

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
September 15, 2016 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

Present: John Skarin- acting Chairman, David Williams, Dennis Demers, Lawrence Roy, and Allan White. Also present was Priscilla Ryder-Conservation Officer.

Absent: Edward Clancy and Karin Paquin

**Approval of Minutes** – The Commission reviewed the draft minutes of June 2, June 30 and Sept. 1, 2016 and voted unanimously 5-0 to approve as written.

**Public Hearings:**

**Request for Determination of Applicability**

**25 Balcom Rd.- Patrick Hoban**

Mr. Hoban was present and explained that he proposes to have an in-ground pool installed in their back yard which is near wetlands. Erosion controls will be placed at the low point of the yard near towards the wetlands. He explained it will be a salt water pool. The Commission discussed the filter system and then closed the hearing. The Commission voted unanimously 5-0 to issue a negative determination with standard conditions on erosion control and information about the filter system.

**Request for Determination of Applicability**

**890 Boston Post Rd. – Cornerstone Landscape Supplies**

Bruce Saluk of Bruce Saluk and Associates was present representing Cornerstone Landscape Supplies. He explained that they have created a storage and sale location for their landscape business with stone and gravel material. The last remaining item is to construct an emergency spillway from the detention basin to the discharge point which is within the wetland buffer zone. It will be a 10' wide rip rap spillway that is 30' long as shown on the plans. The Detention basin has been constructed and the bottom of the basin is nice sand. Unless the basin is frozen the spillway should never see water. Erosion controls will be installed as shown on the plans. After some discussion, the Commission closed the hearing and voted unanimously 5-0 to issue a negative determination of applicability with standard conditions on notification and erosion controls.

**Amended Notices of Intent**

**Slocumb Ln. – Slocumb Realty LLC - #69, 79, 78 and 90**

Elizabeth Mainini, P.E. from Guerriere & Halnon was present representing Fafard Real Estate. She presented revised plans showing the toe of the rip rap slope at 50' away from the wetlands as requested at the last meeting. She also explained that the back yards as shown on the revised plans will be 2,500 sq. ft. or 30% larger than the original yards shown which satisfies their need for more useful bigger yards, while still maintaining a distance of

50' from the base of the rip rap slope to the wetland edge. Mr. Williams noted that the treatment plant smell will be an issue, although not a wetland issues, it could be a problem to future owners. Mr. Demers expressed his concern about the rip rap slope, he is not in favor of the slope type even if it's farther away from the wetland. Mr. Skarin expressed that the new grading is much more desirable than the scalloped grading of the original plans, the yards are more functional and the new plan meets the 50' setback discussed at the last meeting. There was some discussion that some type of fence would be required at the top of all the slopes to prevent anything, or any one from falling down the slope. After much discussion about the slope and stabilizing the area, the Commission closed the hearings for each of the 4 lots. The Commission reviewed each lot separately and voted as follows: voted 4 -1 to approve the revised plans.

**Notice of Intent – 69 Slocumb Ln.** - voted 4 -1 to approve the revised plans with conditions for a fence. In favor: Mr. Skarin, Mr. Williams, Mr. Roy and Mr. White. Opposed: Dennis Demers.

**Notice of Intent – 79 Slocumb Ln.**- voted 4 -1 to approve the revised plans with condition for a fence. In favor: Mr. Skarin, Mr. Williams, Mr. Roy and Mr. White. Opposed: Dennis Demers.

**Notice of Intent – 78 Slocumb Ln.**- voted 4 -1 to approve the revised plans with conditions for a fence. In favor: Mr. Skarin, Mr. Williams, Mr. Roy and Mr. White. Opposed: Dennis Demers.

**Notice of Intent – 90 Slocumb Ln.**- voted 4 -1 to approve the revised plans with condition for a fence. In favor: Mr. Skarin, Mr. Williams, Mr. Roy and Mr. White. Opposed: Dennis Demers.

