

CITY OF MARLBOROUGH MEETING
Conservation Commission
Minutes
March 4, 2021 (Thursday)

This meeting was conducted via remote participation, Microsoft Teams and was recorded.

Chairman Clancy read the following notice: *"Due to statewide emergency actions limiting the size of public gatherings in response to COVID-19, this meeting will be held virtually with remote participation and will be closed to in-person attendance." The public can participate via Microsoft Teams. The "link" will be posted on the City's and Conservation's websites: <https://www.marlborough-ma.gov/>*

Present: By roll call – Remotely: Karin Paquin, William Dunbar, John Skarin, and Edward Clancy. In Memorial Hall: David Williams, Allan White, and Dennis Demers. Also present was Priscilla Ryder, Conservation Officer

Absent: None

Approval of Minutes: The minutes of February 18, 2021 were reviewed. On a motion to accept and place on file by Mr. Skarin and second by Chairman Clancy, the minutes were unanimously approved on a roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.

Public hearings:

Notice of Intent (Continued from Feb. 18, 2021)

Bolton St. (Map 16, Parcel 4) - The Grove – The City of Marlborough – Engineering Dept.

Tom DiPersio, City Engineer, was present and explained that at the last meeting the Commission wanted to meet on site to review the rocks to be removed, which occurred, and the rocks were marked by Mr. Clancy and Mr. Dunbar. Mr. DiPersio presented a slightly revised plan showing the correct contours of the small settling basin. Based on a proposed dock design, the abutment elevation will be at 262 so the design as shown will work. The walkway will not remove any existing trees. The dock length was discussed. The Commission asked about stabilization of the sediment basins, it was agreed this could be planted with native shrubs. The shoreline will also be stabilized and planted with native shrubs. Mr. Dunbar noted that this proposal should make the water access safer for all canoe/kayak users at this location. There being no further questions from the Commission or the public, the hearing was closed. Ms. Ryder shared a set of draft conditions which the Commission reviewed. On a motion to approve the conditions as drafted and amended was made by Mr. Skarin second by Chairman Clancy, the Commission voted unanimously by roll call vote 7-0 to approve. A roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.

Notice of Intent (Continued from Feb. 18, 2021)

146 Phelps St. – Delray Realty Trust – Commission member, Dennis Demers abstained from this hearing due to a conflict of interest.

Mr. Bob Parente, P.E. was present for the applicant. He noted that at the last meeting the Commission had asked for the work to be moved outside of the 100' Riverfront area. The revised plan shows a new garage and a new gravel driveway to access it. This keeps all work outside the 100' Riverfront area. Mr. Clancy noted that he had received e-mail comments from the Assistant City Engineer, Tim Collins which explained that the two gravel driveways will not be able to stay, they need to be combined some how to meet the zoning requirement. The Commission confirmed that the work in the Riverfront area is 2,308 sq. ft. is under the 5,000 sq. ft. threshold. After some discussion, it was agreed that a revised plan showing a combined driveway is needed, and restoration of the existing gravel driveway with plantings in the first 100' wetland. There was some discussion about boat storage and accessibility. There being no further questions or comments from the Commission or the public, the hearing was continued to March 18th meeting. A roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, and Allan White.

Notice of Intent (Continued from Feb. 18, 2021)

107 Phelps St. - David Franca

At the applicants request this hearing was continued to the March 18th meeting. A roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.

Notice of Intent (Continued from Feb. 18, 2021)

Next to 107 Phelps St. - David Franca - Map 72, Parcel 11A.

At the applicants request this hearing was continued to the March 18th meeting. A roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.

