

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: Conservation Commission
Date: October 7, 2021 (Thursday)
Time: 7:00 PM
Location: 140 Main St. – Marlborough City Hall, 3rd Floor-Memorial Hall
(All meetings will be in person at city hall as the Covid-19 emergency order has been lifted.)

Items to be discussed:

Approval of Minutes: September 2nd and Sept. 16, 2021

Public hearings:

- 7:00 Notice of Intent (Continued from September 16, 2021)
2 Minehan Lane – Department of Public Works
Proposes to remove and replace an outlet structure to a pond and drainage system which is leaking. Work is in wetlands.
- 7:10 Notice of Intent (Continued from September 16, 2021) – Review draft Conditions
0 Phelps St. (next to 107) - David Franca (212-1238)
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 from September 16, 2021)
107 Phelps St. - David Franca (212-1239)
Proposes to construct a driveway across this lot within the Riverfront Area and buffer zone of Mowery Brook. Map 72, Parcel 11A.

Draft Order of Conditions:

- 641 Pleasant St. – DEP 212-1242

Discussion:

- Green District – 107 Simarano Dr. – Request to advance to Phase II.
- DCR Forest Cutting Plan for State Forest in Desert Natural Area off Concord Rd. – Site walk Oct. 18th @ 3:00 PM
- Spotted Lanternfly and Mile-a-minute vine - alert.

Correspondence/Other Business:

- Letter dated Sept. 20, 2021, RE: Acceptance of Gift to Conservation Maintenance Fund to replace dead tree on the Assabet River Rail Trail (ARRT)

- Massachusetts Beautification Bulletin - 2021 Plant Something Bee-eautiful Grantees – award \$250
- Letter to Israel Lopez, the Gutierrez Co. dated Sept. 17, 2021 RE: DEP 212-1193 Wetland Violation notice – Fine \$300, 149 Hayes Memorial Dr. Marlborough

Next Conservation Commission meetings: Oct. 21st and Nov. 4, 2021

Adjournment

CONSERVATION COMMISSION
Minutes **DRAFT**
September 2, 2021(Thursday)
Marlborough City Hall – 3rd 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

Approval of Minutes: The minutes of July 22nd, August 5th and August 19th, 2021 were reviewed and on a motion by Mr. White second by Chairman they were unanimously approved 7-0.

Public hearings:

Notice of Intent

2 Minehan Lane – Department of Public Works

At the City Engineer's request this item was continued to the September 16th agenda.

Abbreviated Notice of Resource Area Delineation

689 Pleasant St. - Tim Beauchemin, Trustee

(note: Mr. Demers recused himself from this discussion due to a conflict of interest.)

Dave Crossman from B&C associates was present, he noted that based on the discussions during the site visit on August 18, several flags had been changed, two were moved and two were eliminated. The revised plan provided shows these changes. He also provided calculations which indicate that the small depression does not contain ¼ acre foot of water which would be necessary to have it jurisdictional as Isolated Land Subject to Flooding (ILSF). The Commission noted that there is no question it holds water and asked Ms. Ryder to add a condition to explain that although it may not be big enough to be ILSF or a jurisdictional vernal pool, it has some functional value as a wetland and appears to have been bisected from the wetland when the old trolley tracks were installed. Mr. Crossman noted that it is very unlikely that anything will ever be done to this area as it would need to cross a wetland and is close to the adjacent lot. The Commission noted that as long as it wasn't impacted that would be good. There being no further discussion from the Commission or the audience the hearing was closed. On a motion by Mr. Skarin second by Mr. Clancy, to approve the revised delineation with the note about the isolated depression. The Commission voted unanimously 6-0 to approve. (Mr. Demers had recused himself and did not participate)

Notice of Intent

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

There were no changes to the plan and no further questions, so the Commission closed the hearing. The Commission reviewed the draft Order of Conditions and made changes to Conditions number 43, 44 and 41 to better reflect the changes to the plans. After some discussion, on a motion by Mr. White second by Mr. Clancy, to approve the draft Order of

7/21

Conditions as written and amended. The Commission voted unanimously 7-0 to approve and issue the order.

Request for Determination of Applicability (Continued from Aug. 19th, 2021)

1000 Nickerson Rd. – Lincoln Property Company

Brandon Barry from Bohler Engineering was present. Mr. Barry explained that they have made changes to the plans to address the Commissions concerns. These include: 1) changes to the existing detention basin, so it will not be used for construction related runoff, 2) new berm to separate clean water from construction related runoff, 3) new temporary basins and construction sequencing plan; 4) construction entrance changed to better control runoff, this new plan was presented at this meeting; 5) street sweepers and construction runoff pads. The Commission asked questions. Mr. Dunbar noted the site drains to sensitive areas and with the hill, he wanted assurances that enough erosion controls were being installed. Mr. White asked about stockpile of organic materials and what needs to leave the site. Mr. Clancy noted that stump grindings should remain on site as they are helpful with these silty soils. Mr. Clancy expressed concerns that the plan provided was not adequate, given similar projects up the street which they are having trouble controlling this type of soil. After much discussion, the applicant agreed to continue the hearing to return with a more robust erosion control sequencing plan for the next meeting on Sept. 16th. This hearing was continued to September 16, 2021.

Notice of Intent (Continued from Aug. 19th, 2021)

641 Pleasant St. – Big Daddy Realty Trust

Scott Hayes of Foresight Engineering was present. He explained that during the site visit with the Commission several flags had gone missing. These have been replaced and based on discussions, the house has been shifted away from the wetland so there is at least a 10' area between the foundation and the 20' wetland buffer zone. He noted that most of the house is a slab on grade with a walk out. The septic system soil area was tested, and the water table is 2' from the existing grades, therefore a raised system is to be constructed to meet Title V requirements. Mr. Demers asked how the side yard of the house was to be treated, because as shown, this area will collect water which is not a good situation. After some discussion Mr. Hayes said he would revise the plan showing positive drainage out of this area between the houses. The Commission expressed concern with the septic design and the high-water table in the area. Ms. Ryder had received comments from John Garside, of the Board of Health, who indicated the raised system as designed will work and he had no concerns. After some discussion regarding the extend of cut and fill, the easement area, the MDOT access permit they need, and the fact that there isn't gas on Pleasant St. Mr. White expressed his concern about this lot and its environmental sensitivity. The Commission continued the hearing to allow for a revised plan to be submitted to address the above. This was continued to the September 16, 2021 meeting.

7:45 Notice of Intent

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

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.

No one was present to discuss this item, it was continued to the Sept. 16th agenda.

Extension Permit:

- 212-1203 28 Littlefield Ln. – 3 yr. extension - Ms. Ryder noted that the pool was installed, but the patio as approved has not yet been built. On a motion by Mr. Williams, second by Mr. White to issue a three-year extension for this work. The Commission voted unanimously 7-0 to approve.

Discussion:

- 209 Cullinane Dr – Preliminary Subdivision Plan - Cullinane Drive Extension – comments to Planning Board Ms. Ryder shared the preliminary subdivision plan and explained that the owners are proposing to add a cul-de-sac and split the land into two house lots off of the larger Red spring Rd. property. After some discussion, the Commission decided the following comments should be provided to the Planning Board: 1) the project appears to fall within the 100' buffer zone of Ft. Meadow Reservoir, therefore, a wetland permit for this subdivision is required and should include a good erosion control plan to protect the lake; 2). the current Open Space and Recreation Plan does identify the undeveloped portion of Red Spring Rd. as a parcel that is worth protecting in its undeveloped state to preserve water quality for the lake and allow for open space for the neighborhood, whether it be public or private. That should be kept in mind as the change in ownership of the large Red Spring Road property evolves.
- Memo from Thomas DiPersio, dated Aug. 23, 2021 RE: GMP Expansion and Core & Shell Improvements, 600 Nickerson Rd. (This item was discussed above during the hearing on this property)

Updates on Current projects and Violations:

- 541 Pleasant St. - Mr. Sampaio was present and explained that he is having a hard time getting a wetland consultant. He asked that the violation fines be forgiven. Several members noted that the deadline for compliance had been set at May 1st and the Commission has given him plenty of time to comply, it is now September 2nd. Chairman Clancy noted that the current \$700 will be due as this is in the past, if he is able to get a wetland consultant hired in the next few weeks with confirmation to the Conservation Officer, the fines can be stayed going forward. If no action is taken and no one is hired, the daily fines will continue. Mr. Sampaio indicated he would hire a consultant and have them contact Ms. Ryder to confirm. It was agreed that the wetlands would be defined and an NOI filed before the winter.

- 149 Hayes Memorial Dr. - The Commission discussed recent breaches into the wetland from the recent storm events and confirmed a \$600 fine would be issued for this violation, \$300 for the breach and \$300 for the opening of Phase 3 out of sequence.
- 78 Roosevelt St. (DEP 212-1217) - Ms. Ryder noted a violation was issued for silt leaving the site and erosion controls not being properly maintained- copy of the notice was provided.
- 100 Campus Dr. – warning - Ms. Ryder noted that muddy water discharged from this site into the adjacent pond. The contractors on the site were addressing the problem quickly and reported it to the Commission. The Commission noted that the warning was adequate, but if the violation occurs again, a cease and desist and a filing with the Commission will be required.

Correspondence/Other Business:

- Ft. Meadow updates:
 - The Ft. Meadow Commission will be in at the next meeting to discuss the Ft. Meadow Drawdown with a recommendation it start on Nov. 1st, 2021 – March 1, 2022
 - Post Treatment weed survey is scheduled for next week for anyone interested in joining
- DCR Sudbury Reservoir Public Access Plan – virtual meeting is scheduled for Sept. 22, notice is packet
- DCR state forest land – Red Pine harvest will be happening this fall. Formal notice expected soon.

The following correspondence was reviewed and placed on file.

- 37 Boivin Dr. - Petition from abutters - dated August 9, 2021 RE: Enforcement of Order of Conditions (DEP 212-1036)
- Letter from Coneco, dated August 19, 2021 RE: Notice of Proposed Buried Cable Replacement along Ferrecchia Dr., MacQuarrie Dr. and Masciarelli Dr.

Next Conservation Commission meetings: September 16th and October 7th, 2021

Adjournment - There being no further business, on a motion by Mr. Skarin second by Mr. Clancy, to adjourn. The Commission voted unanimously 7-0 to adjourn the meeting at 9:37 PM

Respectfully submitted,

Priscilla Ryder
Conservation/Sustainability Officer

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes DRAFT
September 16, 2021(Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Absent: John Skarin,

Public hearings:

Amend Order of Conditions – DEP 212-1203

28 Littlefield Ln. - Neal Reilly

LeAnn Neal Reilly was present and explained that she proposed to add a foundation under an existing sunroom to make it a more permanent room in the house. Ms. Ryder explained that this property already has an existing Order of Conditions which covers the pool (which is complete) and a patio which is still to be built. They would like to add this foundation for the room now and then proceed to install the patio as originally designed. Ms. Neal Reilly explained that they got special permission from the City Engineer to sleeve the water line so they could move the water and sewer line around the new foundation and still stay outside of the 20' buffer zone. Ms. Ryder reminded the Commission that the previous Order required the buffer zone to be restored and that would still be required. Mr. Dunbar asked if that could be done now, but Ms. Neal Reilly noted that with construction proposed to start in October that may need to wait until spring. After further discussion, the Commission decided that the original Order of Conditions could be amended to add this new foundation and that another pre-construction meeting would be needed on site prior to this work commencing. Erosion controls should be upgraded, before this work could begin. On a motion by Mr. White, second by Mr. Clancy to approve the new plan and issue an amended Order of Conditions with the additional conditions noted above. The Commission voted unanimously 6-0 to issue an amended Order of Conditions.

Notice of Intent

2 Minehan Lane – Department of Public Works

At the request of Mr. DiPersio prior to the meeting, this hearing was continued to the October 5 meeting.

Request for Determination of Applicability

1000 Nickerson Rd. – Lincoln Property Company

Brandon Barry of Bohler Engineering explained that he had revised the plans based on the Commission's last meeting. These included: Changes to the construction entrance, reconfiguration of and enlargement of the detention basins, and a detailed construction sequencing plan. He discussed that they will be exporting unsuitable materials from the site and hauling in materials, but overall, the site is a balanced site. Mr. Demers noted they will likely encounter ledge and silty soil, so it could be a lot of export. Mr. Clancy noted that up the street the export process has become a muddy mess and did not want that to occur on this site. Mr. Dunbar asked about the extent of tree clearing near the detention basin by Nickerson Rd. Mr. Barry noted that they would use stump grindings on the site to help control runoff, all trees to be saved will be protected and if impacted will be replaced. The Commission discussed the drainage divide on the site and the need for controls, so nothing gets to Rte. 20. After some discussion about construction sequencing and control of the site and hearing no further questions from the audience or the Commission the hearing was closed. Near the end of the meeting, the Commission reviewed a set of draft conditions for this project and made some amendments including requiring the contractor hired to attend a commission meeting. The Commission voted unanimously 6-0 to issue an Order of Conditions and accept the draft special conditions as written and amended.

Notice of Intent

641 Pleasant St. – Big Daddy Realty Trust

Scott Hayes of Foresite Engineering was present representing the owner. He explained that he had updated the plan with more grades and showing the small, isolated depression. He created a swale on the plans between the proposed home and the existing home to ensure that water would have a positive grade out between the homes. He noted that there is no clear drainage pattern in that direction presently. He acknowledges this is a difficult lot given the weird hummocks and swales in this area. Mr. Clancy asked if a foundation drain was provided, as the groundwater table is only a few feet below the surface. Mr. Hayes noted that it wasn't required for a slab on grade. However, the Commission

instructed him to add a foundation drain to the plans as that is a good construction practice given the site conditions. Mr. Hayes will add this, and it can be noted in the conditions. Mr. Hayes noted that they have submitted their 50% review plans to MDOT for an access permit but have not yet received comments. The construction entrance tracking pad and police detail were discussed as being needed on this lot. Mr. John Kuettner, 633 Pleasant St., the abutter to this lot noted that his fence will be moved onto his property soon. He also expressed concern that any runoff from this lot could affect the Vernal Pool which has been very active this year, he is working with Natural Heritage and Endangered Species program to have it certified. He also noted that his sump pump runs all the time now, so the water level has certainly changed. Mr. White expressed his concern that this is a marginal lot, and the Commission is responsible for protecting the wetland, in his opinion this raised septic system with walls, and proximity to the wetland over time would degrade the very resource he believes needs to be protected, and therefore, he noted he would not be in favor of this project. He was also concerned because viruses travel through septic systems. Mr. Clancy noted that DEP previously overturned the Commission's denial of the wetland resources on this property. To deny a plan the reasons need to be spelled out and be able to be upheld by DEP, otherwise DEP would supersede the Commission's order and may not be as stringent. Mr. Hayes noted that this is a marginal site however, as designed it meets all the performance standards, including Title V, staying out of the 20' Buffer Zone, and directing runoff off the site, in his opinion they have done their due diligence and addressed all the requirements in the regulations. After some discussion and there being no further comments from the Commission or the public, the hearing was closed. Ms. Ryder was asked to draft a set of conditions for review at the next meeting on Oct. 7th.

Notice of Intent

0 Phelps St. (next to 107) new house - **AND** 107 Phelps St. driveway- Map 72, Parcels 11B and 702 AND Map 72, Parcel 11A.- David Franca

George Connors explained that he had originally filed two separate files which have been issued file numbers from DEP for each. The first lot is 107 Phelps St. contains a driveway in the Riverfront Area and buffer zone, and 0 Phelps St. project includes a new house on a separate lot. The driveway easement runs through the lot with the existing house and the new house will be on the slope above Phelps St. The

access directly from Phelps St. would be too steep to meet any city requirements relative to grades, so an easement on the adjacent property was provided in 2007 when the city did some land swaps for the sewer easements. The Riverfront Area was calculated on both lots and the area to be used for the driveway and house is less than 10% of this total riverfront area and therefore meets the regulatory standards for Riverfront Area. The Commission had received these calculations prior to the meeting. The driveway has shifted closer to the street to get better grades and they will work with the homeowner to adjust the easement. The house will be cut into the hill so a trench along the driveway will be installed to facilitate drainage around the house. There was discussion about how many trees would need to be removed, and what trees will remain along the edges, to ensure they survive. After some discussion about the driveway length of 120' and the cut in the slope and erosion controls, the Commission asked Ms. Ryder to have the Building Commissioner and City Engineer review the plans prior to the next meeting. Ms. Ryder will draft a set of conditions. The hearing was continued to the October 5, 2021 meeting.

Discussion:

- Letter from Ft. Meadow Commission dated Aug. 30, 2021 RE: Drawdown of Ft. Meadow – Nov. 1, 2021 – March 1, 2022. Mr. Thompson from the Ft. Meadow Commission was present. He explained that his Commission was requesting a winter drawdown to deal with invasive non-native weeds and the Asian clam. After some discussion on a motion by Mr. Demers, Second by Mr. White, the Commission voted 6-0 to approve the drawdown as requested.

Updates on Current projects and Violations:

- Violation letter and ticket for 149 Hayes Memorial Dr. – DEP 212-1193 - The Commission reviewed the violation and noted that the violation continues with the tracking of mud on the roadway and asked Ms. Ryder to issue another violation for the mud tracking on this day. Mr. Clancy, Mr. Demers and Mr. Williams had all observed the mud tracking all along Hayes Memorial Dr. which is not acceptable. Ms. Ryder will follow up with developer.

Correspondence/Other Business: The following correspondence was reviewed and placed on file:

- Meeting Notice from Dept. of Conservation and Recreation - RE: Sudbury and Foss Reservoirs Watershed Public Access Plan Update, Wednesday, Sept. 22, 2021 6:00 PM – 7:30 PM - Virtual Meeting

- Letter from Pam Wilderman, dated Sept. 8, 2021 RE: Final Landscaping – 37 Boivin Dr. (DEP 212-1036)
- Memo to Planning Board, dated Sept. 7, 2021 RE: Preliminary Subdivision Plan – Cullinane Dr.
- 541 Pleasant St. – Ms. Ryder noted that she received confirmation that Mr. Sampaio had hired a wetland consultant who will flag the wetland on Monday and file soon after. The Commission asked her to stay the fines as long as a Notice of Intent is filed by the end of October.

Next Conservation Commission meetings: October 7th and Oct. 21st, 2021

Adjournment - There being no further business, on a motion by Mr. White, second by the Chairman, the meeting was adjourned with a 6-0 vote.

21. Prior to the beginning of work, the applicant shall:

- a. Obtain approval of the City of Engineer for the design of all drainage structures and facilities.
- b. Properly install all siltation controls according to the plans approved by the Conservation Commission.
- c. Provide the Conservation Officer with the name and telephone number in writing, of the person who will be immediately responsible for supervision of all work on the project site and compliance with this Order of Conditions. The Conservation Officer shall be notified in the event that the site supervisor or contractor is changed.
- d. Clearly mark the limits of work in the field and instruct all workers not to work beyond the limits.
- e. Notify Conservation Officer of the date upon which work will commence.
- f. Hold a meeting on the project site with the Conservation Officer, the project site supervisor identified in Condition No. 19-C above, and other relevant parties identified by the applicant or the Conservation Commission to review the project and this Order of Conditions. Siltation controls shall be inspected at this time.
- g. Failure to comply with Condition Nos. 19a-f, as well as Nos. 8 & 9, shall constitute sufficient grounds for the Conservation Commission to order all work to cease until compliance is achieved.

22. The Conservation Officer shall serve as the Commission's agent in all matters pertaining to the interpretation and enforcement of this Order of Conditions. Accepted engineering and construction standards shall be followed in the conduct of all work.

23. Issuance of this Order of Conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.

24. All work shall conform to the Notice of Intent, all plans, and all other documents, records, correspondence and representations of the applicant as presented to and approved by Conservation Commission.

25. The applicant shall notify the Commission before performing the modified work. If the Commission deems the modification significant, the applicant shall submit an amended Notice of Intent with any necessary documentation and obtain an amended Order of Conditions. The Commission shall reopen the public hearing in accordance with the provisions of 310 CMR 10.05 (5). The Commission may impose additional or modified conditions to protect the interests of the Wetlands Protection Act.
26. No excavated material shall be disposed of in violation of any local, state, or federal laws. All stumps must be removed from the site; no burying of stumps on site is permitted.
27. Prior to the issuance of a Certificate of Compliance, the applicant shall submit to the Conservation Commission for review and approval an as-built plan and a letter of compliance stamped by a registered professional engineer. Said plan and letter shall show that all conditions of this Order have been complied with in a satisfactory manner.
28. The Conservation Commission shall be notified in writing at the time of any transfer in the title to the property or any change in contractor/developers prior to issuance of the Certificate of Compliance. The name, address, and telephone number of the new owner shall be included in the notification as well as certification that the new owner has been provided with a copy of this Order of Conditions.
29. Prior to the issuance of a Certificate of Compliance the site shall be stabilized with vegetation or other measures approved by the Conservation Commission.
30. Prior to the issuance of a Certificate of Compliance and after the site has been stabilized, all erosion controls shall be removed from the site.

Findings of Fact:

Wetland Resource areas on this project site are:

200' Riverfront area and bordering vegetated wetland associated with Mowery Brook, a named waterway on the USGS maps and noted to be a perennial stream.

The project includes two lots. 212-1239 107 Phelps St. will contain the new driveway with an easement granted from 107 Phelps to provide access to the house; DEP 212-1238 will contain the house on a separate lot. The Commission wished to look at the total impact of the driveway and house together, even though they are on separate lots and asked the applicant to calculate the overall riverfront area which is 61,842 sq. ft.

Impact in the riverfront areas from the driveway will be 1050 sq. ft. and impact from the house will be 5000 sq. ft. for a total of 6050 sq. ft. With the riverfront area total for both lots at $61,842 \times 10\% = 6184$ sq. ft. Which is more than the proposed alteration of 6050. Therefore, the Commission concluded that the work proposed would meet the criteria in the regulations and was permitted.

Because these two permits will be built simultaneously, it was decided to provide the same conditions for both permits the driveway conditions and house conditions are noted separately for ease of enforcement.

Based on the Commission' review of the plans and the attached conditions, the Commission believes this project can protect the interest of the Wetlands Protection Act provided that **conditions 1- 37** are followed.

SITE-SPECIFIC CONDITIONS

Erosion Control/Construction sequencing

DRIVEWAY:

31. Stone construction entrance pads shall be in place at the proposed accesses onto Phelps St. as shown on the approved plan to prevent the tracking of mud and silt into the public roadway. Dust shall also be controlled on this site at all times. If dirt is tracked onto the roadway it shall be cleaned up immediately. This area shall be maintained regularly to ensure no tracking of materials onto Phelps St.
32. The applicant, property owner, and site contractor shall be responsible for regular inspections of the erosion controls on at least a weekly basis and prior to and immediately after (within 12 hours) each storm event. Necessary repairs and maintenance of the erosion control devices shall be made expeditiously. These inspections shall be described in the reports required in the condition below.
33. The applicant, property owner, and site contractor shall be responsible for notifying the Conservation Commission in an expeditious manner if any visible siltation of wetlands occurs. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
34. Large piles of soil and other materials shall not be stockpiled closer than 50 feet to any wetland resource area without the approval of the Conservation Officer. All large stockpiles must be maintained in a stabilized condition.

HOUSE LOT

35. In addition to conditions 31-34 above, soil removal from the house lot shall be done in such a way as to ensure that mud does not leave the site directly to Phelps St. or along the new driveway. During the preconstruction meeting noted above, the site contractor shall walk through the sequencing plan with the Conservation Office to ensure that the site will remain under control during rain events and as the house lot construction progresses. The lot has some significant elevation change and will be a challenge to construct.

Certificate of Compliance

36. Prior to the issuance of a Certificate of Compliance, the site shall be stabilized, and all erosion controls removed.
37. The as-built plan shall also the plants that were planted in the riverfront restoration area, and the plants shall be healthy and thriving. Any dead or dying plants shall be replaced prior to the issuance of a Certificate of Compliance.

Anything Else??

END CONDITIONS

Note: I'm still figuring out whether we can issue the same conditions for both filings as I've noted in the Findings of Fact. I'll know better before the meeting and we can adjust accordingly.

21. Prior to the beginning of work, the applicant shall:
 - a. Obtain approval of the City of Engineer for the design of all drainage structures and facilities.
 - b. Properly install all siltation controls according to the plans approved by the Conservation Commission.
 - c. Provide the Conservation Officer with the name and telephone number in writing, of the person who will be immediately responsible for supervision of all work on the project site and compliance with this Order of Conditions. The Conservation Officer shall be notified in the event that the site supervisor or contractor is changed.
 - d. Clearly mark the limits of work in the field and instruct all workers not to work beyond the limits.
 - e. Notify Conservation Officer of the date upon which work will commence.
 - f. Hold a meeting on the project site with the Conservation Officer, the project site supervisor identified in Condition No. 19-C above, and other relevant parties identified by the applicant or the Conservation Commission to review the project and this Order of Conditions. Siltation controls shall be inspected at this time.
 - g. Failure to comply with Condition Nos. 21A-F, shall constitute sufficient grounds for the Conservation Commission to order all work to cease until compliance is achieved.
22. The Conservation Officer shall serve as the Commission's agent in all matters pertaining to the interpretation and enforcement of this Order of Conditions. Accepted engineering and construction standards shall be followed in the conduct of all work.
23. Issuance of this Order of Conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.
24. All work shall conform to the Notice of Intent, all plans, and all other documents, records, correspondence and representations of the applicant as presented to and approved by Conservation Commission.
25. The applicant shall notify the Commission before performing the modified work. If the Commission deems the modification significant, the applicant shall submit an amended Notice of Intent with any necessary documentation and obtain an amended Order of Conditions. The Commission shall reopen the public hearing in accordance with the provisions of 310 CMR 10.05 (5). The Commission may

- impose additional or modified conditions to protect the interests of the Wetlands Protection Act.
26. No excavated material shall be disposed of in violation of any local, state, or federal laws. All stumps must be removed from the site; no burying of stumps on site is permitted.
 27. Prior to the issuance of a Certificate of Compliance, the applicant shall submit to the Conservation Commission for review and approval an as-built plan and a letter of compliance stamped by a registered professional engineer. Said plan and letter shall show that all conditions of this Order have been complied with in a satisfactory manner.
 28. The Conservation Commission shall be notified in writing at the time of any transfer in the title to the property or any change in contractor/developers prior to issuance of the Certificate of Compliance. The name, address, and telephone number of the new owner shall be included in the notification as well as certification that the new owner has been provided with a copy of this Order of Conditions.
 29. Prior to the issuance of a Certificate of Compliance the site shall be stabilized with vegetation or other measures approved by the Conservation Commission.
 30. Prior to the issuance of a Certificate of Compliance and after the site has been stabilized, all erosion controls shall be removed from the site. Hay bales or compost socks may be dispersed on site, however all stakes, strings and plastic netting must be removed and strings and netting

Site-specific conditions:

Prior to Construction:

31. Prior to construction the 20-foot wetland boundary markers shall be in place. These markers shall be installed to mark the 20-foot no disturbance buffer zone. The permanent markers shall be some type of permanent markers in the ground approved by the Conservation Officer. These shall be installed as shown on the plan to mark the 20-foot wetland buffer zone.
32. In addition to the markers noted in condition #31 above, because the wetland is so close to the house, an additional visible barrier must be installed along the 20-foot wetland buffer zone. This shall be a fence, or some other permanent boundary marker approved by the Conservation Officer and/or the Commission at a regularly scheduled meeting to ensure it is a suitable solution to creating a barrier between the 20-foot buffer zone and the edge of the yard.
33. Prior to commencement of any work on the site, the wetland flags shall be reestablished in the field if they are not visible.

34. Prior to the commencement of any work on the site a silt fence and straw wattle or compost stock erosion control barrier (or other control approved by the Commission) shall be placed on the site according to the approved plan. This barrier shall mark the limit of work, no work or clearing shall occur beyond this point. On this lot the erosion controls are right near the 20' wetland buffer zone, therefore this must be staked and inspected by the Conservation Officer prior to any clearing on the lot
35. Grading along the south western edge of the lot shall ensure there is positive flowage between the two houses and that it will not pond in this location.

During Construction:

36. During construction the driveway shall be stabilized with crushed stone to control tracking of dirt onto the roadway. Dust shall also be controlled. This shall be maintained until the driveway has been stabilized.
37. In the event that dewatering is necessary when constructing the foundation, the discharge shall be directed to a sediment trap. All efforts shall be taken to prevent the discharge of sediment to wetland resource areas.
38. If blasting is required for ledge removal, proper procedures established by the fire department shall be followed.

Prior to Issuance of Certificate of Compliance

39. Prior to the issuance of a Certificate of Compliance, all disturbed areas shall be stabilized with vegetation or other measures approved by the Conservation Commission.
40. Prior to the issuance of a Certificate of Compliance permanent boundary markers shall be shown on the as-built plan and clearly marked on the plan with a note indicating no work shall be performed beyond this point without permission from the Conservation Commission. The foundation drain shall also be included in the as-built plan with a diagram for easy reference for future homeowners. A copy of the as-built plan shall be provided with the written request for a Certificate of Compliance. It shall be attached to and made part of the Certificate of Compliance and shall be recorded. Over the years the wetland boundary line may move, however, these permanent markers shall provide a guideline to future homeowners as to the limit of work.
41. Prior to the issuance of a Certificate of Compliance, a statement shall be incorporated into the deed to this property indicating that "any activity located within 100 feet of wetlands that may dredge, fill, remove, or alter the area including removal of vegetation, additions to buildings, decks, etc. is subject to the Massachusetts Wetlands Protection Act. No work of any type is to occur within 100 feet of the wetland boundary without prior permission from the Conservation Commission." A copy of the deed shall be submitted to the

Conservation Commission for review and approval prior to the issuance of a Certificate of Compliance. The deed shall be recorded and evidence of its recording provided to the Commission. A copy of this reference shall accompany the written request for a Certificate of Compliance.

42. Prior to the issuance of a Certificate of Compliance and upon the sale of the property to subsequent owners, the new owner shall provide a letter to the Conservation Commission acknowledging that he/she understands the wetland restrictions bound to this property. A copy of this letter shall accompany the written request for a Certificate of Compliance. This shall be an ongoing condition and shall be recorded in the deed and on subsequent deeds.
43. A photograph of the wetland boundary markers in relation to the house and surrounding areas shall be provided with the request for certificate of compliance.

Anything else??

END CONDITIONS

Priscilla Ryder

From: Joseph D. Peznola <jpeznola@hancockassociates.com>
Sent: Friday, October 1, 2021 10:18 AM
To: Priscilla Ryder
Cc: Thomas DiPersio; Jeff Bergeron; John Shipe; andrew.montelli@snet.net; Tom Montelli; Ken Friedrichsen; Ryan McFadyen
Subject: Green District Marlboro Phase 2
Attachments: Marlboro 2 - Early Start Schedule.pdf; Redline of Phase 2 ESC-2.pdf

Priscilla

As we discussed on site Tuesday, the contractor would like to proceed with clearing the Phase 2 site this fall. Condition #46 of the OOC states that Site 1 must be stabilized (define as paved with binder) before Site 2 work starts. We would like discuss with the commission the timing of start of work on Phase 2 and paving on Phase 1. We would like the commission to entertain advancing Phase 2 ahead of the early November Phase 1 paving schedule. There are large stockpiles of material on the Phase 1 site that need to move to the Phase 2 site prior to paving.

Attached is a preliminary schedule of the Phase 2 work. As we discussed on the site walk Tuesday, also attached is a marked up Phase 2 Erosion Control Plan showing us pulling back the line along Stonegate. This is ahead of a plan to move some of the work up there to avoid blasting and rock removal. We are committing to saving trees up there and will share the changes with the commission in the coming weeks.

We can be at next Thursdays meeting to discuss our request.

Sincerely,
Joe

Joseph D. Peznola, PE
Director of Engineering
HANCOCK ASSOCIATES
Surveyors | Engineers | Scientists
Licensed in MA, NH, CT and RI
Established 1978
315 Elm Street, Marlborough, MA 01752
P (508) 460-1111, F (508) 460-1121
jpeznola@hancockassociates.com
www.hancockassociates.com

LinkedIn | Facebook | Instagram | YouTube



September 29, 2021

Dear Neighbor,

The Massachusetts Department of Conservation and Recreation (DCR) Management Forestry program is responsible for the stewardship and Management of over 300,000 acres in the Massachusetts State Forest and Parks System.

In 2015 and 2020 the DCR Management Forestry Program proposed forestry projects in Marlboro-Sudbury State Forest off Concord and Old Concord Roads (see attached map). A project in this area is to be conducted to remove dead and dying Red Pine, release established regeneration, remove hazard trees along forest roads and trails, and begin the restoration process of a rare Pitch Pine-Scrub Oak barrens forest type for wildlife habitat.

In line with the Division Policy, legislation (Chapter 592 of the Acts of 1982) passed in December 1982, amending section 42, Chapter 132 of the General Laws, this notice is being sent prior to the commencement of cutting to all abutters within two hundred feet of said sale area.

Over the next several weeks the DCR will be offering the project to qualified contractors. Signs will be erected to notify forest visitors once harvest activity begins and to communicate safety awareness to visitors of the forest. Harvesting activities will be restricted to winter time due to the sensitive nature of the site.

The DCR will also be offering a **pre-harvest walk on October 18, 2021 starting at 3:00PM** at the entrance to the project area off Old Concord Road to discuss the project, its purpose, a description of the forestry practice being implemented and to answer questions from the public.

We hope you can join us and encourage you to visit the following resources:

<https://www.mass.gov/service-details/forestry-on-state-public-lands>

<https://www.mass.gov/guides/northeast-forest-management-projects#-goodale-chipman-lots,-marlborough-sudbury-state-forest->

<https://www.mass.gov/guides/northeast-forest-management-projects#-hansen-lot,-sudbury/marlboro-state-forest->

Sincerely,

Mike Waterman
Northeast District Management Forester
25 Shattuck Street
Lowell, MA 01852
978-937-2092 ext109

COMMONWEALTH OF MASSACHUSETTS · EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Department of Conservation and Recreation
25 Shattuck Street
Lowell, MA 01852
978-937-2092 978-937-2097 Fax
www.mass.gov/orgs/department-of-conservation-recreation



Charles D. Baker
Governor

Karyn E. Pollito
Lt. Governor

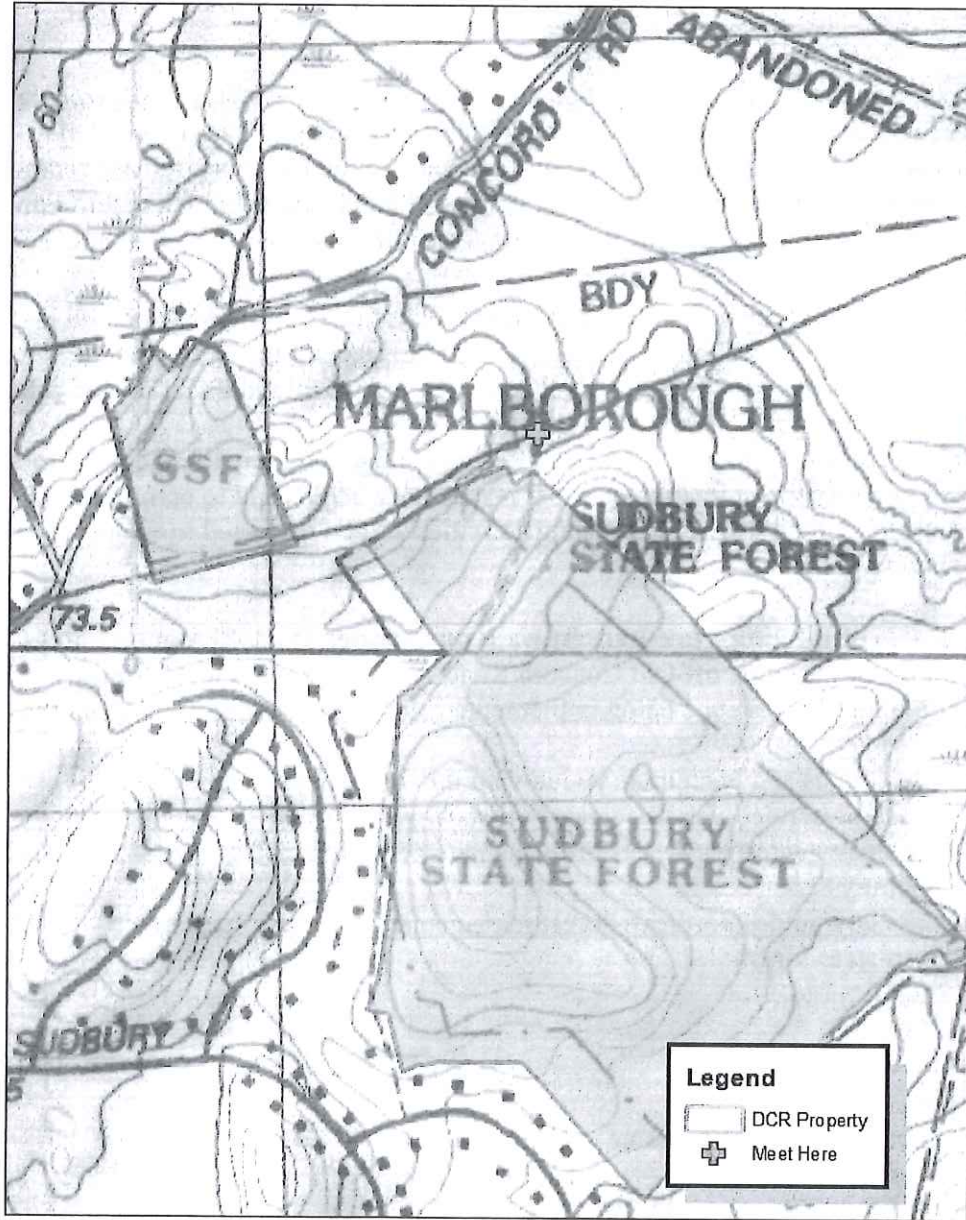
Kathleen A. Theoharides, Secretary, Executive
Office of Energy & Environmental Affairs

Jim Montgomery, Acting Commissioner
Department of Conservation & Recreation

TOP
7/2/21



Marlborough-Sudbury State Forest
"Hansen and Chipman Lots"
Marlborough



0 190 380 760 1,140 1,520 Feet

MJW 9-29-21



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

Laura Dooley
Department of Conservation and Recreation
25 Shattuck St.
Lowell, MA 01852

Cutting Plan No. 170-32522-22
NHESP Tracking No. 20-39138
Town Marlborough
Road Concord Rd.
Landowner Comm. Of MA
Preparer Mike Waterman
Date September 22, 2021

Dear Laura,

The Natural Heritage and Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries and Wildlife (the Division) has completed its review of the above-referenced Forest Cutting Plan (hereinafter "the Plan") pursuant to the special approval procedures of the Forest Cutting Practices Regulations (304 CMR 11.04(6)). Based on details of the Plan, and information in the NHESP database, the Division has determined there is potential for activities proposed in the Plan to result in "Take" (as defined in 321 CMR 10.02) of Eastern Box Turtle (*Terrapene carolina*), listed as Special Concern which is protected pursuant to the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00).

Eastern Box Turtle is primarily a terrestrial species that inhabits hardwood and/or pine forests, but it also utilizes wetland edges for foraging and hydration. During the late spring through early summer, females will often utilize open habitats with loose or exposed soil (e.g., fields, powerline rights-of-way, etc.) for the purpose of nesting. Eastern Box Turtles are active throughout the forest during spring-fall, but their presence is not always observable, as individuals may spend periods of time hidden under vegetation, logs, leaf litter, or other ground-level substrates. Some even estivate (lie dormant) under these substrates for prolonged periods of time during the summer. All individuals overwinter below the soil surface, usually during December-March.

Based on current information about the local distribution of turtles, the entire harvest area coincides with a designated habitat of Eastern Box Turtle. Hence, the Division is concerned that harvesting activities conducted during spring-fall will cause direct mortality of individual turtles (e.g., as a result of crushing by motorized vehicles). There is also concern that motorized equipment, if used to scarify soils during winter, will result in direct physical injury and/or mortality of Eastern Box Turtles just below the soil surface. **To avoid prohibited Take of Eastern Box Turtle, the Division requests that the following statements be added to the Plan prior to its approval:**

1. Off-road operation of motorized vehicles shall occur only during the time period beginning November 1 and ending March 31, of any year.
2. Intentional soil scarification shall not be conducted with use of motorized tools/equipment, unless otherwise approved by the Division in writing.

MASSWILDLIFE

7xx

To the greatest extent practical equipment should remain on established skid roads and trails so as to minimize the amount of ground impacted by equipment tracks or tires.

The first practice listed above is intended to coordinate operation of motorized vehicles with a time when turtles are not likely to be active at the ground surface and, therefore, less likely to be crushed by machinery. The second practice is intended to protect Eastern Box Turtles from physical injury while they are wintering below the ground surface.

Please copy the Division on any proposed amendment, or extension, and on the approved Plan for the site. If you have any questions about this letter, please contact Rebekah Zimmerer at Rebekah.Zimmerer@mass.gov or (508) 389-6354.

Sincerely,



Everose Schlüter, Ph.D.
Assistant Director

Cc: Marlborough Conservation Commission

Forest Cutting Plan

and Notice of Intent under M.G.L.
Chapter 132 – The Forest Cutting
Practices Act, 304 CMR 11.00
(Effective Date: 1/1/04)

Rec 4-4-2021

For DCR Use Only:

File Number	_____	Case No.	_____
Date Rec'd	_____	Nat. Hert.	_____ / _____
Earliest Start	_____	Nat. Hert. Imp.	_____
River Basin	_____	Pub. Dr. Wat.	_____
Gen. Obj.	_____	ACEC	_____

Site Information

Location

Town Marlboro
Road Concord Road
Acres 10 Proposed Start Date Winter 2021
Vol. MBF 11.8 Vol. Cds. 10 Vol. Tons _____

Plan Preparer

Name Mike Waterman
Address 25 Shattuck Street

Town, State, Zip Lowell, MA 01852
Phone 508-948-9204L
Type of Preparer LF
*Mass. Forester License # 330
*Required for land under Ch61, Ch61A or Forest Stewardship

Landowner

Name Commonwealth of Massachusetts
Mailing Address 25 Shattuck Street

Town, State, Zip Lowell, MA 01852
Phone 508-948-9204
Ch61 61A 61B Stew *Case # _____
CR CR Holder _____

Licensed Timber Harvester**

Name PROVIDED PRIOR TO HARVEST
Address _____
Town, State, Zip _____
Phone _____
Mass. Lic. Harvester # _____
**This information may be supplied after the plan is approved, but before work begins.