Ms. Mainini said she'd get individual site plans for each lot based on the approved plans which can then be referenced in each Order of Conditions issued. These will be submitted shortly.

**Draft Orders of Conditions:**

- **Boston Post Rd. – Apex Center –Walker Realty LLC; Phase 2**

Ms. Ryder noted the hearing was closed at the last meeting, but the Commission had requested confirmation from DEP for any plan changes related to their question on the infiltration systems in Zone A of the water supply district. During the past week, discussions between DEP, APEX Center developers and City Conservation and Engineering staff had a phone conversation and subsequent meetings to discuss the appropriate solution to the Zone A issue. Based on a phone discussion with DEP, Ms. Ryder indicated that DEP is satisfied with the changes made to the site plans showing the infiltration chambers in Zone A as impervious with a poly liner, so no infiltration occurs in Zone A. DEP was satisfied as their main concern was discharges in Zone A. Then the Commission reviewed a draft Order of Conditions. The ongoing maintenance for the infiltration system was discussed, and liner type was discussed as well. After review of the

conditions and some slight changes made, the Commission voted unanimously 5-0 to issue the Order of Conditions as written and amended.

**Certificate of Compliance:**

- DEP 212-390 - Re-issue Certificate of Compliance- This is an old Order of Conditions for 215 Farrington Lane that was never properly recorded and needs to be reissued, because it is recorded land. The Commission voted unanimously 5-0 to re-issue a Certificate of Compliance for this Order of Conditions.
- DEP 212-809 421 Bolton St. (sewer connection) - This was an Order of Conditions to connect the house on this property to the cross country sewer, work has been completed for some time and now the property is changing hands and the title needs to be cleared. The Commission voted unanimously 5-0 to issue a Certificate of Compliance.

**Discussion:**

- 329 Maple St. – Violation- Attorney Arthur Bergeron and the owner Benjamin Donnarumma were both present. Ms. Ryder indicated that there were 4 issues as outlined in the last letter to Mr. Donnarumma that need to be addressed. 1) Fence issue – a fence was to be installed along the brook to prevent cars and snow dumping from getting into the brook. Suggestion was 10' off the stream wall. After some discussion, it was agreed that a fence or hedge could be placed at the edge of the pavement in the mulch to create such a barrier - it should be at least 3' high and be at least 6' from the brook; 2) All storage bins are to be located outside the floodplain – Mr. Bergeron and Donnarumma said this will be met; 3). The stockade fence which crosses the brook must be removed, Mr. Donnarumma explained that this provides him with some privacy, he'd be willing just to raise the fence bottom to be above the floodplain. Ms. Ryder will provide them with the floodplain elevation at this location based on the FEMA maps; and 4) Tree replacement – there used to be some pine trees on the lot which have since been removed and the area below them paved. This was a violation as they never got permission to remove the trees. The solution was to add some trees and shrubs along the brook to “recreate” the green space.

After a lengthy discussion, the Commission asked Mr. Donnarumma to provide a plan showing the above items for the next meeting on October 6, 2016. If the plan is satisfactory, the Commission will approve and provide a letter stating same. If there are issues with the plans, the item will be continued to the October 20<sup>th</sup> agenda at which time Mr. Bergeron and Donnarumma will return to discuss solutions.

**Other Business/Correspondence:**

- Howe St. and Valley St. – proposed subdivision. - the Commission reviewed a proposed subdivision plan for a property off Howe St and Valley St. The 100' wetland buffer zone originating on the adjacent property formerly Design Pack extends into this project and therefore, the Commission will be requiring the filing of a wetland permit. The Commission was concerned about the drainage on this lot and the retaining wall. Ms. Ryder will send the above comments to the Planning Board for consideration.

**Meetings** – Next Conservation meetings – Oct. 6, 2016 and 20<sup>th</sup>, 2016 (Thursdays)

**Adjournment** - There being no further business, the meeting was adjourned at 8:18 PM.

Respectfully submitted,

Priscilla Ryder  
Conservation Officer