

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
June 20, 2019 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

**Present:** David Williams, acting Chairman, Allan White, Karin Paquin and William Dunbar. Also present was Priscilla Ryder-Conservation Officer.

**Absent:** Edward Clancy, John Skarin and Dennis Demers

**Approval of Minutes:** The minutes of June 6, 2019 were reviewed and unanimously approved.

**Public Hearings:**

Notice of Intent

159 Langelier Ln. - Wexirley DaSilva

Russ Waldron, wetland consultant was present to represent the owner Mr. DaSilva. He noted that the owner is interested in installing an in-ground pool, patios, walk, retaining walls, driveway columns and general landscaping within the 100 ft. buffer zone to Bordering Vegetated Wetland. He flagged the wetland which is a small stream behind the house and a larger wetland beside the house. Ms. Ryder noted that Ms. Paquin and Mr. Dunbar joined her in a site inspection and they found the wetland delineation to be accurate as shown on the plans. Ms. Ryder explained that work had begun prior to the permit and the Enforcement Order required filing this Notice of Intent (NOI) and also required the restoration of the disturbed 20 ft. buffer zone. Mr. Waldron explained that erosion controls will be installed as shown on the plans. A section of the 20 ft. no disturb buffer zone that has been disturbed will be restored with a native plant mix. The Commission discussed the process for restoration and agreed that it could be done once the patio and fire pit areas have been constructed, but no later than September 20, 2019 so it is stable before the winter months. All excess materials will be removed from the site. The existing shed that is in the 100 ft. buffer zone, right next to the brook will need to be removed outside of the 20 ft. buffer zone or removed all together.

Ms. Paquin had received a letter from an abutter Ms. Defalco from 127 Langelier Ln., she read the letter into the record. The letter indicated that they were concerned with any impact the pool might have to the stream and wanted to be sure it would not impact water flow or back up the stream flow. The Commission reviewed the plans and agreed that everything was far enough away from the wetland not to be of concern. They did note that there are some invasive

bittersweet vines that should be removed to allow for the native plants to take hold. This can be an ongoing condition. After further discussion the hearing was closed, and the Commission asked Ms. Ryder to draft conditions for the July 11<sup>th</sup> meeting.

#### Request for Determination of Applicability

##### 313 Boston Post Rd. West - NV 313 BPR LLC

Carlton Quin, P.E, from Allen and Major was present representing the owners. He explained that the existing 2 story office building at this location has 231 parking stalls, however the property is being rented to a new tenant who needs additional parking spaces. They are expanding the parking lot, outside the 200 ft. Riverfront Area however, to meet the stormwater regulations, they are upgrading two catch basins that are near the wetlands. They will be retrofitting the existing basins to include water quality units in each basin to remove TSS and improve the existing site conditions. Ms. Ryder noted that because this property is older, there is no Operation and Maintenance Plan for this property, which will be required both for site plan review and for the Commission. The Commission noted this would be a condition. The property lies within the city's water supply protection district, so the stormwater improvements for the new parking area must meet the first 1" treatment of stormwater as required. After some discussion, the Commission noted that since they are not quite finished with engineering review, if the project doesn't get any bigger and stays within the footprint provided, this project could be approved. Any major changes that enlarge this proposal would require them to return to the Commission. The hearing was closed, and the Commission voted unanimously 4-0 to issue a negative determination with standard conditions and those noted above.

#### Certificates of Compliance:

- DEP 212-1178 74 Boivin Dr. (Lot 6) – full Certificate - Ms. Ryder noted that she has received all the documents required, the wetland markers have been installed, and the deed language has been provided. She is waiting for a signed letter from the new buyers acknowledging they understand the wetland restriction. The Commission voted 4-0 to issue a full Certificate of Compliance and to have Ms. Ryder hold it until the letter is provided.

#### Discussion:

- License Agreement renewal haying on the Felton Conservation Land – Donald Wright. Ms. Ryde noted that Mr. Wright would like to hay the Felton Conservation



Land again. The Commission voted 4-0 to approve the license agreement for this year from June 2019-June 2020.

**Correspondence/Other Business**

- Ms. Ryder noted that there was a breach of muddy water that entered the wetland off the Avalon Marlborough II site on Thursday June 20<sup>th</sup> in the morning during the down pour event. The Commission noted that they can assert jurisdiction if needed. They agreed that an enforcement letter should be sent noting the violation and noting that if it happens again the Commission will require them to file an Notice of Intent (NOI). Ms. Ryder will convey to City Engineer Tom DiPersio since he will be issuing the letter under the Stormwater regulations.

**Adjournment**

There being no further business, the meeting was adjourned at 7:52 PM.

Respectfully submitted,

  
Priscilla Ryder  
Conservation Officer