

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
September 6, 2018 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

**Present:** Edward Clancy – Chairman, Allan White, William Dunbar, John Skarin, and also present was Priscilla Ryder-Conservation Officer.

**Absent:** Dennis Demers, Karin Paquin and David Williams

**Approval of Minutes:** The minutes of July 19, 2018, August 2, 2018 and August 16, 2018 were reviewed, and the Commission voted unanimously 4-0 to approve as written.

**Public Hearings**

**Request for Determination of Applicability**

**22 Hutchinson Dr. - Brendan O'Sullivan- owner**

Jim Moran of Northeast Classic Engineering was present and explained that the current septic system has failed, and they are seeking to replace it with a new system. They are proposing to install a new 1500-gallon septic tank with cultec leach field. The Board of Health approved the plans but noted that a Request for Determination of Applicability (RDA) would need to be filed with the Commission. The current design is 38' from the wetland. 310 CMR 10.03(3) presumes an upgrade is minor if it is 50' away from the wetland. He is seeking a negative determination for this new system that is replacing the old system in the same location. The Commission noted that there was room to shift the system further away from the wetland at least 50' away. Mr. Moran agreed that would be an easy fix. Mr. White asked where the "dirty soil" from the existing system would be placed. Mr. Moran thought they would leave it on site or haul it off site. Mr. White wanted assurance that it would be properly disposed of. After some discussion, the Commission voted unanimously 4-0 to issue a negative determination with conditions that prior to construction, a revised plan is presented to the Conservation Officer showing the system 50' or more away from the wetland, proper erosion controls are in place and a preconstruction meeting with the Conservation Officer must be held.

**Request for Determination of Applicability**

**45 Hawkins Lane – Byrne Field drainage – City of Marlborough**

Thomas DiPersio – City Engineer was present and noted that the Byrne Field is in poor condition because it is always wet and needs some drainage improvements to make it a more usable field. There are wetlands around the edge of the field which were inspected by Ms. Ryder. They are proposing to install a subdrain drainage pipe down the middle of the field to improve field conditions. The pipe will exit into the drainage area around the field and into wetlands that were flagged and shown on the plans. Ms. Ryder indicated she had inspected the area and this was a

good location to discharge water. After some discussion, the Commission voted unanimously 4-0 to issue a negative determination with standard conditions.

## **Notice of Intent**

### **28 Littlefield Ln. - LeAnn and William Neal Reilly**

Peter Ferland, from Sudbury Design Group was present. The propose is to re-landscape the yard and add an inground pool, patio, fence and new walkways near wetlands. He noted that the wetlands were flagged and that in fact the existing lawn falls within the 20' no disturb buffer zone. He has proposed that once the project is completed the 20' buffer zone be restored with native plants and left to naturalize. They will need to remove some trees to install the pool which will be fiberglass. The Commission asked about construction access for pool and patio and the walkway area which will include concrete pavers. They will build the project in phases, phase 1 will be the pool, phase 2 will be the deck and walkway. They will need to bring in an excavator. The planting plan will include only native plans. The Commission asked for clarification on the cuts and fills and the equipment access routes. Mr. Ferland said he would provide that information at the next meeting. The Commission continued the hearing to the September 20<sup>th</sup> meeting.

## **Notice of Intent - 212-1202 (continuation)**

### **186 Reservoir St. - Fabiana Menezes**

No revised plans were available yet, so this item was continued to the Sept. 20, 2018 meeting.

## **Discussion:**

- 12 Rose Pointe - Violation – no one appeared for this item, so this was continued to the next meeting.
- 212-1104 Sudbury St. sewer project – pre-construction meeting – Phase 3 Carver Hill & Hemenway St. – J. D'Amico – Contractor. Scott Pischel of J. D'Amico was present as required in the Order of Conditions to have a preconstruction meeting with the Commission. He explained that they have been awarded the contract for the water and sewer work proposed on Hemenway St. and Carver Hill St. He reviewed the sequence of construction and erosion controls including silt sacs in catch basins, dewatering silt bags and blasting protocol. There was a discussion about paving every night rather than the end of the week. It was agreed that if rain is predicted it will be paved, otherwise it will just be paved at the end of the week during construction until everything is stabilized and complete. They anticipate blasting and will notify Ms. Ryder when the erosion controls are in place for inspection prior to doing work on Hemenway St. The Chairman thanked Mr. Paschel for coming in for this review.
- Review of Apex's snow removal operation – Draft- Kevin Eriksen and Joe Trolla from Apex Center Development were present. They explained that they had drafted a snow removal operation plan to give to their contractors and provided it to Ms. Ryder for review and comment. Most of the edits were acceptable, however, they wanted to discuss further the use of the area below the large retaining wall behind the entertainment center as an area to dump excess snow during snow emergencies when the designated snow pile areas are full, rather than having to haul it off the site. There was discussion about when and how "emergency" status would be defined and who would make the call as to when



and whether the area behind the wall could be used. They indicated, as outlined in the draft, that they would replace any trees damaged or killed by the snow piling operation, in kind with the same size trees. After further discussion about the condition of Glen St. this item was continued. Ms. Ryder will draft an amended document based on this discussion.