Abbreviated Notice of Intent

200 Concord Rd. - The Marlborough Country Club

Mr. Ken Snow, P.E. was present and explained that he is representing the owner, in addition Tim Crane and Mike Rodman were both also present. Mr. Snow explained that they are looking to remove and replace the existing golf cart bridge that crosses the North Branch of Mowry Brook. The new bridge is a fiberglass bridge that is slightly longer than the existing bridge to allow for the bridge to overlap the bank better. The current bridge is 20.6' long, the new bridge is 24' long. Some asphalt and soil will need to be removed and landscape bricks will be used to blend the asphalt path to the bridge. All excess soils will be used on the green, away from wetlands, and the asphalt will be recycled. The Commission discussed the helical piers, how they are attached and how deep they will go. Mr. Snow explained that they will be

installed with a machine used by the installation company Techno Metal Post. Mr. White asked if they hit refusal how is that dealt with. Mr. Snow indicated they can make adjustments. Mr. Demers noted that the plans have not been stamped by an engineer and that needs to happen before this can be approved. After discussion about the bank stabilization, and installation process, the hearing was continued, with the applicants consent to the March 18th meeting to allow for the revised plan to be presented. Ms. Ryder was asked to draft an Order of Conditions for review at that meeting as well.

Certificate of Compliance:

- **DEP 212-750, 669 Stow Rd. – Full Certificate** - Ms. Ryder noted that this is an old file that never received a Certificate of Compliance. All conditions have been met. On a motion to issue a full Certificate of Compliance by Mr. Skarin, seconded by Chairman Clancy on a roll call vote of 7-0 with all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.
- **DEP 212-1037, 23 Boivin Dr. (Lot 14) - Ms.** Ryder noted that this project is not ready for a Certificate of Compliance as there are still quite a few items that are still not completed. Robert DiBenedetto of Hancock Associates was present and stepped through his letter which outlines the items that are still not completed for the Certificate of Compliance. Including, walkway construction, fencing, site stabilization, erosion control removal, and deed language. He also noted that the boundary markers, and pictures as required have been submitted. The Commission discussed the need for the wetland boundary markers to be flush to the ground. Mr. DiBenedetto indicated this can be corrected so they are flush with the ground. After some discussion, the Commission noted they would not be issuing a Certificate of Compliance as to many items are outstanding. However, since the lot is seeking an Occupancy Permit at the end of the month, it was suggested that a letter be submitted to the Building Department outlining the outstanding items, so they know what is still to be done if a temporary or permanent Occupancy Permit is issued. Ms. Ryder will draft a letter noting items that must be completed prior to Occupancy Permit and those items that will be needed prior to the issuance of the Certificate of Compliance (as noted above).
On a motion to allow Ms. Ryder to issue a letter to the Building Department outlining the items still outstanding to assist the Building Department in their decision on a request for the Occupancy Permit. The motion was made by Mr. Skarin seconded by Chairman Clancy, the motion passed with a 5-2 vote on a roll call as follows: Yeas – Ms. Paquin, Mr. Skarin, Mr. Dunbar, Mr. White, Mr. Clancy. Nays - Mr. Williams and Mr. Demers.

Discussion/Correspondence/Other Business:

- **Panther Trail/DCR – Update** - Ms. Ryder noted that she is working to get the Panther trail opened by October 2021. She and Ms. Paquin had a good meeting with DCR who granted permission to do trail improvements along the Sudbury Reservoir trail. So that work can begin soon with the Trails Committee lead by Ms. Paquin. Mr. Dunbar asked if the work across from Hellen Dr.

drainage had been done and the trail improvement installed. Ms. Ryder noted this has not been started yet.

- MACC – Training - Ms. Ryder noted that there is funding for training if any members are interested in any of the training available from MACC.
- Violation 541 Pleasant St. – Ms. Ryder noted that some additional trees were cut on this property, Mr. Clancy and Mr. Dunbar also visited the site. Ms. Ryder followed up the site visit with an e-mail emphasizing that any further work would be met with a fine. The owner will be hiring a wetland consultant to delineate the wetland soon.

Next Conservation Commission meetings: March 18th and April 1, 2021

Adjournment - There being no further discussion, on a motion to adjourn by Mr. Demers, second by Mr. White the Commission voted 7-0 unanimously. A roll call vote of all yeas: Edward Clancy, Karin Paquin, William Dunbar, David Williams, John Skarin, Dennis Demers, and Allan White.

Respectfully submitted,

A handwritten signature in cursive script that reads "Priscilla Ryder". The signature is written in dark ink and is positioned above the printed name.

Priscilla Ryder

Conservation Officer/Sustainability Officer