Stream Crossings

Indicate location on map	SC-1	SC-2	SC-3	SC-4
Type of Crossing	NA			
Existing Structure				
Type of Bottom				
Bank Height (ft)				
Stabilization				

Wetland Crossings

Indicate location on map	WC-1	WC-2	WC-3	WC-4
Length of Crossing	NA			
Mitigation				
Stabilization				

Filter Strips

Indicate location on map	FS-1	FS-2	FS-3	FS-4
Width (50', 100', or VA)	NA			

Harvesting in Wetlands

Indicate location on map	HW-1	HW-2	HW-3	HW-4
Forest Type (see pg 2)	NA			
Acres to be Harvested				
Resid. Basal Area (>50%?)				

Service Forester Comments

Best Management Practices

Type of Preparer	Type of Crossing	Stabilization	Mitigation	Type of Bottom
LF Mass. Lic. For.	CU Culvert	SE Seed	FR Frozen	LE Ledge
TH Lic. Tim. Har	BR Bridge	MU Mulch	DR Dry	ST Stony
TB Timber Buyer	FO Ford	CO Corduroy	OT Other	MU Mud
LO Landowner	PO Poled	ST Stone		GR Gravel
OT Other	OT Other	HB Hay Bales		OT Other
		OT Other		

Note:
Applicant must provide DCR with all relevant information before plan may be approved and cutting may begin. Some forestry activities, such as prescribed burning and pesticide or fertilizer application may require additional permits. Consult MA Forestry BMP Manual for further information.

7/24

Products to be Harvested*

Table with 4 columns: Species, Mbf/Cds, Species, Mbf/Cds. Rows include White Pine, Red Pine, Pitch Pine, Hemlock, Spruce, Other Sftwd., White Ash, Beech, White Birch, B & Y Birch, Black Cherry.

*Note: Volumes and values indicated in the Plan are as reported by the plan preparer and have not been independently verified by the service forester upon approval. Mbf = thousand board feet.

Cutting Standards

Table with 5 columns: Indicate location on map, Forest Type, Acres, Landowner Objective, Designation of Trees, Type of Cut, Source of Regeneration, and four columns for ST-1, ST-2, ST-3, ST-4.

Landowner Signature

The most important information on a cutting plan is the Landowner's objective, as this will determine which trees will be harvested and which will remain; this decision will also determine the future condition of the forest for decades to come.

[X] LT - Long-term Forest Management

Planned management of the forest to achieve one or more of the following objectives: produce immediate and maximize long-term income, enhance wildlife habitat, improve recreational opportunities, protect soil and water quality, or produce forest specialty products.

[] ST - Short-term Harvest

Harvest of trees with the main intention of producing short-term income with minimal consideration given to improving the future forest condition, which often results in a forest dominated by poor quality and low value species.

I (we) have read the Massachusetts Cutting Plan Information Sheet, and am aware of my (our) management options. I (we) hereby certify that I (we) have the legal authority to carry out the operation described above. I (we) certify that I (we) have notified the Conservation Commission in the town in which the operation is to take place and the abutters of record within two hundred feet of the area to be harvested. I (we) understand that the volumes and values (Ch61 only) in this plan have not been independently verified by the service forester upon approval and will report final values and volumes to the Director or his/her agent if the final figures differ from those reported.

Handwritten signature of landowner(s)

Signature of landowner(s)

Handwritten date: Aug 21

Date

Determination and Status

Approved [] Disapproved [] Expires _____

Signature of Service Forester/Director's Agent _____ Date _____

Extension 1 [] 2 [] Expires / / Ser. For. Ints. / /

Amendment App 1 [] Dis 1 [] App 2 [] Dis 2 [] / /

Final Report and Comments

I hereby certify that the afore described Forest Cutting Plan and all relevant statutes have been substantially complied with.

Signature of Service Forester/Director's Agent _____ Date _____

Table with 4 columns: Forest Types, Designation of Trees, Type of Cut, Source of Regeneration. Rows include WP White Pine, WK WP/Hem, WH WP/Hdwd, WO WP/Oak, RP Red Pine, SR Red Spruce, HK Hemlock, HH Hem/Hdwd, BC Bkck Cherry, BB Bee/Bir/Map, OH Oak/Hdwd, OR N Red Oak, OM Mixed Oak, RM Red Maple, BE Beech, SF Spruce/Fir, SM Sugar Maple, PP Pitch Pine, CT Cut Tree, LT Leave Tree, SB Stand Boundary, OT Other, LT Long-term Mgt, ST Short-term Har., SH Shelterwood, ST Seed Tree, CC Clear Cut, SE Selection, SA Salvage, SN Sanitation, Intermediate Harvests, Non-Standard Systems*, AD Advanced, SE Natural Seed, PL Plant, CO Coppice, DS Direct Seed, OT Other.

Forest Cutting Plan

Narrative Page (Effective Date: 1/1/04)

Use this page to provide further explanation or if Other (OT) was used in any category on pages 3 or 4.

Landowner _____

Town _____

File Number _____

BMPs

Use this Section to provide further explanation or if Other (OT) was used in any category in the Best Management Practices Section on Page 3. Project will be done under winter conditions in conjunction with other forestry projects within the area. No cutting in wetlands. Site is a priority habitat for rare species, and is subject to review by N.H.E.S.P.

Designation of Trees

Use this Section to describe the types of trees to be harvested and/or retained if Other (OT) was used for "Designation of Trees" in the Stand Treatment Section on page 4.

Stand No.	Species to be Cut	Size of Trees to be Cut	Quality of Trees to be Cut	% BA/Acre Removed
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

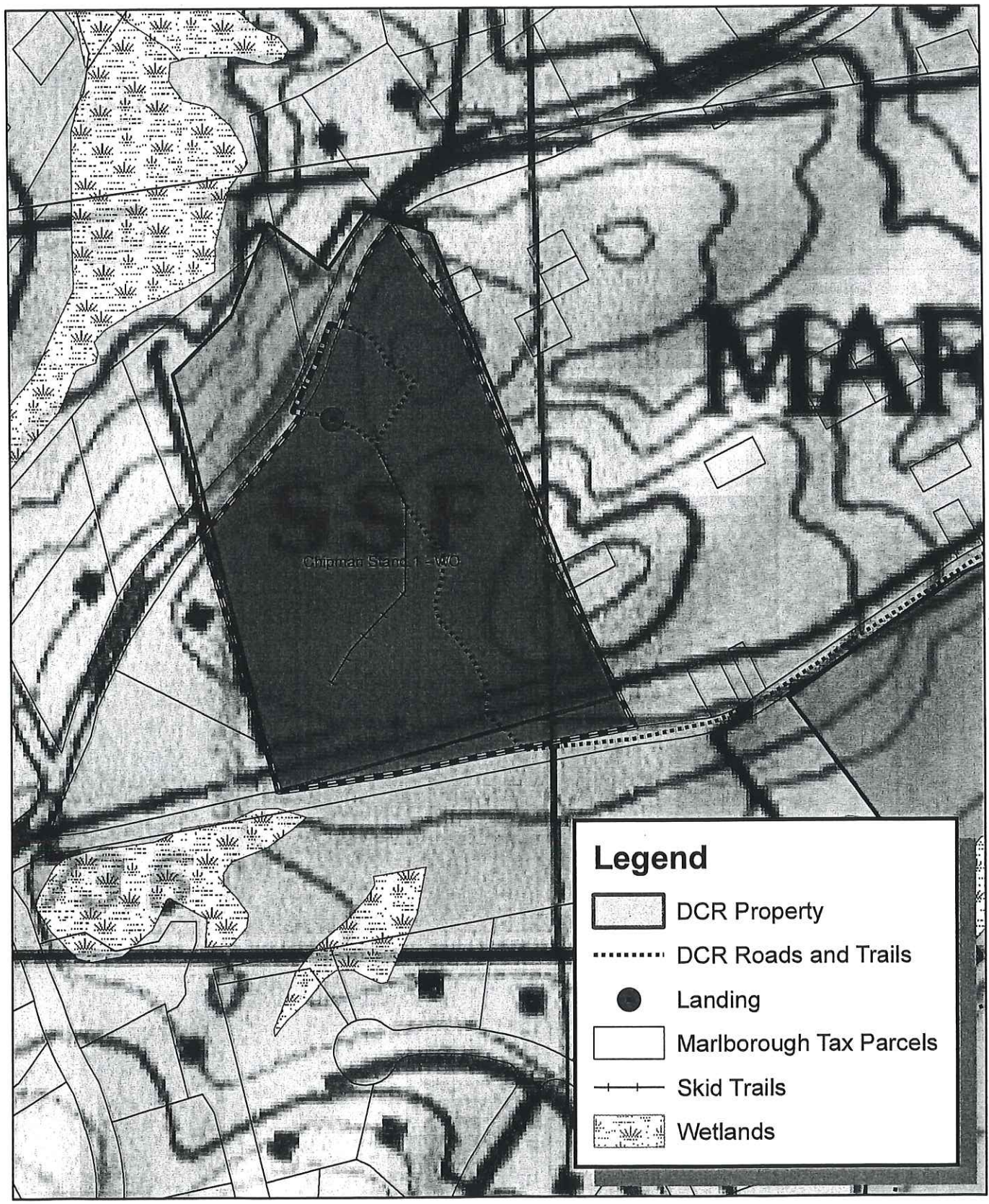
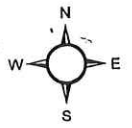
Regeneration & Future Condition

Use this Section to describe how Chapter 132 requirements will be met if a non standard system (HG, DL, or OT) was used for the "Type of Cut" in the Cutting Standards Section on page 4.