#### **Certificates of Compliance:**

- DEP 212-1124 93 Framingham Rd. - Walker Brook Estates – Subdivision roadway & associated work. Ms. Ryder indicated that everything was in order and is stabilized. However, there is still erosion control within the detention basin that needs to be removed. She suggested issuing the Certificate of Compliance but having her hold it until the erosion controls were removed. The Commission voted unanimously 4-0 to issue the Certificate of Compliance with any ongoing conditions required.
- DEP 212-1183 329-331 Boston Post Rd. – Storage facility- Ms. Ryder noted that the as-built landscape plan is pending and Mr. Dunbar noted some of the materials behind fence have not been removed. This item was continued until these items have been resolved.

#### **Extension Permits:**

- DEP 212-1157 890 Boston Post Rd. East – Order of Resource Area Delineation – Continued - Ms. Ryder noted that the delineation was checked, and the line is OK, she noted that there is still some of the poles and fencing in the woods that were to have been removed by the current owner. The Commission voted unanimously 4-0 to issue the Extension Permit and to make note in the cover letter about the fencing.
- DEP 212-949 Ft. Meadow Drawdown – Extension Permit expires Sept. 13, 2018 (see letter) - Lee Thomson was present and noted that the drawdown Order of Conditions is about to expire, and he is requesting a 3-year extension on this permit. The Commission had a brief discussion and then voted unanimously 4-0 to approve the Extension Permit for 3-year.

#### **Other Business:**

##### **Ft. Meadow Reservoir**

- Request Ft. Meadow Drawdown – DEP 212-949 - The Ft. Meadow Commission also asked for approval to do a winter drawdown at the lake beginning on Oct. 15<sup>th</sup>, which is the week after Columbus Day weekend. After a brief discussion about the date and length of time for the drawdown the Commission voted unanimously 4-0 to approve this years' winter drawdown starting Oct. 15, 2018 and ending March 1, 2019.
- Shoreline Weed Treatment – DEP 212-1191 - Mr. Thomson also requested approval for shoreline phragmites treatment as was done last year. 16 locations around the lake have been identified. Treatment can be scheduled as soon as Oct. 1<sup>st</sup> weather permitting. The Commission agreed to allow treatment this year to help control this invasive plant and voted 4-0 to approve.

**Review Draft Order of Conditions:**

- 212-1198 Hayes Memorial Dr. – The Gutierrez Company - Hearing is closed - As the conditions were not available to the members in their packets this item was continued to the next meeting on September 20<sup>th</sup>.

**Minor change to Order of Conditions:**

- 212-1156 85 DuFresne – review revised plan – minor change – Fafard Real Estate- George Mihov from Guerrier and Hallnon was present and noted that the Commission had approved a house plan originally, now that the house is ready to be built the plan has changed and no longer fits in the originally approved footprint, so he is here tonight to seek approval of the revised plan as a minor change. The original building was a 66'x33' house; the new proposed house will be a 63'x32' house, but it is closer to the wetland line and has no deck. The Commission expressed concern that there needs to be more room between the 20' wetland buffer zone line (erosion controls) and the back of the house to allow for access. The house needs to be moved forward and the floor elevation needs to be raised, since this wetland has seen beaver activities which has raised the water level sometimes 2-3 feet. Mr. Mihov will revise the plan, the meeting was continued to the Sept. 20, 2018 meeting.

**Correspondence/Other Business:**

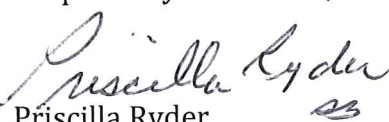
The following documents were reviewed, and the Commission voted unanimously to accept and place on file.

- E-mail from Office Manager, dated Aug. 17, 2018 RE: OARS Cleanup – corrected links
- Household Hazardous Waste Collection Day, Sept. 29, 2018 ... 9 am – 1 pm.
- Forest Cutting Plan for Sudbury Reservoir – Broadmeadow Rd./Sherman St./Acre Bridge Rd.
- E-mail from Judith Schmitz – DEP - dated August 27, 2018 RE: News and Updates from MassDEP Central Region
- Other business:
  - Kelly Lindquest was present and said she moving to Spencer so won't be able to be an associate member as originally planned, however Anna McGinty expressed interest, but may be moving also, she will keep us posted.

**Next Meeting** - September 20, 2018

**Adjournment-** There being no further business, the meeting was adjourned at 9:06 PM.

Respectfully Submitted,

  
Priscilla Ryder  
Conservation Officer