CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
November 19, 2020  7:00 pm

Chairman Clancy opened the meeting and read the announcement that the meeting was being held virtual due to the COVID-19 pandemic as required by the Governor, and that the meeting was being held on the Microsoft Teams platform and was being recorded as outlined on the agenda.

Present: On a roll call vote with the following yea: Edward Clancy, David Williams, Dennis Demers, Allan White, William Dunbar, Karin Paquin John Skarin- 7 members present. Also present was Priscilla Ryder Conservation Officer.

Absent: none

Approval of Minutes: The minutes of November 5, 2020 were approved on a motion by Mr. Skarin second by Mr. White to accept the minutes as written 7-0 with the following yea: Edward Clancy, David Williams, Dennis Demers, Allan White, Karin Paquin, William Dunbar, and John Skarin.

Public hearings:

Notice of Intent
61 Amory Rd. - Michael and Rebecca Hansen
Seth Donohoe from Ducharme Gillis Civil Design group was present representing the owners. Mr. Hansen was also present. Mr. Donohoe explained that they will be removing the existing house and replacing it with a new house next to Ft. Meadow Reservoir. Erosion controls consisting of silt fence and straw bales will be used. The closest point to the lake of the new building will be 30'4" which is outside the 30' setback required in the Floodplain and Wetlands Protection District. They are not proposing anything near the lake or in the yard except what is shown on the plans. All excess materials will be removed from the site. Ms. Paquin noted that the basement elevation is only 1’ above the high-water elevation of the lake. Ms. Ryder noted that she believes the ordinance requires the basement floor to be two feet above that elevation. Mr. Donohoe explained that he would look into this and make changes as required.

Mr. Demers asked that the foundation drain, and perimeter drain also be shown. Mr. Clancy asked if there was a dewatering plan and sediment trap, these should be provided. He also asked for information about how the deck would be supported. Mr. Donohoe explained that the deck will be supported with sono tubes and he could provide a dewatering plan. He also explained that the shed would be integrated into the house. The old shed will be removed.

Brendan Hegarty an abutter asked what the timeline would be as he notices both his neighbors might be building their houses at the same time. Mr. Hansen said they hope to start as soon as they can in spring 2021 once all permits are in hand. Mr. Clancy noted there were some changes to the plan that are needed, Mr. Donohoe indicated he would make the changes and have them ready prior to the next meeting. The hearing was continued to the Dec. 3, 2020 agenda and Ms. Ryder was asked to draft a set of conditions.
Notice of Intent
146 Phelps St.- Delray Realty Trust

Robert Parente P.E. was present as well as the owner David Winski. Mr. Parente explained that the owner would like to build a barn behind the house and keep the existing storage garage. He noted that the work is within the Riverfront Area to the adjacent stream which has been delineated. Both the Bordering Vegetated Wetland (BVW), top of bank, and 200’ Riverfront area are shown on the plans. The new building would be 32’ off the existing roadway. The Commission asked what the use of the new building would be, since they already have a long garage type building on site. Building will be a 2 ½ story structure. The Commission questioned the need for water and sewer for a garage for storage and expressed concern that it would be converted to a residential use. Mr. Winski explained that he wants to store a boat in the new building, he is storing jet skis, snowmobiles and other boats in the existing building.

Ms. Ryder noted that the Riverfront regulations require that “at a minimum the first 100’ of the Riverfront area shall remain vegetated”. She asked if the new building could be shifted away from the river. Also, per the regulation if there is an alternative, the Commission will be required to force the applicant to use the alternative. There is more room on the site, so the project will likely need to be shifted to meet the regulations. Ms. Paquin also noted the 5,000 sq. ft. limit of work in the Riverfront area may already be over with the existing garage. She wondered if the new building is added to the old building for this lot coverage or how that works. Ms. Ryder will check with DEP to see how this should be interpreted. Mr. Parente noted he could make changes to the plans but wanted to hear back from DEP first to confirm this was necessary.

Two abutters were present Gerald and Karin Flynn who had supplied the Commission with a letter stating similar concerns about its’ use and what it would look like and how close it was to the wetland. They love the brook which also runs through their property and were concerned with any impact and wanted to be certain this was not a commercial enterprise, as this area is zoned residential.

The Commission continued the hearing to the Dec. 17th meeting to allow time for the applicant to come up with a revised plan.

Notice of Intent
2 Spring Ln. – Michael Matros

Robert Parente P.E. was present and Mike Matros the owner was also present. Mr. Parente explained that they would like to remove the existing house and replace it with a new house and foundation. They also want to replace the existing rocks along the bank which have crumbled with a small block retaining wall. He also asked if there was a possibility of extending the existing drainage pipe and cover it over so they could extend the lawn. He will submit a plan to the DPW to get some input. Mr. Clancy noted that this lot had been the subject of several violations over the years, so he asked that the old files get pulled and summarized to understand this lot better.
Mr. Parente noted that the new house would have a basement floor 3’ above the floodplain elevation. The footprint will be different as shown and will not encroach on abutting properties. All demolition and excavated materials will be removed from the site and a new foundation poured. Then they will bring in a modular house to install on top of the foundation. Mr. White and Mr. Demers both noted that a foundation drain is required and should be shown on the plan. The sewer connection as noted by Mr. Parente will be down into the sewer line which is right at the water’s edge. He will discuss the specifics with the DPW and be ready to describe the work to get this connected. After some discussion the Commission continued the hearing to the Dec. 17th meeting to allow time for the applicant to revise the plan and get information as noted above.

Violation/project updates:
Goodale Estates – Jenks Ln. – Ms. Ryder shared some photos of muddy water leaving this site which discharges into a stream off Goodale St. (across from Vega Rd.) After some discussion, the Commission noted that this has been a problem site for a while and although outside the Commission’s jurisdiction, the muddy water in the stream puts it in the Commission’s jurisdiction. They asked that a cease and desist order be placed on the project if the cleanup and site stabilization items discussed have not been installed by end of day on Friday Nov. 20th. Ms. Ryder will follow up with the contractor.

Discussion/Correspondence: There was none.

Next Conservation Commission meetings – December 17th, 2020 and January 7th, 2021

Adjournment: As there was no further business. On a motion by Mr. Demers, second by chair to adjourn was unanimously approved 7-0 with the following yea votes: Edward Clancy, David Williams, Dennis Demers, Allan White, Karin Paquin, William Dunbar, and John Skarin. The meeting was adjourned at 8:14 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer