

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
January 24, 2019 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Present: Ed Clancy, David Williams, Allan White, John Skarin, Karin Paquin, Bill Dunbar, Dennis Demers and also present was Priscilla Ryder Conservation Officer

Absent: None

Public Hearings

Notice of Intent (Continuation)

176 Farm Rd. - Peter and Anne Brockmann (DEP 212-1206)

Mark Mooney of Guerriere and Halnon as well as the new owner Peter Brockmann were present. Mr. Mooney explained that he had made changes to the plans dated Jan. 18, 2019. Changes to the plan include, flow of water on the driveway was adjusted to flow to the wetland, the sewer cleanouts were relocated, so they are not near the wetland, there are now four sewer cleanout locations. The sewer line was moved farther away from the buffer zone by 5', a detail showing the separation over the drain and sewer line was provided. There is no gas on the site, so that is not needed, they will put electric up the middle of the driveway. The Commission noted that if gas is ever provided they would need to return to the Commission for review. The wetland line adjustments were made as noted at the last meeting. There being no further questions the hearing was closed. Ms. Ryder will draft conditions for review at the next meeting.

Notice of Intent (continuation)

186 Reservoir St. - Fabriana Menezes – at the applicants request this hearing was continued to the next meeting on February 7th, 2019

Certificates of Compliance:

- DEP 212-999 771 Donald Lynch Blvd. – Aggregate Industries - Ms. Ryder noted that she had done a site inspection with a representative of Aggregate Industries and reviewed the Order of Conditions, all conditions have been met and she recommended a full Certificate of Compliance be issued. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance for this work.

Draft Order of Conditions:

- 95 Lakeshore Dr. – Peter Sharon - The Commission reviewed a draft set of conditions. There being no comments the Commission voted unanimously 7-0 to approve the Order of Conditions as written.

Correspondence/Other Business:

- Registration for Mass. Association of Conservation Commissions – Annual Environmental Conference, March 2, 2019. Ms. Ryder noted that she has sent in a nomination for recognition of Alan Whites 40 years of service on the Commission and Ed Clancy's 50 years of service on the commission. She will let members know if the nominations are accepted and whether we should plan to attend the conference on March 2, 2019.
- DPW – Snow dump locations- Ms. Ryder provided a plan showing proposed snow dump locations as provided by Ted Scott at the DPW. Mr. Scott wishes the Commission to look at these locations to determine if they are viable from an environmental perspective. The Commission reviewed the locations and had the following comments:
 - Ghiloni Park – inside track next to lower pond. They were concerned with runoff into the pond and salt content, also concerned with trucks accessing this area and tearing it up. Limit of snow pile would be along edge of the grass. Not an ideal spot in the Commission's opinion.

- Old Filter Beds off Framingham Rd. – The Commission noted that they had looked at this location in the past, because there is an existing berm which could contain runoff, this seems a good location. It would be good to pursue this option with DCR and finalize this location.
- DPW yard - This is being used now, need to add erosion controls around base of pile to limit erosion and add riser pipe in detention basin to detain water. Commission was interested in knowing when the larger basin was to be installed. As long as runoff is controlled, and snow is not piled in the brook this is a good location.
- Hudson St. parking lot - The Commission expressed concern that the runoff would impact an already saturated and always wet section of the bike path into which this drain. That would need to be investigated before using this location.
- The Commission wondered why the old landfill on Bolton St. was not being used, the blue building has been removed and there is a large section of this area that is paved, so it would make sense to revisit this area if it is possible to use.


Other Business:

- **85 Dufresne Dr. DEP 212-1156 - Violation-** Ms. Ryder explained that the building department notified her that the foundation as-built for this lot was not in conformance with the approved plan. Ms. Ryder had done a site visit and confirmed that the foundation was 4-5' closer to the no disturb wetland buffer zone than originally approved which provided 8' from the tight spot. The closest wetland boundary marker had also been removed and should be at the silt fence line at the closest point. She notified Mike Harrington of Fafard Real Estate and George Mihov the site engineer from Guerriere and Halnon. Mr. Mihov was present at the meeting and provided a plan showing the current foundation and the approved foundation, so the deviation could be seen. The Commission noted that the lot was tight to begin with and a retaining wall was proposed in the back as the foundation floor elevation had to be lifted due to the high-water table. They expressed concern to Mr. Mihov that there wasn't much of a back yard to start with and that now this is even less. Chairman Clancy indicated that he was not happy with this situation and requested that Ms. Ryder talk to the building department about the retaining wall in relation to the footing. It may be too close to provide the frost protection necessary. He wanted to wait on any further discussion until feedback from the building commissioner was provided. Mr. Mihov asked if there were other concerns he should be aware of that they can address. Chairman Clancy noted that a cease and desist order would be issued and no work on the lot would be permitted until this foundation issue has been resolved. He indicated that details on the retaining wall would be needed and the final outcome could include removing and relocating the foundation or finding a retaining wall that works. However, the Commission reserves judgement until more information is provided. This item was continued to the February 7th meeting. In the meantime, Ms. Ryder will get information from the Building Commissioner.

Next Meetings - February 7, 2019 (Thursday)

Adjournment - There being no further business, the meeting was adjourned.

Respectfully submitted,


Priscilla Ryder
Conservation Officer