

Conservation Commission
Meeting minutes
August 18, 2022; 7:00 PM
140 Main St. – Marlborough City Hall – 3rd Floor (Memorial Hall)

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

The hearing was recorded using Microsoft Teams.

Approval of minutes: The minutes of July 21, 2022 were reviewed and on a motion by Mr. White, second by Mr. Clancy to approve as written. The Commission unanimously approved 7-0.

Request for Determination of Applicability

64 Westernview Dr. - Jason Shafferman – at the applicants request this hearing was continued to the September 1, 2022, meeting.

Notice of Intent

0 Red Spring Rd. - Robert Durand - Red Spring Road Homeowners Association, Inc. (RSRHA)

Those present were Robert Durand Chairman RSRHA, Scott Ferrecchia, Stephanie Ferrecchia, Steve Vigeant on the RSRHA, and Neal Vigeant Red spring Rd. resident and Robert Parente - Civil Engineer. Mr. Durand indicated that the property was bought by the Association from the Morse family, so they jointly own 49.8 acres of land. With the land transfer came the State Board of Health requirement to meet Title V septic regulations. When the systems were all tested 19 failed and 9 passed. So, it was determined that the solution to compliance was to install a private sewer force main from Red Spring Rd. to Cullinane Dr. sewer pump station.

He also noted that the association is very aware that the nearly 50 acres of land they own is important to the lakes water quality so they will work to keep the canopy as closed as possible as this does help to keep the lake cool. They have helped with clean sweep cleanups, will be working on invasive species removal and encourage native pollinators in order to keep Red Spring Rd. ecologically healthy.

Mr. Parente has been working with Peter McClure (who couldn't attend) the project engineers. He explained they are proposing to install the EM.1 pump system which has been used in several areas of the city. Each house would have its own pump up to the system and this will pump to Cullinane Dr. pump station. The pipe will begin at the Intercolonial Club with a 2" force main, the system needs to go under all the stream crossings, except 3 culverts which will need to be replaced as further described and shown on the plans. Mr. Demers and Mr. White asked about the individual house storage tank requirements. The applicant will check with the city engineer on these requirements. Several large trees right near the roadway will need to be removed to allow for access of equipment. Several drainage areas were discussed where upgrades and new structures are proposed to better accommodate flows. The culverts to be replaced were discussed and capacity issues will be reviewed by the City Engineer for the next meeting.

Mr. Durand and Mr. Vigeant discussed the common condominium open space areas were identified on the plans as approximately 15 acres, in the future the condo association would like to make this protected open space as either conservation land, conservation restriction, or other method to keep it protected. They will search out to look for grants and other funding sources and work with the city to see how this can be protected.

The Commission decided a site visit was in order and agreed to do a site visit at 5:00 PM on August 22 (which was later changed to Aug. 25th because of rain). The hearing was continued to the Sept. 1, 2022, meeting.

Emergency Permit

- Ratify – Hager Pond Emergency Permit - Ms. Ryder noted that someone had manipulated the Hager Pond Dam spillway by adding some boards, the Office of Dam Safety (ODS) requested an Emergency Certificate from the Commission to remove the boards and inspect the dam, which Ms. Ryder issued. The dam is in disrepair and the ODS is concerned for its integrity. The work has been completed. On a motion by Mr. White, second by Mr. Clancy to approve and ratify the emergency permit issued. The Commission voted 7-0 to ratify the permit.

Certificate of Compliance

- 212-1183 #329-331 Boston Post Rd.- Ms. Ryder and Ms. Paquin tried to inspect the site but were not able to enter. This item was continued to Sept. 1st to allow this review.
- 212-1159 #36 Gikas Ln. (Lot 5) - Ms. Ryder reported that she has reviewed the file, as-built plan and the site in person and found all to be in order. On a motion by Mr. Skarin second by Mr. Clancy the Commission voted unanimously 7-0 to issue a full Certificate of Compliance.

Discussion/Correspondence:

- 541 Pleasant St – Enforcement Order – continued discussion – Mr. Sampaio. No one showed for this item, so it was continued to Sept. 1st meeting.
- 111 Cullinane Dr. – Yi Zhou – wall discussion - Yi Zhou and He Shunian owners of the home were present. Ms. Shunian explained that they had received a permit from the Commission earlier in the year, which had a condition to survey the land before doing any work. The survey revealed that the wall would be halfway up the slope as shown on pictures that were shared, not what they wanted. The homeowners asked for relief and the ability to build the wall closer to the water similar to their neighbors' properties. After some discussion about the 262' flood elevation and the need to provide floodplain compensation in the same reach of the water body on their property to meet the floodplain regulations (not to mention a ZBA variance) The applicants thanked the Commission for their time and left.
- Discuss OpenGov – city's new on-line permitting process has begun - Ms. Ryder noted that now all Wetlands, site plan review and ZBA permits that come through our office will be filed electronically through the new OpenGov System. Applications, payments, and permits are then issued online through this system. Building, Fire, Engineering, Planning Board, Board of Health, and City Clerk have some (not all) permits on this online system which is now live and running.
- Cider Knoll – beaver deceiver installation 8/11/2022 - Ms. Ryder noted that the beaver deceiver installations were done on 8/11 and is now in place between the two dams to keep the water level from rising into septic systems that exist around the pond.
- Letter from Ft. Meadow Commission – dated 8/5/2022 - RE: Recommend a winter long drawdown starting Nov. 1, 2022, thru March 1, 2023. Mr. Lee Thompson was present and explained that his commission recommends a Nov. 1st Four Foot drawdown. After some discussion about the timing of the Red Spring Rd.

project and the current drought situation it was determined to table this item until the next meeting when some answers can be provided.

Next Conservation Commission meetings: September 1st and 15th, 2022

Adjournment - There being no further business, on a motion by Mr. White, second by Mr. Clancy, the Commission voted unanimously 7-0 to adjourn.

Respectfully submitted,


Priscilla Ryder
Conservation/ Sustainability Officer