

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

**Present:** Edward Clancy- Chairman, William Dunbar, Karin Paquin, Allan White, John Skarin David Williams and Dennis Demers. Also present was Priscilla Ryder-Conservation Officer.

**Absent:** None

**Approval of Minutes-** The minutes of September 5, 2019 were reviewed and unanimously approved as written.

**Public Hearings:**

Request for Determination of Applicability

39 Red Spring Rd. – Robert Durand

Robert Durand, homeowner, was present and explained that the existing porch is very old and needs to be replaced, the front foundation of the house is now plywood and he plans to replace it with concrete block wall like the rest of the foundation. He noted that the work will be 41' from the lake at the closest point. The foundation will have a 4' foundation footing. He would like to do this work while the lake is down to avoid encountering groundwater. The Commission asked what he'd do if he did encounter groundwater and noted he'd need to use a sediment trap – made of silt fence and hay bales -to filter the water before it returned to the lake. All excess material would need to be moved away from the water and up near the roadway. After some discussion, the Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination of Applicability with standard conditions and dewatering conditions as noted above.

Request for Determination of Applicability

180 Farm Rd. - Michelle Brownlee

Raina Gagnon of Hancock Engineering represented the owner Michelle Brownlee, who was also present. Mr. Gagnon explained that they propose to construct a detached garage within the 100' buffer zone to the wetland. A portion of the existing driveway will be removed to accommodate the new building, so some impervious surface will be added, but some will also be removed. The work is 70' away from the closest point to the wetland. The Commission asked questions about drainage onto the adjacent property, and how the driveway will drain. All excess materials will be removed from the site. After some discussion, the hearing was closed; and the Commission voted unanimously 7-0 to issue a Negative Determination of Applicability with standard conditions for erosion controls and notification.

## Notice of Intent

### 107 Simarano Dr. – Green District – Andrew Montelli Post Road Realty LLC

John Shipe of Shipe Consulting representing the owner Andrew Montelli was present, along with Joe Peznola of Hancock Engineering; and Scott Goddard of Goddard Consulting. Mr. Shipe explained that the owners are proposing to construct 3, five (5) story residential buildings containing 475 units and 770 parking spaces. They did receive an Order of Resource Area Delineation (ORAD) to establish the wetland line this past summer. Mr. Goddard will explain the impacts to the wetlands and Mr. Peznola will review the drainage system proposed.

Mr. Goddard reviewed existing conditions and the wetland boundaries, he noted three areas where wetlands would be impacted. 1) at the entrance off Simarano Dr. the roadway needs to extend into the 20' buffer zone with a retaining wall to hold up the roadway. 2) the stormwater outlet structures and rip rap extend into the 20' buffer zone. 3) two boardwalks are proposed that will be anchored into the 20' buffer zone in order to span the wetland. The first crosses over a small stream and over the impoundment of the farm pond about 300 sq. ft. of the 20' Buffer Zone will be impacted. Mr. Peznola explained that the second boardwalk requires handicap accessibility and has some retaining walls which also serve as footings/anchors to the boardwalk which are within the 20' Buffer Zone. Mr. Dunbar asked if everything could be moved out of the 20' buffer zone all together, the span could be longer, and it avoids the need to impact this "no touch" zone. Ms. Ryder noted that the 20' buffer zone is important as a corridor for wildlife which is one of the reasons the buffer is a no touch zone. Chairman Clancy requested more detailed information on the boardwalk construction and design and the location of the high-water mark/100-year flood for this brook. The Commission wanted to be sure the structure can handle the higher storm events, and that the walkway won't inadvertently cause a "dam" within the stream during large storms. Or conversely that it will not be washed away. They asked that these two areas be marked in the field and to do a site walk to check these two areas out.

Mr. Peznola explained the drainage system. Each phase will discharge to its own detention basin. Phase 1 - includes the largest detention basin. He explained that the discharge points are at the 20' Buffer Zone and to stabilize this area, the 20' Buffer Zone is impacted with stones to dissipate the discharge velocities. The basins are designed to be infiltration basins. Phase 2 - The basin also has a stormtech isolator row before it discharges into the basin, to allow the basin to be cleaner to infiltrate. After some discussion, the Commission asked that Mr. Peznola look at all the discharge points and spillways to determine if any or all of them can be pulled out of the 20' no disturb buffer zone. These will be evaluated.

