

**CONSERVATION COMMISSION**  
**Minutes**  
**August 19, 2021(Thursday)**  
**Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall**  
**7:00 PM**

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

**Absent:** none

**(This meeting was not recorded due to technical difficulties – it was just transcribed here)**

**Public hearings:**

Notice of Intent

2 Minehan Lane – Department of Public Works

Tom DiPersio, City Engineer was present and explained that the city proposes to remove and replace an outlet structure that is leaking at the pond on Minehan Ln. The plan is to replace the old outlet with a new outlet on the shoreline and make the drainage pipe connection. This will restore the water level to the pond as the original structure was designed to do using the same design elevations. They have seen evidence that the system is failing with sink holes near the existing driveway. Also, as part of this project the city will install the sewer line connection to this house too, to avoid multiple disruption of the area near the wetland. There was discussion of removal and abandonment of the old structure and it was determined it would be best if the old structure was removed. Mr. DiPersio noted that a coffer dam may need to be used to accomplish that. Ms. & Mr. Burbeck the owners of 2 Minehan Ln. expressed their interest in making sure the existing structure is removed and wanted to know if some of the muck could be removed from the pond to restore it to its' original "clear" state. It is beginning to grow a thick layer of cattails and other plants along the edge, so it is more marshy than open water. They were hoping this new outlet structure would allow for the restoration of the pond. Mr. Kambosos of 3 Turner Ridge Rd. noted that there are lots of trees and things that have fallen into the stream which he feels is blocking the flow, he wanted this to be addressed as well. Mr. DiPersio noted that they can see if they can remove the old structure, and that the tree removal could be done in the next sewer phase. Ms. Ryder noted she'd go take a look before the next meeting. The Commission noted that they would need more information if lots of material was to be removed from the pond i.e., where material would be removed to, process of removal and depth of removal. Revised plans showing same would be necessary.

After some additional discussion from Ms. Burbeck regarding the 3 years they have lived with this structure failure and more on pond restoration, the meeting was continued to the September 2<sup>nd</sup> agenda to allow for a revised plan to be submitted.

#### Request for Determination of Applicability

##### Donald Lynch Blvd. Sidewalk – Department of Public Works

Tom DiPersio, City Engineer, explained that they are installing sidewalk within the layout of Donald Lynch Blvd. in the section between the Mall and Target where there is a gap in the sidewalk. This section is right near the wetland. However, there is already a shoulder in this location that can accommodate the sidewalk without requiring any grading. The guardrail would be moved closer to the wetland and the topsoil removed and sidewalk installed. No riprap or other stabilization is needed given the existing conditions. Ms. Ryder noted she had checked the site, and this is correct. Councilor Ossing was present and noted that sidewalks and bike lanes on Donald Lynch Blvd. are part of the vision for this roadway to make it more accessible, as is being done throughout the city, and supports this project. The Commission agreed this would not harm the wetland and closed the hearing. On a motion by a commission member and second by Mr. Clancy to issue a Negative Determination with standard condition, the Commission voted unanimously 7-0 to issue the Negative Determination as noted.

#### Abbreviated Notice of Intent

##### 689 Pleasant St. - Tim Beauchemin, Trustee

Request the review and approval of the wetland resource areas. At the request of the applicant after the site visit on 8/18/21 this hearing was continued to September 2<sup>nd</sup> to allow for a revised plan to be provided.

#### Notice of Intent (Continued from 8/5/21)

##### 600 Nickerson Rd. - Todd Greenfield, KS Partners, LLC

Nick Kondek of HighPoint Engineering and Todd Greenfield of KS Partners LLC were present. Mr. Kondek presented a revised plan addressing the issues raised at the last meeting. Including: 1. Addressing the salt damaged slope, John Rockwood of Ecotech provided a mitigation plan to remove the 12" of soil, import topsoil and replant the area with red maple, wild black cherry, red oak and white pine. They will top dress with wet meadow mix for low areas and erosion control mix for upland area; 2. Relocate the salt shed outside the buffer zone and away from the drainage. Shed will be covered and surrounded by cement blocks; 3. They have added snow storage location on the pavement as requested and outside 100' buffer zone; 4. They confirmed they meet the Water Supply Protection District lot coverage. Allowed is 53% their current design is 45%; 5. Addressed parking- they are over parked by 25 spaces.

Ms. Paquin asked whether removal of the 12" of topsoil was enough to remove the salt damage. It was agreed that a condition would be added to ensure that the soil was analyzed deeper to determine how much soil would need to be removed to ensure the new plantings would not be affected by the residual salt in the soil. Mr. Clancy noted that the salt shed would need to stay dry and not have water run through it, this will also be an ongoing condition to be added. After some discussion about salt storage and stormwater maintenance requirements, the Commission continued the hearing to the Sept. 2<sup>nd</sup> meeting and asked Ms. Ryder to draft conditions for review at that meeting.

#### Request for Determination of Applicability

##### 1000 Nickerson Rd. – Lincoln Property Company

Brandon Berry of Bohler Engineering and James Noonan of Lincoln Property Co. were both present. Mr. Berry explained the construction sequencing plan and measures to be taken to ensure the site is under control during construction. They had reviewed the design of the existing detention basin to protect the existing trees along Nickerson Rd. and Hayes Memorial Dr. He added a note regarding the use of stump grindings and mulch berms to aid in sediment control. He went over the plan provided. Mr. Clancy noted that the existing basin should NOT be used as a sediment basin during construction as it would not be appropriate. The water should be treated on the construction portion of the site and not be mixed with clean water from the drainage swale. After much discussion about the construction sequencing and the entrance off Nickerson Rd. and the need for additional sediment basins on the site and the fact that Chairman Clancy noted that an NOI could be required if plans are not revised. The applicant agreed to revise the plans and return at the next meeting on Sept. 2<sup>nd</sup>. The Commission continued the hearing to the Sept. 2<sup>nd</sup> meeting.

#### Notice of Intent (continued)

##### 641 Pleasant St. – Big Daddy Realty Trust

As revised plans have not yet been submitted this item was continued to the Sept. 2, 2021 meeting.

#### Notice of Intent

At the applicants request the following two Phelps St. hearings were continued to Sept. 2, 2021 to allow time for the applicant to provide additional information.

0 Phelps St. (next to 107) - David Franca

Proposes to construct a new house on a vacant lot within the Riverfront Area of Mowery Brook. Map 72, Parcels 11B and 702.

**AND**

Notice of Intent (Continued to September 2, 2021)

107 Phelps St. - David Franca

Proposes to construct a driveway across this lot within the Riverfront Area and buffer zone of Mowery Brook. Map 72, Parcel 11A.

**Updates on Current projects and Violations:**

- 541 Pleasant St. - Ms. Ryder noted she had invited the owner to the meeting but hasn't heard from him. The Commission asked that fines be issued daily until such time as he complies with the violation notices he's received.
- Torrential Rain - Ms. Ryder checked several sites after the rain: 100 Campus Dr. had problems, warning will be issued, Roosevelt St., and 149 Hayes Memorial Dr. will be checked on Friday. Green District on Simarano Dr. reported things were **OK**.

**Correspondence/Other Business:**

**Next Conservation Commission meetings:** Sept. 16<sup>th</sup> and October 7<sup>th</sup>, 2021

**Adjournment** - There being no further business the meeting was adjourned on a unanimous vote 7-0 at 8:30 PM.

Respectfully submitted,



Priscilla Ryder  
Conservation/Sustainability Officer