**Conservation Commission Approved March 7, 2024**

**February 15, 2024 - 7:00 PM**

**140 Main St. – Marlborough City Hall – 3rd Floor (Memorial Hall)**

**Members Present:** Edward Clancy-Chairman, Allan White, William Dunbar, John Skarin, Dennis Demers, Dave Williams;also present, Priscilla Ryder-Conservation officer & new Associate Member Liz Austin

**Members Absent:** none

The hearing was recorded using Microsoft Teams

**Public hearings**: **Request for Determination of Applicability**

**70 Dartmouth St. – Mark and Cheryl Tucker**

*Request to remove existing deck and build an addition of similar size. Work is proposed near.*

*wetlands.*

Ed Freelander of Sudbury Kitchens Inc and Mark Tucker homeowner were present. The owners would like to remove an old deck and add an addition in the same location with the exact same footprint 21’ by 12’6”. Ed Freelander is the builder and said the addition would be on techni-post/helical piers, so no excavation will be needed. Ms. Ryder noted that she had flagged the wetland and the work is 40’ from wetlands. There is a drainpipe which discharges over rocks before it enters the wetland. The Commission suggested erosion controls be added to include straw waddles at back edge of grass along fence. The plan is to start the project in April. After some discussion on a motion by Mr. White second by Chair to issue a negative determination with standard conditions, the Commission voted unanimously 6-0 to approve.

**Abbreviated Notice of Resource Area Delineation**

**Robin Hill St. assessors map parcels ID’s 39-5 and 39-26B**

*Pulte Homes of New England, LLC requests the Conservation Commission review and verify the wetland resource areas delineated on the property at Robin Hill Street. (This property is opposite the Jacobs Rd. & Robin Hill St. intersection).*

Jim Bolduc from VHB- wetland scientist, and Mark Mastroianni of Pulte Homes were present. Mr. Bolduc explained that he had delineated the wetlands which are shown on the plans and reviewed each area with the commission. He noted that on December 19th a few of the Commission members walked the site before the snow cover. Several flags were adjusted during that walk which are reflected on this plan. The Commission noted that there is a section of the wetland that is off site which doesn’t have any flags. The Commission discussed how this line was established, Mr. Bolduc indicated he had taken GPS points but didn’t hang flags since it was not their property. The Commission would like to see the GPS points on the plans since there are no flags to see. When the snow clears, the commission would like to walk the flagged line and check this area in particular. Ms. Ryder was asked to confirm with DEP how to confirm a wetland line if there is no flagging.

The Chairman opened discussion to the audience:

* Paul Pelletier of 69 Jacobs Rd. asked about the ANRAD process and how wetland delineation works.
* Allan Chamberlain of 100 Jacobs Rd. asked if the streams flow year-round and if they flow to Millham Reservoir, and clarification on the buffer zone. He also wondered about the vernal pool and how it was defined.
* Christine Wallace of 20 Jacobs Rd. asked questions about the Assabet River and vernal pools in the area.
* Ms. Ryder read into the record an e-mal from Harley Racer representing Hillside School asking about the status of all the streams on the site as they believe some may be perennial.

Mr. Bolduc explained that the streams are intermittent, he will provide the stream stat documents to the Commission. The site does drain to the Assabet River and not to Millham Reservoir. Chairman Clancy explained the ANRAD process which is for the commission to determine if the delineation is correct. If the delineation is approved, and not appealed, it “locks in” the wetland line for 3-years. Mr. Bolduc explained the buffer zone and wetland have a 3-parameter approach, soils, vegetation, and hydrology. The wetland with the WF-3 series is listed as a potential vernal pool on the Natural Heritage maps. He believes it is a vernal pool. This area was defined by mean annual high water level mark, mean annual high-water line and in this case, there is Bordering Vegetated Wetland which has been delineated. The Commission indicated that in March this vernal pool could be verified and certified as the timing will be good. After some discussion with the applicant the Commission agreed to hold a site walk on March 14th at 1:00 PM and the Commission continued the hearing to the March 21, 2024, meeting.

**Discussion**

541 Pleasant St. – Wetland Violation update

Ms. Ryder noted that Mr. Sampaio could not attend this evening but has agreed to attend the Commission meeting on March 7th. The Commission reviewed the plans presented at the last meeting and discussed how to correct this violation. It was suggested that a three-stage process be developed including Stage 1- wetland restoration; Stage 2 restore the 30’ buffer zone and Stage 3- restore the remaining buffer zone. Finances are an issue. Ms. Ryder and Chairman will plan to meet Mr. Sampaio before the next meeting to see if a plan can be figured out. This item was continued to the March 7th meeting.

**Correspondence/Other Business****:** - None

**Next Conservation Commission meetings**, March 7 & March 21, 2024

**Adjournment,** there being no further business on a motion by Mr. White second by Mr. Clancy to adjourn, the Commission voted unanimously to approve 6-0. The meeting was adjourned.

**Respectfully submitted.**

Priscilla Ryder

Conservation/ Sustainability Officer

PR/cs