Mr. Peznola reviewed the walls along the edge of the 20' buffer zone. On Site 1 - they will use modular block walls with geogrid if more than 4' high. The smaller blocks are easier to build and have less impact on the ground. Mr. Clancy asked if the very tight pinch points have enough area for erosion controls. A x-section of these areas should be provided to show how this will all fit. The 20' no disturb is just that, no disturb. Mr. Peznola acknowledged that and noted that all walls 4' or higher would need to be engineered and get a building permit.

Mr. Peznola showed the walls on site 2 and also noted that the large fill area might be removed, they are contemplating a dog park in this location, but may opt for something smaller, in which case they can leave this area in its natural state. He showed the erosion control plan, the Commission asked for a construction sequencing plan (color coded preferably) showing what will happen first, second etc. Mr. Peznola indicated they don't usually want to get in that much detail and prefer the contractor to come in to discuss those specifics. The Commission however wanted to see something on the plan.

The Commission discussed the detention basin construction and material to be removed, suggested stump grindings be kept on site as they are good for erosion control, the grass pavers shown on the plan are to be eliminated as this is ORW and this application in an ORW is not acceptable to DEP so they are to be removed and the parking spaces reduced to 677 total spaces, the fire lanes, as they get used less frequently are permitted to be grass pavers. Mr. Williams asked about snow storage locations, and salts/sand storage areas. Mr. Peznola indicated the snow storage locations are shown on the plans and no salt/sand will be stored on site. There was discussion about easements needed for drainage to detention basins, and dumpster locations (which will be inside buildings). After further discussions about showing large trees on the plans to better understand what is being removed and what is being replaced, the Commission asked that landscape plans be reviewed at the next meeting. The Commission asked to do a site visit on Friday Nov. 15<sup>th</sup> at 2:00 PM at the gate on Simarano Dr. The Commission will meet at the site visit and the hearing was continued to Nov. 21<sup>st</sup>.

### **Certificate of Compliance**

- DEP 212-1189 - continued request 421 Bolton St. Benchmark Senior Living - Ms. Ryder noted she has done a walk through, the walkway on Stevens St. side is complete, all drainage has been inspected and is working. She is waiting for O&M plan to include with Certificate of Compliance and for the catch basin on Poirier Dr. to be swept and cleaned up. Other than that, all conditions have been met. She recommended that the Certificate of Compliance be issued, and she will hold it until these items are addressed. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance and asked Ms. Ryder to hold until items noted above have been delivered and addressed.

### **Violation Updates:**

- 178 Simpson Rd. – Joseph Biaszza  
Mr. Biaszza sent an e-mail noting he could not attend this evening, so he was not present. Ms. Ryder shared some photos with the Commission and noted that she had provided a violation notice to the owner stating he needed to provide information on slope stability to the Commission. The Commission noted that the slopes should be stabilized sooner than later and asked the Mr. Biaszza provide information on stabilization and be asked to attend the next meeting too. Ms. Ryder will follow up.

### **Correspondence/other business:**


- Memo From DCR, dated October 9, 2019, RE: Sudbury Watershed Deer Hunt - the commission reviewed the letter and the map provided
- E-mail from DCR Division of Water Supply Protection – survey on passive recreation

- 249 Lakeshore Dr. – Ms. Ryder received a plan showing a slight reconfiguration of the walls along the shoreline for this house. In order to remove and replace the walls, which have existing jogs and curves in them, the owners would like to straighten the walls for ease in construction. The slight change in design affords the Lake 13+ sq. ft. of additional land under water so there is no loss but a gain. The Commission approved the minor modification and asked Ms. Ryder to communicate same to owner and that they could proceed.
- 186 Reservoir St. - Ms. Ryder noted that the owner has requested another change to the plans and removal of two large trees behind the house. Chairman Clancy has indicated to the owner that she should file for an amended Order of Conditions for full review of the changes. Ms. Ryder indicated she had already sent an e-mail saying same.
- 175 Maple St. – 212-1010 - Ms. Ryder indicated that she has been in touch with the management company and they are working towards getting a planting and maintenance plan complete but have not been asked for a date of installation. She will inquire.

**Next Meeting:** The next meeting is scheduled for November 21, 2019.

**Adjournment:** There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

  
Priscilla Ryder  
Conservation Officer