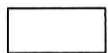
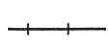

Stand No.	Source of Regeneration (ex. AD, SE)	How will Regeneration be obtained/protected? If using AD - Describe the species present and how the regeneration will be protected If using SE - Describe the source of the seed and the number of seed trees/acre
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

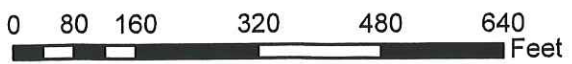
Stand No.	Desired Future Condition Describe what the stand is expected to look like five years from the harvest, including the condition of the overstory & understorey
_____	_____
_____	_____
_____	_____
_____	_____

Chipman Lot Forestry Project Marlborough-Sudbury State Forest Marlborough



Legend

-  DCR Property
-  DCR Roads and Trails
-  Landing
-  Marlborough Tax Parcels
-  Skid Trails
-  Wetlands

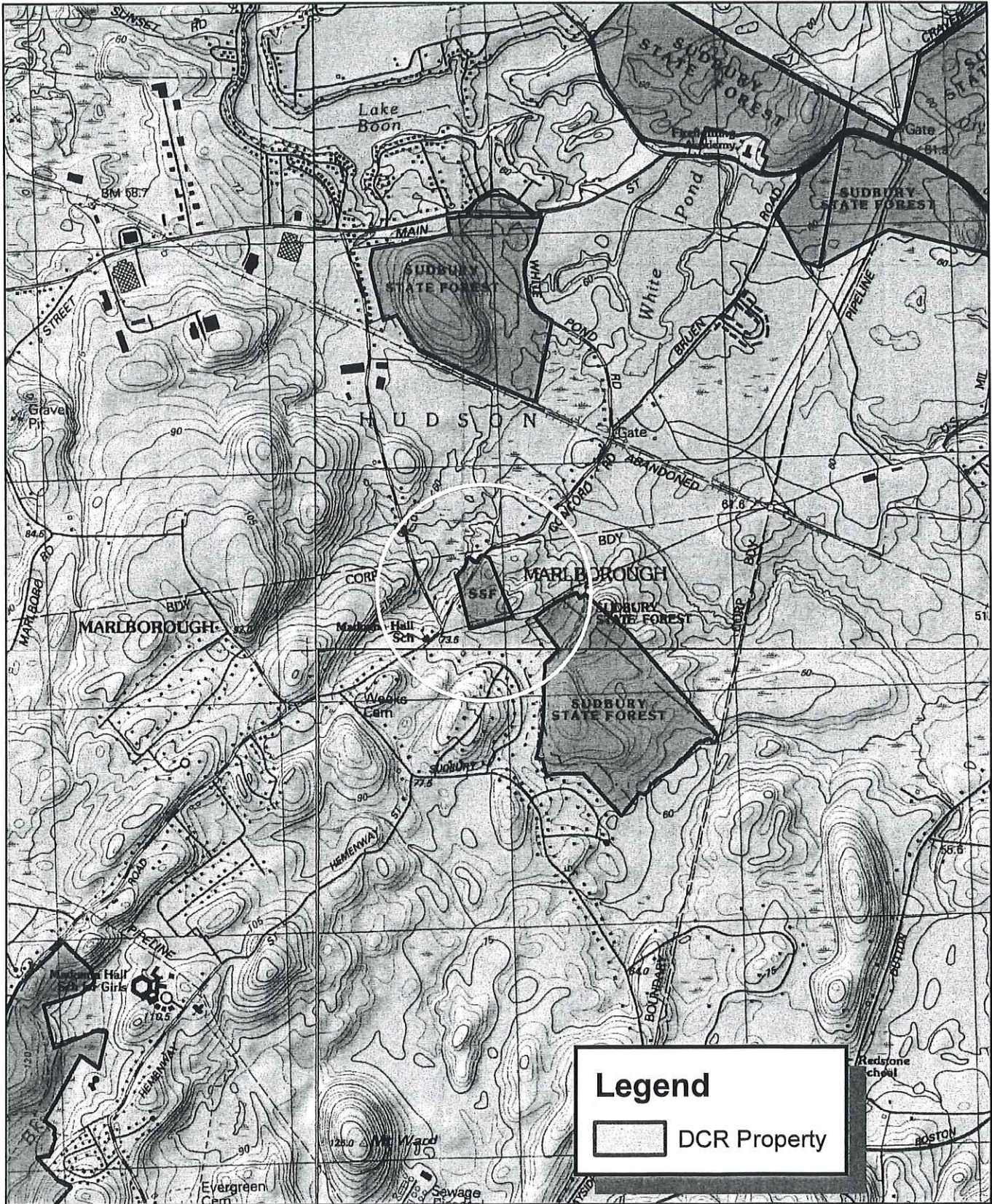
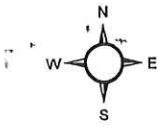


Chipman Lot Forestry Project

Locus Map

Marlborough-Sudbury State Forest

Marlborough



Legend

DCR Property



Rev 9-9-2021

Forest Cutting Plan

and Notice of Intent under M.G.L. Chapter 132 – The Forest Cutting Practices Act, 304 CMR 11.00 (Effective Date: 1/1/04)

For DCR Use Only:

File Number _____	Case No. _____
Date Rec'd _____	Nat. Hert. _____ / _____
Earliest Start _____	Nat. Hert. Imp. _____
River Basin _____	Pub. Dr. Wat. _____
Gen. Obj. _____	ACEC _____

Site Information

Location

Town Marlborough
 Road Off Concord Road
 Acres 87 Proposed Start Date Winter 2021
 Vol. MBF 209.3 Vol. Cds. 100 Vol. Tons 25

Plan Preparer

Name Mike Waterman
 Address 25 Shattuck Street
 Town, State, Zip Lowell, MA 01852
 Phone 508-948-9204
 Type of Preparer LF
 *Mass. Forester License # 330
 *Required for land under Ch61, Ch61A or Forest Stewardship

Landowner

Name Commonwealth of Massachusetts
 Mailing Address 25 Shattuck Street
 Town, State, Zip Lowell, MA 01852
 Phone _____
 Ch61 61A 61B Stew *Case # _____
 CR CR Holder _____

Licensed Timber Harvester**

Name PROVIDED PRIOR TO STARTUP
 Address _____
 Town, State, Zip _____
 Phone _____
 Mass. Lic. Harvester # _____
 **This information may be supplied after the plan is approved, but before work begins.

Best Management Practices

Stream Crossings

Indicate location on map	SC-1	SC-2	SC-3	SC-4
Type of Crossing	BR			
Existing Structure	NO			
Type of Bottom	ST			
Bank Height (ft)	>1'			
Stabilization	CO			

Wetland Crossings

Indicate location on map	WC-1	WC-2	WC-3	WC-4
Length of Crossing	NA			
Mitigation				
Stabilization				

Filter Strips

Indicate location on map	FS-1	FS-2	FS-3	FS-4
Width (50', 100', or VA)	50	50	50	50

Harvesting in Wetlands

Indicate location on map	HW-1	HW-2	HW-3	HW-4
Forest Type (see pg 2)	NA			
Acres to be Harvested				
Resid. Basal Area (>50%?)				

Service Forester Comments

Codes

Type of Preparer	Type of Crossing	Stabilization	Mitigation	Type of Bottom
LF Mass. Lic. For.	CU Culvert	SE Seed	FR Frozen	LE Ledge
TH Lic. Tim. Har	BR Bridge	MU Mulch	DR Dry	ST Stony
TB Timber Buyer	FO Ford	CO Corduroy	OT Other	MU Mud
LO Landowner	PO Poled	ST Stone		GR Gravel
OT Other	OT Other	HB Hay Bales		OT Other
		OT Other		

Note:
 Applicant must provide DCR with all relevant information before plan may be approved and cutting may begin. Some forestry activities, such as prescribed burning and pesticide or fertilizer application may require additional permits. Consult MA Forestry BMP Manual for further information.

244 ✓

Products to be Harvested*

Table with 4 columns: Species, Mbf/Cds, (blank), Mbf/Cds. Rows include White Pine, Red Pine, Pitch Pine, Hemlock, Spruce, Other Sftwd., White Ash, Beech, White Birch, B & Y Birch, Black Cherry.

*Note: Volumes and values indicated in the Plan are as reported by the plan preparer and have not been independently verified by the service forester upon approval. Mbf = thousand board feet.

Cutting Standards

Table with 5 columns: Indicate location on map, ST-1, ST-2, ST-3, ST-4. Rows include Forest Type, Acres, Landowner Objective, Designation of Trees, Type of Cut, Source of Regeneration.

Landowner Signature

The most important information on a cutting plan is the Landowner's objective, as this will determine which trees will be harvested and which will remain; this decision will also determine the future condition of the forest for decades to come.

[X] LT - Long-term Forest Management
Planned management of the forest to achieve one or more of the following objectives: produce immediate and maximize long-term income, enhance wildlife habitat, improve recreational opportunities, protect soil and water quality, or produce forest specialty products.

[] ST - Short-term Harvest
Harvest of trees with the main intention of producing short-term income with minimal consideration given to improving the future forest condition, which often results in a forest dominated by poor quality and low value species.

I (we) have read the Massachusetts Cutting Plan Information Sheet, and am aware of my (our) management options. I (we) hereby certify that I (we) have the legal authority to carry out the operation described above. I (we) certify that I (we) have notified the Conservation Commission in the town in which the operation is to take place and the abutters of record within two hundred feet of the area to be harvested. I (we) understand that the volumes and values (Ch61 only) in this plan have not been independently verified by the service forester upon approval and will report final values and volumes to the Director or his/her agent if the final figures differ from those reported.

Signature of landowner(s) [Handwritten Signature] Date [Handwritten Date]

Determination and Status

Form with checkboxes for Approved, Disapproved, Expires, Extension, Amendment, App 1, Dis 1, App 2, Dis 2.

Final Report and Comments

I hereby certify that the afore described Forest Cutting Plan and all relevant statutes have been substantially complied with.

Signature of Service Forester/Director's Agent Date

Table with 4 columns: Forest Types, Designation of Trees, Type of Cut, Source of Regeneration. Rows include WP White Pine, WK WP/Hem, WH WP/Hdwd, WO WP/Oak, RP Red Pine, SR Red Spruce, HK Hemlock, HH Hem/Hdwd, BC Bkck Cherry, BB Bee/Bir/Map, OH Oak/Hdwd, OR N Red Oak, OM Mixed Oak, RM Red Maple, BE Beech, SF Spruce/Fir, SM Sugar Maple, PP Pitch Pine, CT Cut Tree, LT Leave Tree, SB Stand Boundary, OT Other, Landowner Objective, LT Long-term Mgt., ST Short-term Har., SH Shelterwood, ST Seed Tree, CC Clear Cut, SE Selection, SA Salvage, SN Sanitation, Intermediate Harvests, Non-Standard Systems, DG Highgrade, DL Diameter Limit, OT Other, AD Advanced, SE Natural Seed, PL Plant, CO Coppice, DS Direct Seed, OT Other.

Forest Cutting Plan

Narrative Page (Effective Date: 1/1/04)

Use this page to provide further explanation or if Other (OT) was used in any category on pages 3 or 4.

Landowner _____

Town _____

File Number _____

BMPs

Use this Section to provide further explanation or if Other (OT) was used in any category in the Best Management Practices Section on Page 3.

No harvesting in filter strips near vernal pools (certified or potential), and only trees necessary for equipment access at SC-1. No harvesting in wetlands

Entire project is a priority habitat for rare species and will be subject to review by N.H.E.S.P.

Designation of Trees

Use this Section to describe the types of trees to be harvested and/or retained if Other (OT) was used for "Designation of Trees" in the Stand Treatment Section on page 4.

Stand No.	Species to be Cut	Size of Trees to be Cut	Quality of Trees to be Cut	% BA/Acre Removed
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Regeneration & Future Condition

Use this Section to describe how Chapter 132 requirements will be met if a non standard system (HG, DL, or OT) was used for the "Type of Cut" in the Cutting Standards Section on page 4.

Stand No.	Source of Regeneration (ex. AD, SE)	How will Regeneration be obtained/protected? If using AD - Describe the species present and how the regeneration will be protected If using SE - Describe the source of the seed and the number of seed trees/acre
------------------	--	---

ST-3	SE	Scattered mature Pitch Pine and tree oak will be retained as needed.

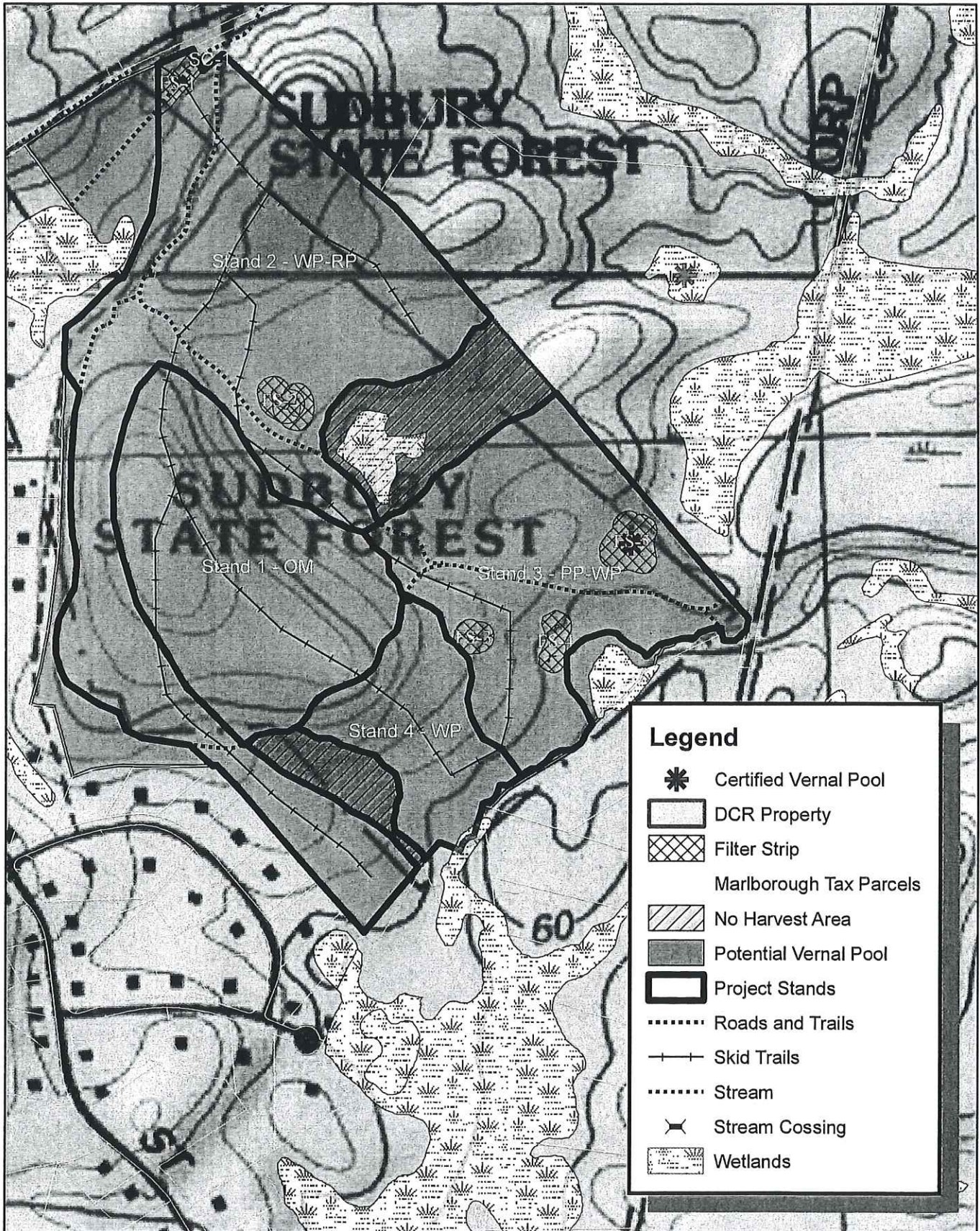
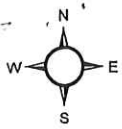
Stand No.	Desired Future Condition Describe what the stand is expected to look like five years from the harvest, including the condition of the overstory & understory
------------------	--

ST-3	This stand is to be restored to a Pitch Pine-Scrub Oak barrens complex for rare species habitat. Forestry mowing and/or prescribed fire is intended to be used to maintain this habitat type. The overstory will consist of scattered Pitch Pine, tree oak and some White Pine retained during harvest. The understory will consist of scrub oak along and other plants found in this habitat type.

Hansen Lot Forestry Project

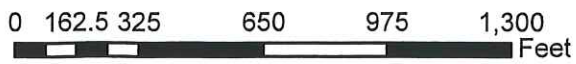
Marlborough-Sudbury State Forest

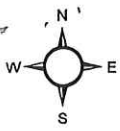
Marlborough



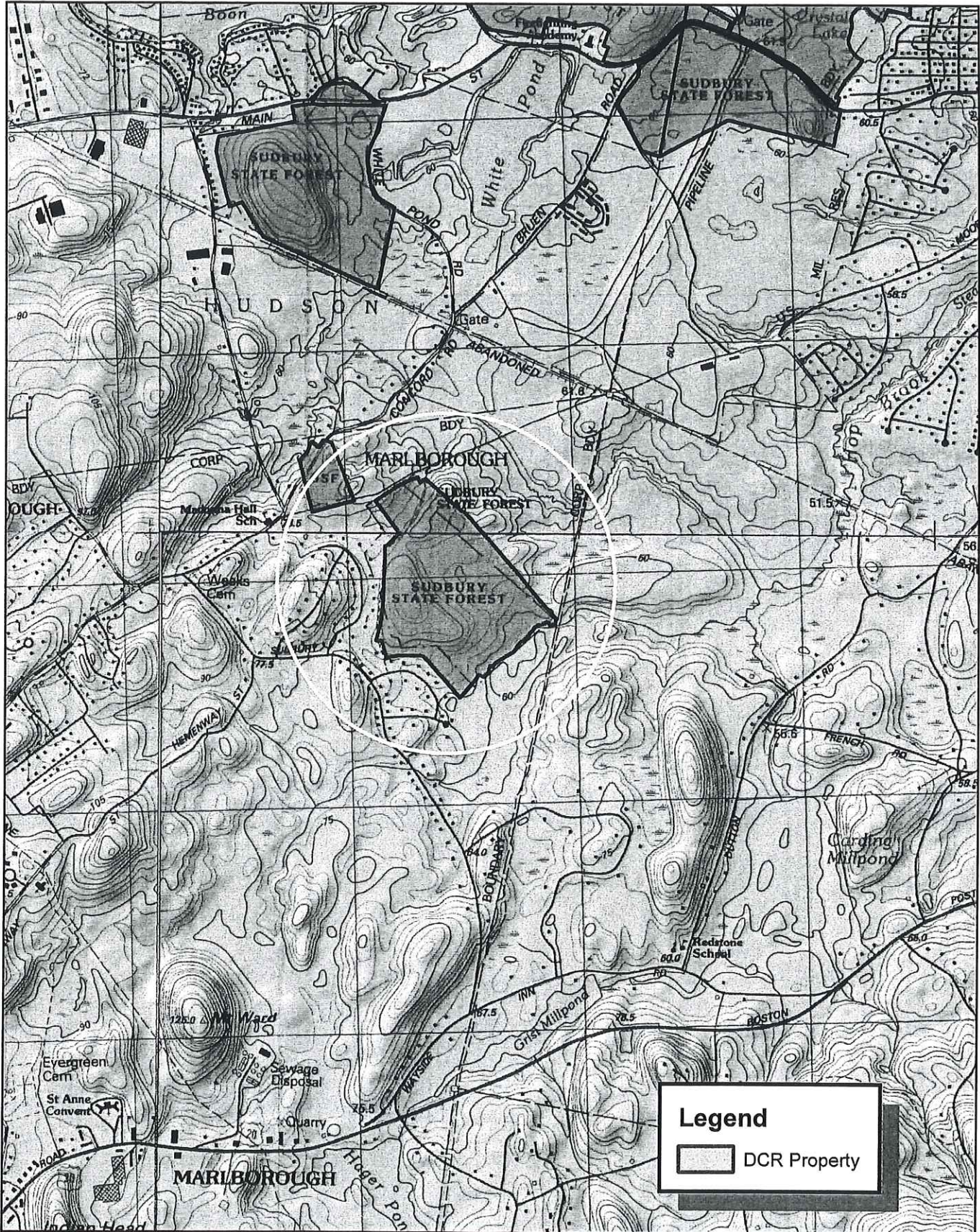
Legend

- Certified Vernal Pool
- DCR Property
- Filter Strip
- Marlborough Tax Parcels
- No Harvest Area
- Potential Vernal Pool
- Project Stands
- Roads and Trails
- Skid Trails
- Stream
- Stream Crossing
- Wetlands



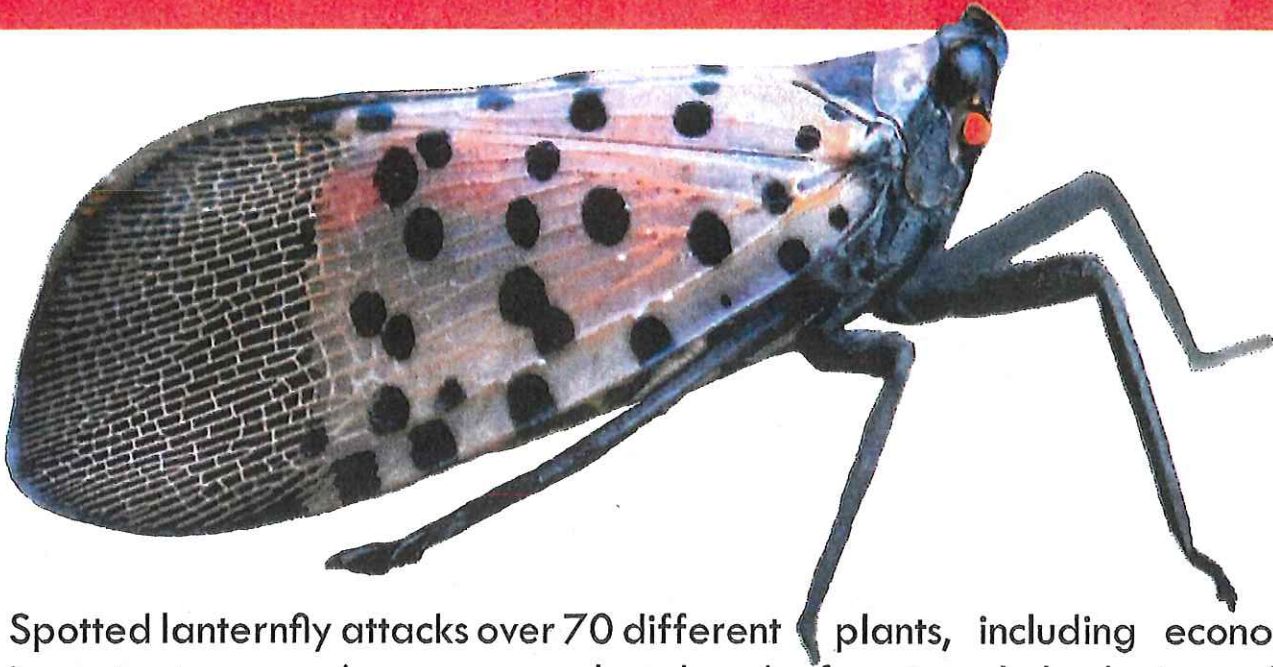


Hansen Lot Forestry Project Locus Map Marlborough-Sudbury State Forest Marlborough



0 650 1,300 2,600 3,900 5,200
Feet

STOP THE SPREAD OF **SPOTTED LANTERNFLY**



Spotted lanternfly attacks over 70 different plants, including economically important crops (grapes, apples, hops), forest and shade trees (maple, willow, birch), and the invasive tree of heaven.

This pest has now been spotted in several parts of Massachusetts.

WE NEED YOUR HELP TO STOP IT BEFORE IT BECOMES ESTABLISHED



Egg masses
(Sept.-June)



Early nymphs
(April-July)



Late nymphs
(July-Sept.)



Adults
(July-Dec.)



HAVE YOU SEEN THIS INSECT? GET A PHOTO AND REPORT IT!
[MASSNRC.ORG/PESTS/SLF](https://massnrc.org/pests/slf)

← Scan this QR Code, or call 617-626-1779



WANTED

Mile-a-minute Vine ("MAM")

(*Polygonum perfoliatum*, also known as Devil's Tail, Asiatic Tearthumb, or *Persicaria perfoliata*)



Mile-a-minute Vine is a highly invasive annual weed, native to Asia, that was first discovered in Massachusetts in 2006. A single vine can grow up to 6 inches per day. Mile-a-minute vine climbs

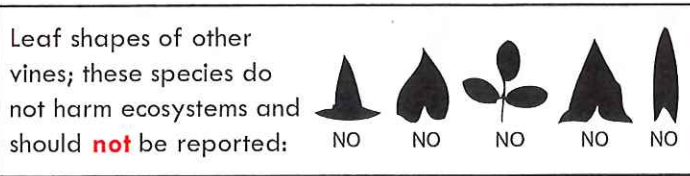
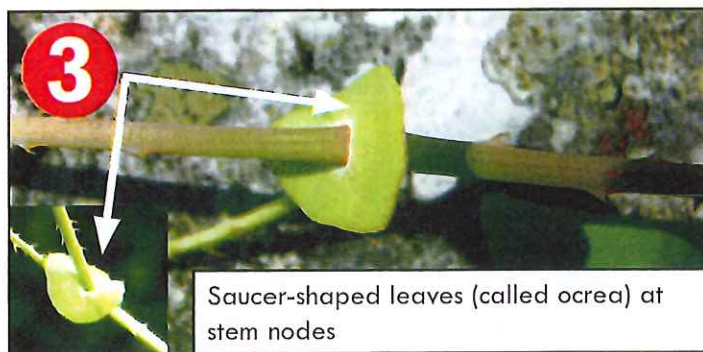
over trees and posts, shading out other plants. It outcompetes and overgrows native species, causing ecological and economic damage. Your help is needed to prevent this plant from becoming established in Massachusetts.

Please help us find, track, and control this invasive plant!

THREE IDENTIFYING TRAITS:



In summer, MAM fruits ripen from green to metallic blue



If you find a plant with all 3 traits, note its location, photograph it or take a sample, and **REPORT IT**:

- Visit <http://massnrc.org/pests> (click "Report MAM")
- Call the MDAR Plant Pest Hotline: 617-626-1779





City of Marlborough Conservation Commission

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

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

September 20, 2021

Mayor Arthur Vigeant
140 Main St. City Hall
Marlborough, MA 01752

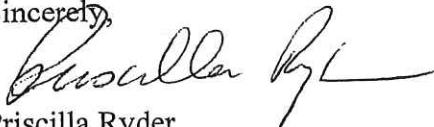
RE: Acceptance of Gift to Conservation Maintenance Fund
To replace dead tree on the Assabet River Rail Trail (ARRT)

Dear Mayor Vigeant,

The City of Marlborough through the Conservation Commission has been given two gifts from Assabet River Rail Trail Inc, and Karen Ebner for \$495 and \$121.50 respectively to pay for a tree to be replaced along the ARRT off Crowley Dr. There are several trees in this section that have died and we will be working with ARRT Inc and others to seek funding over time to replace dead and dying trees along the trail. ARRT Inc collected funds from the Ebner family and friends in order to do this tree replacement. I have worked with Chris White to confirm that this donation will cover the cost of the tree and its installation so there will be no cost to the city. As required by MGL Ch. 44 Section 53A ½ the acceptance and expenditure of these gifts totaling \$616.50 requires your approval. We would like these funds placed in the Conservation Maintenance Fund account #845 00005 54000 to be used for the purchase and installation of this tree on the ARRT.

If you have any questions on the above, please let me know.

Sincerely,


Priscilla Ryder
Conservation Officer

Cc: Con. Com.
Sean Divoll

7/11

**CITY OF MARLBOROUGH
NOTICE OF GRANT AWARD**

DEPARTMENT: Conservation DATE: 8/31/2021

PERSON RESPONSIBLE FOR GRANT EXPENDITURE: Priscilla Ryder

NAME OF GRANT: Gift

GRANTOR: ARRT Inc and Karen Ebner

GRANT AMOUNT: gift of \$616.50 (two checks \$495 & 121.50)

GRANT PERIOD: N/A

SCOPE OF GRANT/
ITEMS FUNDED Funds to be used to buy a tree and install it to replace
a dead tree on the ARRT near Crowley Dr.

IS A POSITION BEING
CREATED: no

IF YES: CAN FRINGE BENEFITS BE PAID FROM GRANT? N/A

ARE MATCHING CITY
FUNDS REQUIRED? No

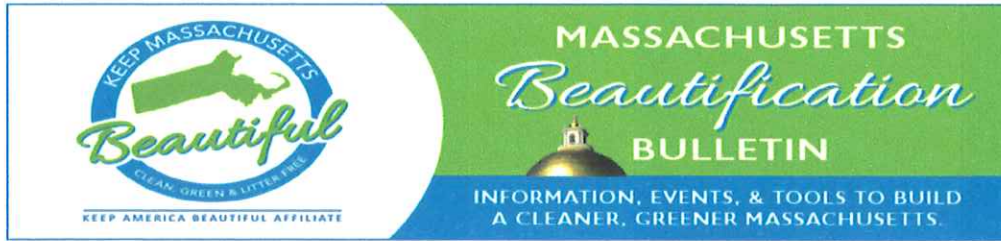
IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF CITY FUNDS TO BE USED:

ANY OTHER EXPOSURE TO CITY?
No

IS THERE A DEADLINE FOR CITY COUNCIL APPROVAL: Oct-21

DEPARTMENT HEAD MUST SUBMIT THIS FORM, A COPY OF THE GRANT APPROVAL, AND A COVER LETTER TO THE MAYOR'S OFFICE REQUESTING THAT THIS BE SUBMITTED TO CITY COUNCIL FOR APPROVAL OF DEPARTMENT TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE GRANT



Congrats To Our 2021 Plant Something Bee-eautiful Grantees!



Each September, we announce our annual Plant Something Bee-eautiful grants that support the planting of pollinator-friendly plants and trees in public spaces. This program not only beautifies public spaces, but also restores natural habitats for pollinators.

This year, we received 24 grant applications, which represented a big uptick from 2020. Normally, we make five \$500 grants. But with the higher volume this year, we decided to increase our grant budget to \$3,500. And now onto this year's winners!

- **Keep Hyde Park Beautiful:** \$500 grant for the expansion of the pollinator garden at the Roosevelt Elementary School in Readville.
- **Keep Salem Beautiful:** \$500 grant for new pollinator gardens at Palmer Cove along Salem Street
- **Worcester Green Corps (a KMB Chapter):** \$500 grant to add new pollinator flower beds in several city parks
- **Keep Ware Beautiful:** \$500 grant for a new pollinator garden at the Young Men's Library Association, in partnership with the East Quabbin Land Trust
- **Keep Shrewsbury Beautiful:** \$250 grant for a new pollinator garden at Dean Pond in partnership with a local girl scout troop
- **Winchester:** \$250 grant for Grow Local for a new native hedgerow in partnership with the Winchester Conservation Commission
- **Marlboro:** \$250 grant for the Pollinator Preservation Garden at Ghiloni Park
- **Swampscott:** \$250 grant for the small meadow restoration at the Swampscott Middle School
- **Brewster:** \$250 grant for the creation of a new native pollinator meadow as part of the Pollinator Pathways of Cape Cod
- **South Boston:** \$250 grant for Barnard Place Park to buy pollinator plants as part of a new gardening program for pre-teens.

Congratulations to our 2021 Plant Something Bee-eautiful grantees! You are all doing beautiful things for our environment.



City of Marlborough Conservation Commission

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

September 17, 2021

Israel Lopez
Managing Director of Development
The Gutierrez Co.
200 Summit Drive; Suite 400
Burlington, MA 01803

ilopez@gutierrezco.com

RE: DEP 212—1193 Wetland Violation notice- Fine \$300
149 Hayes Memorial Dr., Marlborough

Dear Mr. Lopez,

As I discussed with Dan Dedinsky yesterday and again this morning, Sept. 16 & 17, 2021 regarding the 149 Hayes Memorial Dr. site, mud was being tracked onto Hayes Memorial Dr. creating mud and dust conditions. This is a violation of the Order of Conditions and a \$300 is being assessed.

As discussed with Dan today by phone and after a visit from Ed Clancy Chairman, and through e-mails, this situation was abated and steps to keep mud from tracking onto the roadway in the future were addressed. I will meet you and Dan on the site on Tuesday September 21st to review these measures as well.

We appreciate the prompt attention given to address these issues today. We will continue to keep a close eye on this site to ensure compliance. Please know it is your responsibility to ensure that someone on the site is keeping an eye on these things and staying on top of site control and having items corrected before they come to our attention.

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

Sincerely,


Priscilla Ryder
Conservation Officer

E-mail: Tom DiPersio— DPW; Con Com
Dan Dedinsky ddedinsky@gutierrezco.com;

Ticket: #0337 \$300

