CITY OF MARLBOROUGH MEETING
Conservation Commission
Minutes
November 5, 2020 (Thursday)

Chairman Edward 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, William Dunbar, John Skarin, and Karin Paquin were remote. Allan White, Dennis Demers and Priscilla Ryder-Conservation Officer were in Memorial Hall. All 7 members were present.

Absent: none

Approval of Minutes: The minutes of October 1 and October 15, 2020 were approved on a motion by Mr. Demers, seconded by the Chair to accept the minutes as written 7-0 with the following roll call yeas: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

After a brief difficulty with the sharing documents technology the meeting proceeded as follows:

Public hearings:
Abbreviated Notice of Intent
99 Lakeshore Dr. – James Buszkiewicz

Mr. Tom Hodsdon from Dave’s Landscaping represented the owner. He explained that the owner wishes to remove and replace the top timbers of the timber wall along the lake shore and remove and replace the existing steps that have rotted away. They would like to remove and replace the sand on the lake shore and the last item is to remove a section of the lawn and create a beach area surrounded by timber to keep the sand in. They would like to use a mini excavator and would haul off any excess material from the site. Ms. Paquin asked what the protocols were for sand replacement. Ms. Ryder noted that they must remove as much material as they add, so there will be no “fill” of the lake. So, it’s a 1:1 replacement for the sand which can be a condition. Mr. Dunbar noted that the 20’ zone even on the lake is a no touch zone, so he would not be in favor of the small beach cut out. He also noted that due to the oil leak which occurred last year, he wasn’t sure how “clean” the soil would be. Chairman Clancy noted that the repair and replacement of the wall and steps and sand was acceptable, but the new beach area on the existing grass was not, the rest of the Commission members concurred. Mr. Hodsdon noted that the machine to be used would have rubber tracks to minimize disturbance. Ms. Ryder noted that the existing work being done at the front of the house should include erosion controls along the side slope to prevent any loose soil from washing down to the lake. He will install tomorrow. As there were no further questions from the audience or commission the hearing was closed. On a motion by Mr. White, second by Chair to issue a standard Order of Conditions for this project. The roll call vote was 7-0 yeas as follows: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

Notice of Intent – (Continued from Oct. 15, 2020)
192 Reservoir St. - David Dowd

Mr. David Dowd, the applicant was present. He explained that he has provided a revised plan to address the issues raised at the October 15, 2020 meeting. He showed the changes to the wall which
was moved to the 20’ wetland buffer zone line, the deck has been rotated, so the long edge is along the house wall and the trees along the shoreline have been surveyed on the plan.

Mr. Clancy noted that the wall now ends at the lower deck and doesn’t go under it, the stones that were placed by Mr. Simarano years ago along the shoreline and in the water can remain. All trees as shown are to be saved except the birches numbered 6, 7 & 8 on the plan. The birch clump, except for one, can be removed as they are broken off or dying. Ms. Ryder noted these are now marked in the field. Mr. Dunbar asked how the deck would be supported and where the supports would be located. Mr. Dowd noted that it would be with the helical piers for minimal impact and the exact location would be provided with the building design. Mr. Clancy and Mr. Demers agreed that the helical piers have minimal disturbance. There being no further questions from the audience or the Commission, the hearing was closed. Mr. Clancy reviewed the set of draft conditions. The Commission made one amendment to condition #32 to allow grass to be planted below the decks. On a motion to approve the draft conditions as amended was made by Mr. Demers second by Chair, on a roll call vote of 7-0 with all yeas as follows: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

Request for Determination of Applicability
61 Brigham St. – Colonial Automotive Group
Jim Albertelli was present representing Colonial Automotive Group. He explained that the parking lot is in poor condition and needs to be replaced, however, the growth along the edges of the parking lot has encroached on the old curbing. They will need to clear some trees and debris to get back to the existing pavement and curbing. Once that is cleared, they will mill and replace the pavement and curbing. They will clean all the drainage and detention basin and also clear any obstructions in the adjacent drainage ditch. Mr. Clancy asked what the parcel was to be used for. Mr. Albertelli explained that their company adds electronics to cars for police and other emergency vehicles. All work is on new cars and is done inside the building. 40 cars will be parked inside and 40 cars outside the building. There being no further questions the hearing was closed. On a motion by Ms. Paquin, second by the Chair, to approve the plans as presented and issue a Negative Determination with standard conditions. The roll call vote of 7-0 with all yeas was as follows: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

Notice of Intent
Farm Rd. culvert – Dept. of Public Works
Tom DiPersio, City Engineer was present. He explained that the City of Marlborough Dept. of Public Works proposes to install a new drainage pipe and drainage outfall on Farm Rd. on DCR property across from Helen Dr. Currently the pipes are undersized and surcharges during significant storm events causing flooding at the intersection of Farm Rd., County Lane, and Helen Dr. The first solution they are taking to help control this problem is to separate the pipes and add a bigger discharge pipe to the new separated pipe to help accommodate the storm flows. Once the pipes are separated the new discharge pipe will be placed next to the headwall in the existing rip rap material as shown on the plans. The city will likely do the work for this installation which should take a few days. They will need to core the existing manholes to add the new pipe. Mr. Dunbar asked if the trail above the headwall could be flattened out as this is part of the City’s Panther trail to be opened next year. Mr. DiPersio agreed to have this added to the work order. Ms. Ryder will add to the conditions. Mr. Clancy noted that this should help with the brunt of the flooding. Mr. DiPersio confirmed the work is above the water table in this location. If possible, they would like to get this work done this season to help the flooding situation. The Commission agreed. After some discussion the hearing was closed. On a motion by
Mr. White and second by the Chair to issue a standard Order of Conditions including the trail item noted above. The roll call vote of 7-0 with all yea’s was as follows: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

Violation/project updates:

- Avalon Marlborough II - Ms. Ryder noted that she has walked the site with the consultant and the project is nearing completion. She inspected the two outfall points which discharge to wetlands. One was free of silt, however the other at the corner of Simaran and Forest had silt and debris below the pipe. The silt wasn’t very thick however, the pipe was submerged, and the drainage channel was not opened to positively flow water downhill. The Commission agreed to send a notice requiring this be cleaned out before they close out the project.

- 159 Langeliere Ln. – 212-1210 Ms. Ryder noted she has done an inspection and they have done some planting behind the wall as required, but still show a grass strip. She will send photos for the next meeting to discuss if this is satisfactory or if the grass must be removed.

Certificate of Compliance:

- 212-1174 90 Slocumb Ln. – Full Certificate of Compliance - Ms. Ryder noted that she has inspected the site, it is stable, and all erosion controls have been removed. She recommended approval. On a motion by Mr. Skarin, second by the Chair, the Commission voted unanimously to issue a full Certificate of Compliance for this project. The roll call vote was as follows with all yea’s: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

- 212-313, 212-336, and 212-365 - 56 Jackson Circle – Partial Certificates of Compliance. Ms. Ryder noted that these are all old Orders of Conditions for an old subdivision and this lot did not have wetlands but was part of the original documents. She recommended Partial Certificates for each of these Orders of Conditions which contain this lot. On a motion by Mr. Demers, second by Mr. White, the Commission voted unanimously to issue Partial Certificates of Compliance for each of these listed Orders. The roll call vote was unanimous 7-0 as follows with all yea’s: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

- 212-463 61 Varley Rd. – Full Certificate of Compliance. Ms. Ryder noted that this lot was explicitly excluded from the Order of Conditions, however it is still recorded against the property. To clear the title the lawyers are asking for a full Certificate of Compliance. On a motion by Ms. Paquin, second by the Chair, the Commission voted unanimously 7-0 to issue as follows with all yea’s: On a motion by Mr. Skarin, second by the Chair, the Commission voted unanimously to issue a full Certificate of Compliance for this project. The roll call vote was as follows with all yea’s: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White.

Discussion/Correspondence:
The Commission reviewed and voted unanimously to accept and place on file the following letters:


Mr. Williams congratulated Ms. Paquin for becoming the President of the Board of Directors for the Sudbury Valley Trustees. The rest of the Commission congratulated her too.

Next Conservation Commission meetings – November 19th and December 3rd, 2020

Adjournment, there being no further business, on a motion made Mr. Demers and second by Mr. White to adjourn. On a unanimous vote 7-0, the roll call vote with all yeas was as follows: Edward Clancy, David Williams, Dennis Demers, William Dunbar, John Skarin, Karin Paquin, and Allan White. The meeting was adjourned at 8:28 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer