

Conservation Commission
Meeting minutes
November 17, 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

Absent: None

The hearing was recorded using Microsoft Teams.

Approval of Minutes: The minutes of Nov. 3, 2022, were reviewed and unanimously approved -7-0

Public hearings:

Notice of Intent

Lake Williams boardwalk – City of Marlborough

Ms. Ryder noted that additional information about the wetland replication location and the wetland replication protocol had been provided to the Commission in the meeting packet. The Commission reviewed both and asked Ms. Ryder to clarify with DPW the impact and replication numbers as they are not consistent between the revised plan and the memos received. However, all questions had been answered with the memo and revised plans, so the Commission was satisfied. There being no comments from the audience or the Commission the hearing was closed. The Commission reviewed the draft Order of Conditions and made changes to the Findings of Fact, edited the document to add a maintenance plan and to adjust the phragmites removal process as additional work may be needed given experience with phragmites root removal. There was discussion about a performance guarantee. The Findings of Fact were reviewed and will be updated to include information from the two memos and confirmation with the contractor to ensure all resource area impacts are listed in this section. After much discussion on a motion by Mr. White and second by Mr. Clancy to approve the draft Order as written and amended as noted above, the Commission voted unanimously to approve.

Notice of Intent

85 Ames St. – John De Vries (Central Steel)

Mr. Saluk the project engineer had provided revised plans based on the last meeting discussion which were in the Commission's packets. The Commission agreed that these revised plans addressed their concerns. Ms. Ryder noted that DEP had provided comments and a permit number. Mr. Saluk's changes also address the DEP comments. There being no further comments the hearing was closed. The Commission reviewed the draft Order of Conditions on a motion by Mr. Skarin second by Mr. Clancy to approve the conditions as drafted and amended, the Commission voted unanimously 7-0 to approve.

Notice of Intent – 212-1254

846-850 Boston Post Rd. East – Exela Movers

At the owners request this item was continued to the Dec. 1, 2022 meeting as they are still determining their course of action with city council.

Extension Permit:

DEP 212-1215- Green District – sign permit approved last meeting. The Commission failed to sign the permit voted on at the last meeting. It was signed.

Certificates of Compliance:

DEP 212-93 140 Ash St. – Partial Certificate- Ms. Ryder indicated this was part of a very old subdivision and this lot did not abut any wetlands. The title is still clouded. The Commission reviewed the GIS and determined a partial Certificate can be issued. On a motion by Mr. Skarin, second by Mr. Clancy to issue a partial Certificate of Compliance to release this lot, the Commission voted unanimously 7-0 to approve.

DEP 212-1242 36 Fitchburg St. (was 641 Pleasant)

Ms. Ryder noted that a Request for a Certificate of Compliance has been received, however wetland boundary markers, and issues with the swale drainage have not been adequately addressed. The Commission asked her to convey that the markers must be ground mounted markers as we've had for other projects and to fix the drainage swale and restore the ROW which was cleared and used for access. Ms. Ryder will convey.

Discussion/Correspondence

Generic Permit 212-439 has expired - DEP will no longer allow this generic permit- discuss.

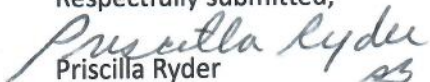
Ms. Ryder conveyed that the generic permit for waterfront minor work cannot be renewed. The Commission discussed the need to have something in place to give direction for sand removal and replacement, wall repair and weed removal. If this can't be covered under a generic permit, then perhaps a policy or other mechanism would be appropriate. Ms. Ryder will look into drafting a policy for review, to address these small, but sometimes annual, projects around the lake.

64 Westernview Dr. – Mr. Dunbar noted that he had inspected the wall work with Ms. Ryder. He asked Mr. Demers and Mr. White if the wall should be "lagged" into the cement wall, they agreed this would help the wall stay in place and not be pushed out by the water. Ms. Ryder will convey.

Next Conservation Commission meetings: December 1st and 15th, 2022 2023

Adjournment - There being no further business the meeting was adjourned at 8:21 PM

Respectfully submitted,


Priscilla Ryder

Conservation Officer/Sustainability Officer