The Commission discussed the existing detention basin next to the field and why it needs to be altered, as it is working well today. Mr. Saluk discussed the grading issues and the need for a 3:1 slope around this basin. Mr. Clancy asked if a fence would be added around the detention basin as well. Mr. Saluk will check with the city engineer on this. After some additional discussion regarding the vernal pool construction and field construction sequencing, the Commission continued the hearing to July 20th to allow time for these items to be added. They requested that Ms. Ryder draft a set of conditions for the next meeting as well.

Notice of Intent (Continuation of Public Hearing)\

Crowley Dr. - The residences at Chestnut Ridge- Metro Park Corp.

Mr. Mike Carter from GCG Associates representing Toll Brothers, John Deli Priscoli- owner, Brian Butler of Oxbow Associates and Bruce Saluk of Bruce Saluk and Associates were all present.

Mr. Carter the project engineer from GCG Assoc. reviewed the questions that had been presented after the last meeting. He provided a document dated June 28, 2006 and reviewed this as follows: The walls are between 0 ft. to 20 ft. in height. They are block walls; the cross section of the wall is shown on sheet 10. He also provided an attachment showing a typical cross section. The geogrid extends 17 feet back from the wall on the tallest wall. The Commission noted that there appears to be a conflict between the wall geogrid fabric location and some of the drainage. Mr. Carter indicated these would be addressed. The Commission discussed at length how walls would be constructed initially and how they would be repaired in the future once the project owners had left the site. It was agreed that the walls would need to be constructed under the inspection of a Geotechnical Engineer.

The Commission also discussed the need to dewater at the footings of the wall near the wetland. The engineer indicated that the water table is well below the footings. The drainage design was also reviewed to ensure that water quality improvements meet the State's stormwater standards. The plans need to be adjusted to move erosion controls to limit the amount of clearing and not just follow the edge of the property. There are several areas where trees are to be saved. The erosion controls need to be adjusted to clarify this. The Commission requested information about the construction phasing and when areas would be stabilized and how the detention basin is to be retrofitted and still be on line. After additional discussion, the Commission agreed, with the applicants consent, to continue the hearing to July 20th so the applicant could provide this additional information.

Certificate of Compliance

- DEP 212-961 Millham Water Treatment Facility - The project has been completed according to the plan and Order of Conditions. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance for this project provided the erosion controls are removed.
- DEP 212-492 890 Boston Post Rd. (golf driving range) - The encroachment onto the city land has been corrected and stabilized. The as-built plan has been provided as required. The Commission voted 6-0 to issue a full Certificate of Compliance.

Extension permit

- DEP 212-906 Fairfield Green at Marlborough - The work has begun on this project, but has not yet been completed. The Commission voted to issue a 3 year extension for this project. The project engineers will be providing an as-built plan shortly for the Boston Properties emergency access road portion of this project.

Correspondence

The Commission voted unanimously to accept the following correspondence and place on file.

- E-mail- RE: Work at Hager Pond Dam by Army Corp of Engineers

Other Business

- The Old MHQ site on 225 Boston Post Rd. next to the RK Plaza will be reconstructed. Ms. Ryder did a site inspection with the wetland consultant and concurred with them that the wetland area is a drainage ditch and non jurisdictional.

Adjournment

There being no further business the meeting was adjourned at 9:45 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer