

Conservation Commission
Minutes **DRAFT**
February 16, 2023 - 7:00 PM
140 Main St. – Marlborough City Hall – 3rd Floor (Memorial Hall)

Present: Edward Clancy-Chairman, Allan White, David Williams, William Dunbar, Dennis Demers, John Skarin, and Karin Paquin.

Absent: None

The hearing was recorded using Microsoft Teams. Priscilla Ryder-Conservation officer was not available.

Approval of Minutes: The minutes of Feb. 2, 2022, were reviewed and on a motion by Mr. White second by Mr. Clancy, the Commission voted unanimously to approved 7-0.

Public hearings:

Notice of Intent

Red Spring Rd. House #;12, 13, 35, 37, 41, 47. – Red Spring Road Homeowners Association

Chairman Clancy noted that DEP# has been received and there are no comments. Therefore, the Commission closed the public hearing. The Commission reviewed the Order of Conditions and discussed tree replacement. On a motion by Mr. Skarin second by Mr. Clancy to approve the Draft Order of Conditions as written, the Commission voted unanimously 7-0 to approve.

Notice of Intent

335 South St.- Mass Electric Company

Chairman Clancy noted that the DEP # has been received and some comments from the applicant as well. He reviewed the notes provided to him about stumps and as-built plans. There being no further questions or discussion the hearing was closed. The Commission reviewed the Draft Order of Conditions and made some changes to several conditions based on the notes provided. On a motion by Mr. White, seconded by Mr. Clancy to a approve the Draft Order of Conditions as amended. The Commission voted unanimously 7-0 to approve.

Notice of Intent (Continued to March 2, 2023)

846-850 Boston Post Rd. East - Excelsa Movers.

At the applicants request prior to the meeting this hearing was continued to March 2, 2023.

Discussion:

- Marlborough Fish and Game – Mr. Clancy noted that the ponds at the Fish and Game had been drained, per several phone calls to the office. He did inspect the ponds and they are drained through an underdrain. Mr. Demers noted that the underdrain does exist, he noted that this does need to be reviewed by the Commission. He has asked Ms. Ryder to investigate. And report back to the Commission as to what has occurred.
- The Grove – Mr. Clancy noted that the mayor has asked that the granite blocks at The Grove should be replace with concrete stairs. The permit is still open for this work, therefore the

Commission agreed that this could be replaced. Mr. Demers suggested precast stairs would be easier to install, that is his suggestion for replacement stairs with a 4' or wider tread. Work needs to be done next week since the water will be raised on March 1st. The Commission noted that the permit is still open so it is covered by the existing permit, as long as they are careful with excavating and pouring concrete this, can be done.

- Red Spring Rd. Culverts - The Red Spring Rd. culvert replacements will begin next week, weather permitting. Mr. Clancy and Mr. Dunbar noted they have been down to check the roadway this week.

The remainder of the items – listed below- on the agenda were continued to the next meeting on March 2, 2023 as input from Ms. Ryder is needed and she was not present.

Violation:

- 47 Red Spring Rd. – Discuss clearing and dumped stones with Mike White – Red Spring Rd. Buffer zone planting protocol.

Emergency Certificate:

- Beebe Pond beaver dam removal – Officer of Dam Safety – issued 2/11/2022 – ratify.

Discussion:

- Open Space Development Definitive Subdivision Plan – Beauchemin Estates – 689 Pleasant St. – Comments to Planning Board before March 13th. (To be shown at the meeting)
- Letter from Lori McDonald-Conoco Engineering & Scientists RE: Notice of the Installation of a New Utility Pole #44-50 at 335 South St. dated: Feb. 7, 2023.
- Flood Plain and Wetlands Protection District – Article VI Ch. 650-23-23 Zoning-Special Districts Overlays & Special Requirements – Review and comment for Climate Change Ordinance updates.
- 541 Pleasant St. – wetland violation – progress report due.
- Set site visit date for 21 Blaiswood Ave.

Next Conservation Commission meetings: March 2nd & 16th, 2023

Adjournment - There being no further business the meeting was adjourned at 7:30 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer

Rec 2-15-2023 5



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

DEP File Number:

WPA Form 4 – Abbreviated Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by DEP

Town

A. General Information

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form, consult your local Conservation Commission regarding any municipal bylaw or ordinance.

1. Applicant:

Name Arthur & Susan Vigeant E-Mail Address arthurvigeantpa@aol.com

Street Address 186 Main St - suite one

City/Town Marlboro State Ma. Zip Code 01752

Phone Number 508-485-6369 Fax Number (if applicable) _____

2. Representative (if any):

Firm RJP Construction & Engineering

Contact Name Robert J Parente E-Mail Address RJPTen2@verizon.net

Mailing Address 328 Desimone Dr

City/Town Marlboro State Ma Zip Code 01752

Phone Number 508-509-0891 Fax Number (if applicable) _____

3. Property Owner (if different from applicant):

Name Same as applicant

Mailing Address _____

City/Town _____ State _____ Zip Code _____

4. Total Fee: 500.00

(from NOI Wetland Fee Transmittal Form)

5. Project Location:

Street Address 31 Red Spring Rd City/Town Marlboro Ma.

Latitude and Longitude: Latitude _____ Longitude _____

Assessors Map/Plat Number _____ Parcel /Lot Number _____

6. General Project Description:

Construction of a new single family home,
driveway and Eone ejector pump to service
a 3 bedroom home.

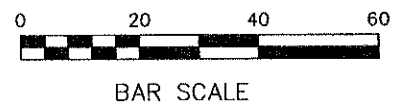
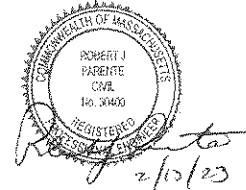
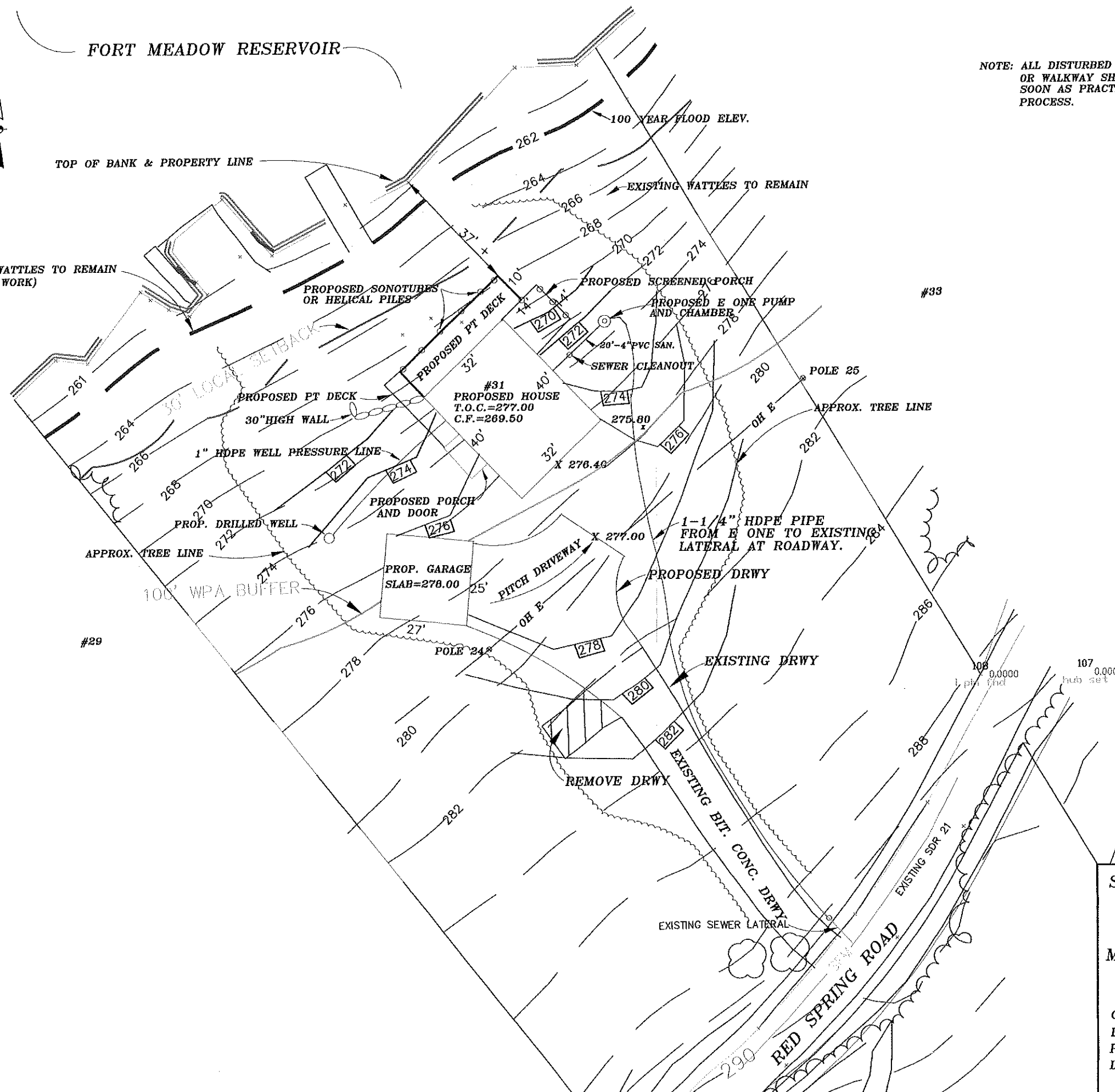
FORT MEADOW RESERVOIR



NOTE: ALL DISTURBED AREAS THAT ARE NOT DRIVEWAY OR WALKWAY SHALL BE LOAMED AND SEEDED AS SOON AS PRACTICAL DURING THE CONSTRUCTION PROCESS.

TOP OF BANK & PROPERTY LINE

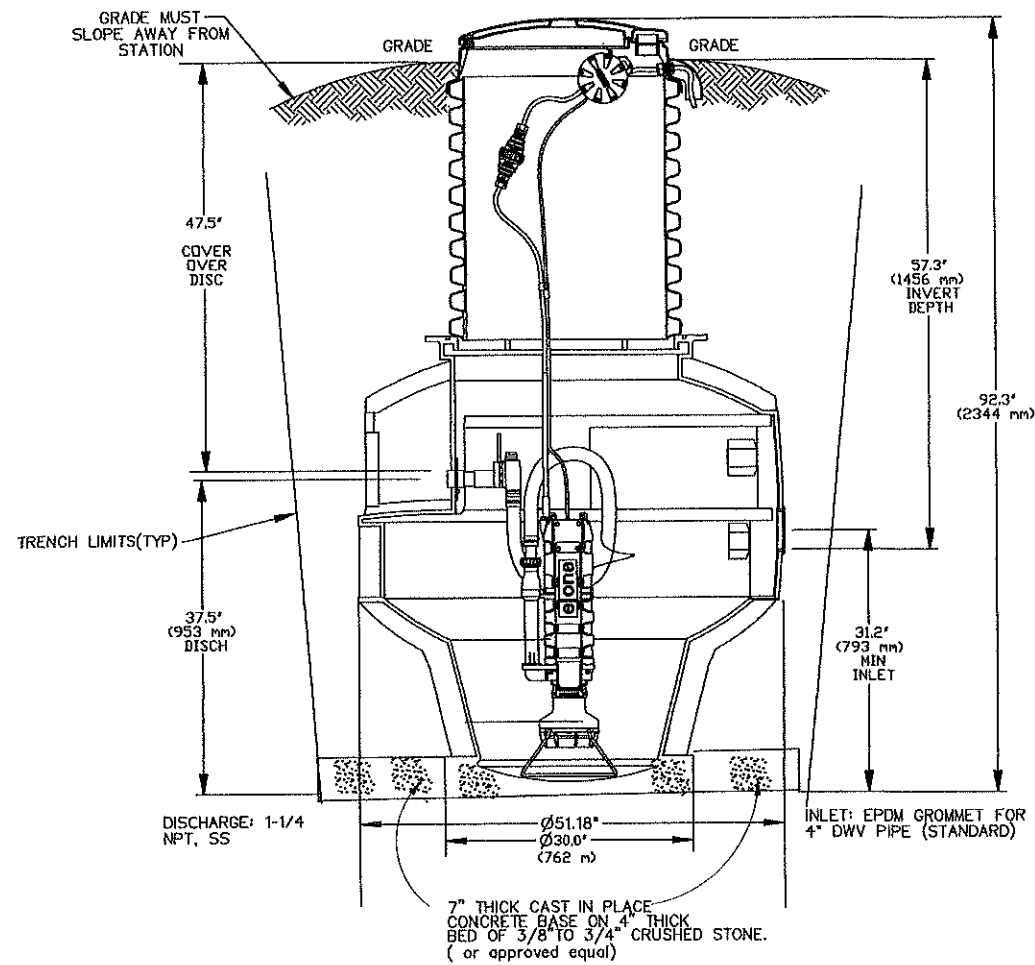
EXISTING WATTLES TO REMAIN (LIMIT OF WORK)



SITE PLAN OF PROPOSED HOUSE AND DRIVEWAY IN MARLBOROUGH, MASSACHUSETTS

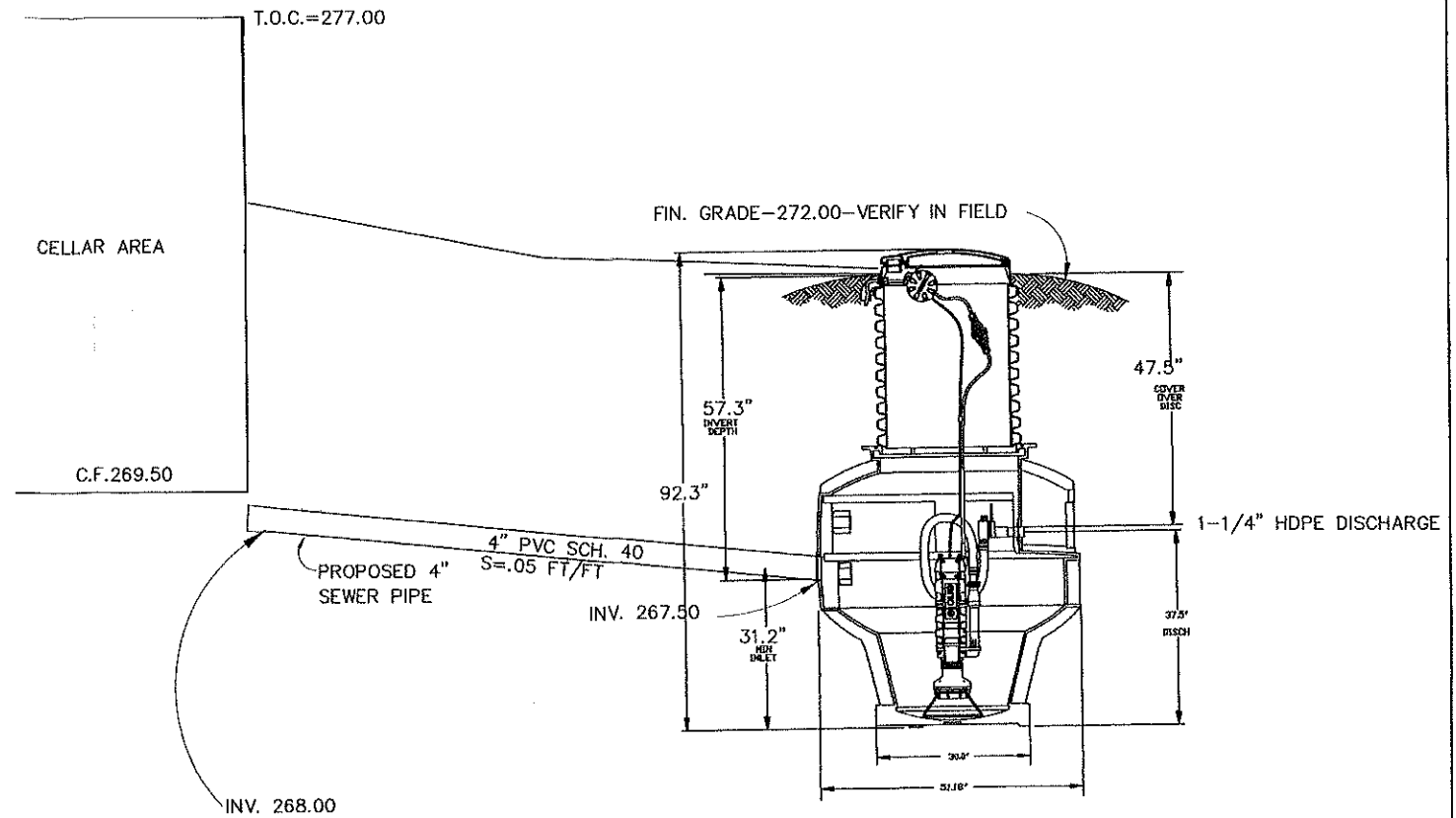
OWNED BY: ARTHUR & SUSAN VIGEANT
LOCATION: 31 RED SPRING ROAD
PREPARED BY: ROBERT PARENTE, P.E
DATE: FEB. 13, 2023 SCALE: 1"=20'

WH231-92 (HARD WIRED LEVEL CONTROLS)

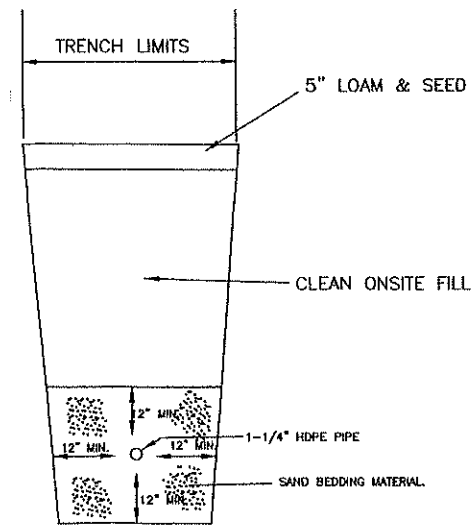


E-ONE PUMP DETAIL

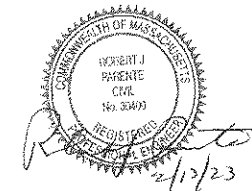
NOTE:
 BACKFILL MATERIAL AROUND E-ONE TANK SHALL BE 3/4" CRUSHED STONE TO A HEIGHT OF 12" OVER THE INLET AND DISCHARGE PIPES.
 INITIAL PUMP STARTUP WILL BE DONE BY E-ONE PERSONNEL ON-SITE.



SEWER SERVICE PROFILE



TRENCH DETAIL



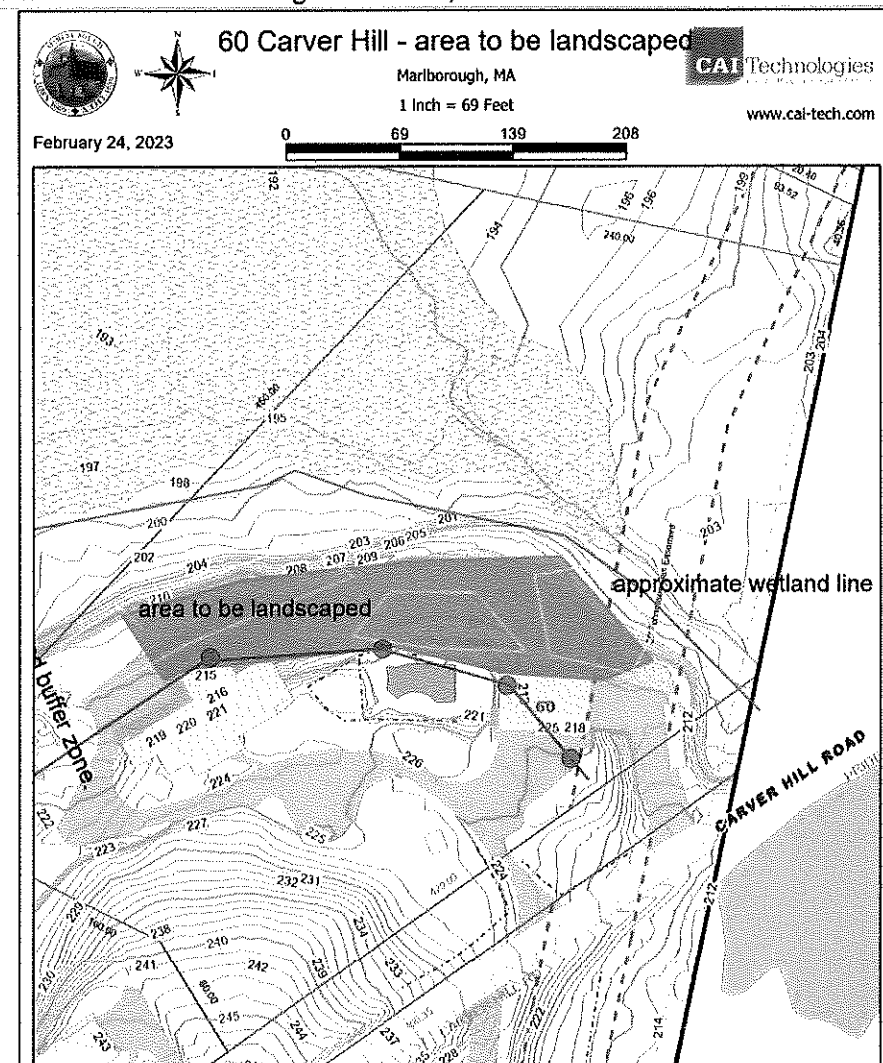
E-ONE SEWER PUMP CONNECTION AND PUMP DETAIL IN MARLBOROUGH, MASSACHUSETTS

OWNED BY: ARTHUR & SUSAN VIGEANT
 LOCATION: 31 RED SPRING ROAD
 PREPARED BY: ROBERT PARENTE, P.E.
 DATE: FEB. 13, 2023 SCALE: NOT TO SCALE

60 Carver Hill Rd. – Landscaping and stone wall proposal

The proposal is to restore an old gravel storage area back to a usable landscaped back yard. This will involve,

1. Adding erosion controls along the edge of work
2. Removing gravel in the area where needed
3. Continuing the stonewall between the flat area and the adjacent slope to the wetland area. One area is close to the 30' buffer zone at this corner and can be adjusted so the wall is all outside the 30' wetland no disturb buffer zone.
4. Adding loam and seed to the entire area
5. Create landscape beds and add trees as shown on a landscape plan to be provided at the meeting.
6. Maintain the existing pathway down to the brook and the woodland behind.
7. Over the years some large trees have been removed as shown in yellow areas on the map. Approximately #12 Trees were removed. We were not aware of the rules to get permission to remove these. Our planting plan will restore the area to a nice tree filled area by planting more than 12 trees/shrubs. A planting plan will be provided to the Commission at the meeting on March 2, 2023.





