

**City of Marlborough
Conservation Commission
Minutes
July 19, 2018 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Present: Edward Clancy-Chairman, Allan White, David Williams, Dennis Demers, John Skarin, Karin Paquin and William Dunbar. Also, Priscilla Ryder, Conservation Officer

Absent: none

Approval of Minutes: The minutes of June 21st were reviewed and accepted as written, unanimously 7-0. The minutes of June 7th were not ready for review yet.

Public Hearings:

Request for Determination of Applicability

Bolton St. – City of Marlborough

Tom DiPersio, City Engineer, was present and explained that the City is proposing to add a sidewalk from the Assabet Vocation High School entrance on Bolton St. to the Hudson town line to connect into the sidewalk system in Hudson. In most of the roadway, the work is within the limits of the roadway, but in a few sections the sidewalk expands the layout. In addition, some changes to a few drainage structures to improve their function is required. Since work is outside the existing layout and drainage is being improved, which is beyond the scope for a minor project, a Request for Determination of Applicability was filed. The culvert next to the school entrance, work will be within the existing roadway and curb. There is no room to expand in this location due to the severe existing slope above the culvert. The roadway in this location is wide enough to add a sidewalk and will narrow the traveled way.

Where the roadway passes the Kane Storage facility, it will be widened into the shoulder area to create the proper width. They will be adding a catchbasin onto the existing pipe that drains across the street into The Grove conservation land. This new catchbasin over the existing pipe is about 60' from the wetland.

There was some discussion about extending the sidewalk over the reservoir area. Mr. DiPersio said that was not being proposed at this time. After some discussion about erosion controls and construction sequencing for this milling and paving job, the hearing was closed. The Commission voted unanimously to issue a negative Determination with standard conditions for a pre-construction meeting and erosion control inspections.

Request for Determination of Applicability

74 Paquin Dr. – Dave Domke

Mr. Domke was present and explained that he needs to add a new drain from the catch basin at the end of the driveway to the edge of the water. Currently the catch basin and pipe he has are not adequate and he gets puddling in his driveway. The pipe now only extends part way

through his yard. The new pipe will extend to the old ski boat ramp that is paved. He will add a 4" pvc pipe. The Commission noted that a schedule 40 pvc pipe might be a good idea for durability. Mr. Domke thanked them for this advice.

Questions related to the location of discharge and stability were asked and determined it will discharge onto pavement and is clean water from the driveway. There being no further questions, the hearing was closed. The Commission voted unanimously 7-0 to issue a negative Determination with standard conditions.

Notice of Intent

186 Reservoir St.- Fabiana Menezes

Ms. Menezes was present and explained that they would like to construct an addition to the right of the existing house with a garage below and living space above. She noted that as shown, it was within the allowable perimeter. Chairman Clancy explained that she received an emergency certificate to connect the sewer pump chamber and tank to the existing house. She explained that they bought the house several months ago and the septic system had failed, so they wanted to move in and get the sewer system hooked up. They will move into the house and the new addition will be built while they are living there.

The Commission noted that the driveway turn around falls within the 30' setback from the water's edge, so that will need to be adjusted. Mr. Dunbar asked if the sewer pump chamber tank was too close – Ms. Ryder noted that the setback is explained in the Floodplain and Wetlands protection district and as long as the tank didn't increase the height of the land this should not affect the flood storage capacity.

Chairman Clancy noted that this is a single-family house only, the owner confirmed that is the case.

There was discussion about the driveway location and the driveway slope and that all materials excavated from the building area would need to be removed from the site. After further discussion, the Commission continued the hearing to the August 2nd agenda to allow the applicant time to get the plans revised as noted above. Ms. Menezes will be in touch when the revised plans are ready.

Boy Scouts – Introduction

Boy Scouts Zach Ritter and Dylan Green were both present. They explained that they will both be doing work on the Panther/Boroughs Trail. Zach explained that he will be building bog bridges and construct a trail from Millham St. to the proposed boardwalk location (parallel to Boundary St.) He is planning to do his project on August 11, 2018. Dylan will be doing work on the boardwalk and helical piers at Boundary St. (or Cider knoll) on August 25th and 26th. The Commission thanked the scouts for choosing to do their project with the Commission and noted

that the scouts are the Commission's work horses for all bridges, kiosks, boardwalks and trail construction. They wished the scouts good luck with their projects.

Public Hearings (continued)

Request for Determination of applicability

99 Violetwoods Circle – Yamir Dextre

Mr. Dextre was present and showed the Commission a plan of the house and deck. They are replacing the small deck with a 12'x12' deck. The closest point of the deck to the wetland marker is 32'. Three supports are proposed 4'x6' which will be dug into the ground. Footings will be hand dug as they can't get a machine down there.

Ms. Ryder noted that there is an existing fence on the site that is on the 20' buffer zone line for the most part. There is a slight angle that was added to get around the existing tree. The Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination with standard conditions.

Request for Determination of Applicability

16 Bracken Dr. – Duany Lima,

Mr. Lima was present with his interpreter. They explained that they want to add parking on the right side of the existing driveway and they need to create a retaining wall to retain the slope and create a turn around. Under the deck they want to add a patio with pavers. In the future, the deck will also need a repair.

Chairman Clancy noted that this is a very tight lot when the house was built and there should be markers defining the wetland boundary.

They are also requesting to remove some large trees that are outside the 20' buffer zone, but within the 100' buffer zone. Ms. Ryder noted that she had gone to the site in the spring to discuss this work and unfortunately when she went by a few weeks ago they had started work without getting this permit. She stopped the work and required them to install erosion controls immediately, which was done, and come before the Commission. Knowing how tight this lot is, the Commission set a site visit for July 25, 2018 at 5:00 PM to review the project. They continued the hearing to the August 2nd meeting.

Request for Determination of Applicability - Continuation

10 Rose Point – Giselle Araujo

Ms. Araujo explained that she has installed a fence in her back yard and wants to put in a pool. However, upon inspection it was discovered that the fence is not entirely on her property and is WITHIN the 20' no disturb buffer zone. She expressed frustration, because she had contacted the condo association and management company and pulled a fence permit from the building department and didn't discover there was an issue until she pulled the permit for the pool.

Chairman Clancy said the fence is too large for this area and encroaches on the 20' buffer zone. He explained that the markers were installed when the development was built. He asked who put the fence in. She explained that they had hired a contractor to install the fence and that she had pulled a building permit.

The Commission discussed whether the condo association had provided documents to the homeowner about where the restricted areas are. After some discussion the Commission continued the hearing to the August 2nd meeting and asked Ms. Ryder to meet with the condo association/ management company to see how this issue can be resolved and have a plan in place so this will not happen again.

Notice of Intent – Continuation

Hayes Memorial Drive (Map 99 Parcel 4) – the Gutierrez Company

Proposes to construct a paved driveway and parking to a warehouse/distribution center in Northboro.

With the applicant's consent, meeting was continued to August 2nd.

Discussion:

- DEP 212-1185 Maple St. Culvert, preconstruction meeting as required in Order of Conditions. Joe Curtain and Minot Woods from E.H. Perkins were present. They have been hired to do the work on Maple St. (Rte. 85). Per the Order of Conditions # 25, they are required to attend a Commission meeting to discuss the construction of the culvert under Maple St. They presented a slightly revised plan of the culvert and a letter with a schedule explaining the changes. Instead of removing a section of the concrete stream bottom and replacing it, they are now proposing to add a new top piece that the footings will sit just outside the existing walls, thus limiting the amount of excavation and exposure to the brook. It will also limit the need for dewatering and re-routing the stream. They have Mary Trudeau, a wetland consultant, on board who will be monitoring the site and providing weekly updates.

The Commission reviewed the changes and agreed that the new approach would have less impact on the wetland and approved the new plans. They also expressed the need for the contractor to watch the weather and to try and do this work at a time of low flow and no rain events predicted. The Commission thanked them for coming and allowed them to proceed with this work.

Certificates of Compliance

- DEP 212-1168 – Bolton St. /Ft. Meadow Reservoir Culvert - Ms. Ryder said she has inspected the wetland replication area along with Ms. Paquin., and the culvert area has been stabilized and finished. All work appears to be in good working order. Mr. Dunbar noted that the downstream side of the culvert is steep and dangerous to walk and wondered if this needs to be addressed. Ms. Ryder will talk to the City Engineer. After further discussion, the Commission voted unanimously 7-0 to issue a full Certificate of Compliance for this work.

- Dep 212-1164 7 Gikas Ln. – Lot 10 Ms. Ryder noted that everything is stable, deed language has been provided, however they still need to install a permanent boundary fence next to the wetland. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance, but asked Ms. Ryder to hold it until the fence is installed.
- DEP 212-1163 15 Gikas Ln – Lot 9 Ms. Ryder noted that everything is stable, deed language has been provided, however they still need to install a permanent boundary fence next to the wetland. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance, but asked Ms. Ryder to hold it until the fence is installed.

Correspondence:

The following correspondence were reviewed and the Commission voted to accept and place on file:

- Letters of appreciation to Eagle Scouts Matthew Bennett and Ian Minier, dated June 21, 2018.
- Letter from Civil & Environmental Consultants, Inc. RE: Marlborough-Stormwater Management System, 791 Boston Post Rd. CEC Project No. 180-080 Waste Management of Mass.
- Letter from VHB on behalf of NSTAR Electric Co., RE: Sudbury-Hudson Transmission Reliability Project MEPA Final Environmental Impact Report – EEA No. 15703. Written comments due to the MEPA Office by August 10, 2018.

Adjournment: There being no further business the meeting was adjourned at 8:57 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer