

CITY OF MARLBOROUGH
Conservation Commission Meeting
March 18, 2021 (Thursday) 7:00 PM

This meeting was conducted via remote participation and 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.marlbrough-ma.gov/>*

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

Absent: Allan White

Approval of Minutes: The minutes of March 4, 2021 were reviewed. On a motion by to accept and place on file by Mr. Skarin and second by Edward Clancy, the minutes were unanimously approved 6-0 on a roll call vote.

Public hearings:

Request for Determination of Applicability
87 Ahlgren Circle. - Jennifer Duffin

Ms. Duffin was present and explained that she wants to add a small above ground pool near the wetland behind their home. There is already a fence around the yard, the area is already flat and filled with stone gravel in an area 20' x 20'. Pool size 12' or 15' round pool. For the dogs. No grading is needed to add the pool. Filter systems were discussed, backwash will need to be contained so as not to discharge material, condition to provide that information to the Commission. Commission noted this looks straight forward several members had checked the site and had no issues. Mr. Dunbar asked about the shed in back that is falling apart. Ms. Duffin said it was off their property and they are just going to leave it and don't intend to do anything with it, as it is overgrown. As there were no further comments from the Commission or the public, the hearing was closed. A motion for a negative determination with standard conditions was made by Mr. Skarin and second by Edward Clancy. It was unanimously approved 6-0 on a roll call vote.

Notice of Intent (Continued from March 4, 2021)

146 Phelps St. – Delray Realty Trust

Ms. Ryder noted that the applicant had called and requested the meeting be continued to April 1st in order to allow them time to revise a plan. The Chairman continued this item to the April 1st hearing.

Notice of Intent (Continued from March 4, 2021)

Next to - 107 Phelps St. (Map 72, Parcels 11B and 702)- David Franca

George Connors was present on behalf of the applicant. He has provided a revised plan showing some additional information overlain on a plan that the building department approved in 2008. The original plan had not considered the Riverfront area impacts. The new plan shows the overlay of the smaller house and different driveway configuration that is much smaller than the original 2008 plan. The driveway impacts are 1152 sq. ft. in the Riverfront area, the house is 5,000 sq. ft. in the Riverfront area. He noted that the impacts are minimal for the driveway as they go through an existing lawn and do not cut too many trees. The house has more impact as that hill is all wooded. As requested at the last meeting, he provided an alternatives analysis which covered the history of the lots creations and the sewer taking and easements over the years.

Alternatives analysis was presented which contained - new plan, a no build alternative, and the 2006-2008 plan. The new plan requires relocating some easements and avoiding the overhead utility lines. Mr. Connors also discussed the deed history of these lots. There was a sewer taking in 2017 by the city, then the owners were granted full access over the sewer line. His summary was that the revised plan meets the intent of city to minimize impact. Mr. Clancy asked questions about the sewer location and the manholes. It was explained that the manholes would be beside the new driveway and not impacted. Ms. Ryder noted that she is waiting for comments from engineering dept. on these revised plans as well as feedback from DEP. She would like some feedback from DEP regarding the filing for two separate lots. It seems that this project should consider the cumulative 5000 sq. ft. impact and not separate it between two lots. Combined the lots impact more than the maximum disturbance of 5000 sq. ft. allowed in the regulations. DEP has received the application but has not issued a DEP # which indicates that they may still have questions or comments. The Commission agreed that some response from DEP would be needed to ensure that cumulative impact should be considered and what to do if it is over the threshold.

There was further discussion about grading, erosion controls, wall construction etc., Mr. Connor agreed to add some additional erosion controls at lower level. They will be prepared for some groundwater interception and will include a dewatering system in the design. Erosion control location should be shown on the plan. As there were no further questions or comments from the Commission or the general public, the hearing was continued to the April 1st meeting to give time to get feedback from the City Engineer and the DEP.

Abbreviated Notice of Intent (Continued from March 4, 2021)

200 Concord Rd. - The Marlborough Country Club

Kenneth Snow of 200 Concord Rd. Marlborough and his representatives were present for the Marlborough Country Club. Mr. Snow explained that he had provided the stamped plans as requested at the last meeting. This satisfied the Commission. There being no further comments from the Commission or the public the hearing was closed. The Commission reviewed a draft set of conditions and incorporated some language as suggested by the applicant that had been provided prior to the meeting. Mr. Demers asked about the need for railings, it was noted that no railings are required. Mr. Dunbar and Mr. Clancy noted that the new bridge design was excellent. After some discussion Mr. Skarin made a motion to accept the draft Order of Conditions as amended. The Edward Clancy seconded the motion and on a roll call vote, the Commission unanimously voted 5-0 to approve. (Mr. Dunbar got disconnected before the vote was taken and wasn't present for the vote.)

Mr. Snow noted that he will be submitting an additional Notice of Intent for other bridge replacements in the future.

Extension Permits:

- 212-1193 149 Hayes Memorial Dr. - The Gutierrez Company is asking for a two-year extension for this project. They may be back shortly with some revisions to the plans. Ms. Ryder noted that an extension could be issued with the caveat that the wetland is reflagged per the plan, so they are visible. Motion made by Mr. Skarin and second by Edward Clancy to grant a two-year extension for this project. On a roll call vote the motion was approved unanimously 6-0. (Mr. Lopez from Gutierrez Co. entered the meeting after this vote was taken and noted that they will be back in the next few months with some amendments to the plan, so the Commission will be seeing him again soon.)
- 212-1197 90 Crowley Dr. - A new company has bought this lot and would like to extend the Order of Conditions for a two-year period. They will be finishing the existing building this

year and adding the landscaping. On a motion made by Mr. Skarin and second by Edward Clancy to grant a two-year extension for this project. On a roll call vote the motion was approved unanimously 6-0.

Withdrawal of Request for Determination of Applicability

- 215 Cullinane Dr. – Amanda Morse – Request for Determination of Applicability-for stairs to be Withdrawn. Ms. Ryder noted that the applicant has withdrawn this application which was so noted.

Discussion/Correspondence/Other Business:

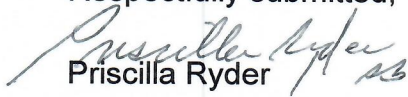
The following items were reviewed by the Commission with the following actions:

- National Grid Transmission Vegetation Maintenance Notification – letter dated 3/1/2021 - the Commission asked if the vernal pools along this corridor could be protected in the area above Desimone Dr.? Ms. Ryder will respond to the notice and convey this information.
- Repaving project: Dawes Rd. – e-mail from Thomas DiPersio 3/9/21 - Ms. Ryder noted that this repaving project falls under the minor exempt project category of the regulations, so the Commission is being notified of this work, as there is a brook that runs under Dawes Rd.
- Letter from Lawrence & Phyllis Grella, 299 Lakeshore Dr. - dated March 8, 2021 RE: Tree removal. Ms. Ryder noted that after this letter was put in the packets, this issue was resolved.

Next Conservation Commission meetings: April 1, 2021 and April 15, 2021

Adjournment - There being no further business, on a motion by Mr. Demers and second by the Chairman, to adjourn the meeting. On a roll call vote, the Commission unanimously voted 5-0 to adjourn the meeting. (Mr. Dunbar was still not reconnected by the time the meeting was adjourned)

Respectfully submitted,


Priscilla Ryder
Conservation Officer