City of Marlborough Conservation Commission

140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747

Edward Clancy – Chairman
Allan White
Dennis Demers
John Skarin
David Williams
Karin Paquin
William Dunbar
Priscilla Ryder Conservation Officer

February 23, 2023

Mike White
47 Red Spring Rd.
Marlborough, MA 01752

white_bam@hotmail.com

Re: Wetland Violation 47 Red Spring Rd. \$25 fine

Dear Mr. White

Thanks for meeting me and Commissioners Dunbar and Paquin at your lot at 47 Red Spring Rd. on January 31, 2023. As we discussed, there are wetlands in and next to your exclusive use area which you have filled in with stone that is in and adjacent to the 30' no disturb wetland buffer zone. All work including fill, or plant removal within 100' of the wetland does require a permit from the Conservation Commission. Work done without a permit is a violation and carries of fine of \$25 (will be provided under separate cover).

In order to remedy this violation please take the following action:

1. Cease any further landscaping/ filling work within the 100' buffer zone until the conservation commission has rendered a decision.
2. Remove all boats, trailers, vehicles or storage containers from this area.
3. Attend the next Conservation Commission meeting on March 2, 2023 – meetings are held at City Hall on the 3rd floor and start at 7:00 PM.
4. At this meeting the Commission will confirm the following next steps and adjust as they see fit:
 - a. Hire a wetland consultant to delineate the wetland and confirm wetland location on project and provide a restoration plan. The attached buffer zone restoration guidance can be used in this planning process.
 - b. Fill for a wetland permit either a Request for Determination of Applicability or Notice of Intent – at the direction of the Commission.
 - c. Install 30' wetland buffer zone markers to clearly locate limit of work once the site has been restored.

In the meantime, please do not do any more work on the cleared and filled area until this has been reviewed with the Conservation Commission. Your cooperation is required and appreciated. If you have any questions, please give me a call at 508-460-3768

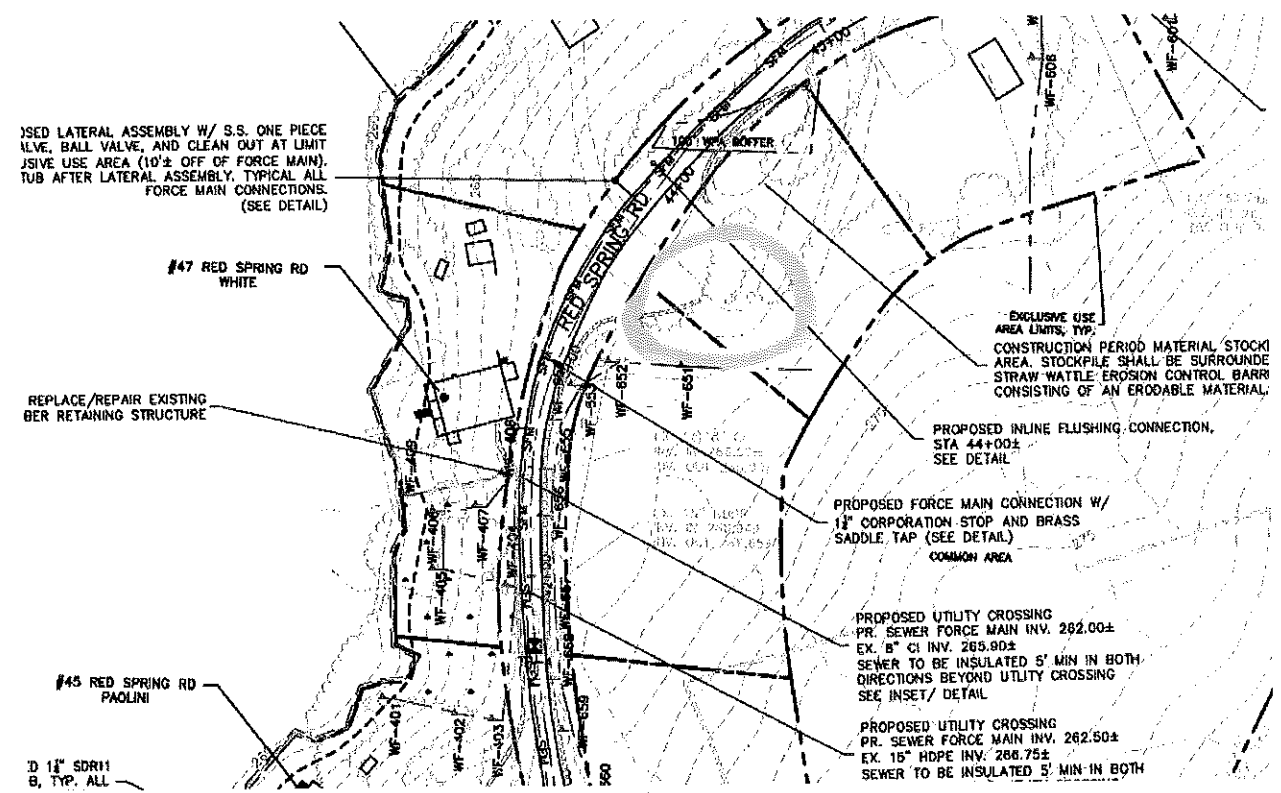
Sincerely,


Priscilla Ryder
Conservation Officer

Encl. Rough Location of fill; Buffer Zone Restoration guidance
CC: Conservation Commission

✓ 7X

Rough Location of Stone Fill area



↑
 Impacted area circled in yellow.



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Edward Clancy - Chairman
Allan White
Lawrence Roy
David Williams
Dennis Demers
John Skarin
Karin Paquin
Priscilla Ryder Conservation Officer

February 23, 2023

John Stournaras
587 Bolton St.
Marlborough, MA 01752

e-mail: sharons86@hotmail.com

RE: Wetland violation notice- 587 Bolton St. Tavern - DEP 212-1241

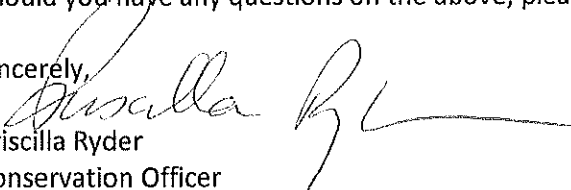
Dear Mr. Stournaras,

As we discussed on Feb. 3, 2023, it has come to our attention that the Gazebo construction underway does not match the design the Commission approved in its permit. Condition #25 & #13 of the Order of Conditions you received for this project requires that any modified work must be reviewed by the Conservation Commission before implementation. The Commission can then determine if the changes are minor in nature and allow you to continue, or if an amendment to the permit is required.

Since you were away for our last meeting, I did discuss the changes with several Commission members and met on site. The consensus is that the changes are minor in nature and although you should have first received approval of these changes before implementing them, you may proceed with the project. However, the Commission would like a revised sketch showing the changes that have been made and any utility connections that were installed. When the project is complete an As-Built Plan will need to be submitted stamped by an engineer as required in condition # 27 so we have a record of what was built and how the site was graded and what plants were installed. We'll look forward to seeing that when the project is completed. In the meantime if there are any other changes from the approved plans, please ask first so we can review.

Should you have any questions on the above, please give me a call at 508-460-3768.

Sincerely,


Priscilla Ryder
Conservation Officer

Cc: Con. Com.

17/22

