

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: Conservation Commission
Date: September 16, 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:

Public hearings:

- 7:00 Amend Order of Conditions – DEP 212-1203
28 Littlefield Ln. - Neal Reilly
Proposes to amend his plans to add a small addition with a foundation under the existing sunroom and move utilities at 28 Littlefield Ln. (DEP 212-1203)
- 7:05 Notice of Intent (Continued from September 2, 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.
- 7:15 Request for Determination of Applicability (Continued from September 2, 2021)
Review draft special conditions
1000 Nickerson Rd. – Lincoln Property Company
Proposes to construct a 120,000 sq. ft. building near a small wetland. Review draft conditions.
- 7:25 Notice of Intent (Continued from September 2, 2021)
641 Pleasant St. – Big Daddy Realty Trust
To build a single-family dwelling near wetlands.
- 7:35 Notice of Intent (Continued from September 2, 2021)
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 (Continued from September 2, 2021)
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.

Discussion:

- Letter from Ft. Meadow Commission, dated Aug. 30, 2021 RE: Drawdown of Ft. Meadow – Nov. 1, 2021 – March 1, 2022.

Updates on Current projects and Violations:

- Violation letter and ticket for 149 Hayes Memorial Dr. – DEP 212-1193

Correspondence/Other Business:

- 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.

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

Adjournment

August 17, 2021

Neal Reilly
28 Littlefield Lane
Marlborough, MA 01752
508-630-8252 / nealreilly.general@gmail.com

Re: DEP #212-1203

Ms. Ryder and Members of the Marlborough Conservation Commission:

We respectfully request that you amend our final Order of Conditions on the above conservation permit to allow us to relocate the water and sewer service lines within our backyard and to pour a foundation under the existing sunroom. The relocation of the utilities will remain outside of the wetlands buffer as shown on the included engineering plan.

Thank you very much for your consideration.

Sincerely,

Scott and LeAnn Neal Reilly

Amend ~~the~~ Order Order

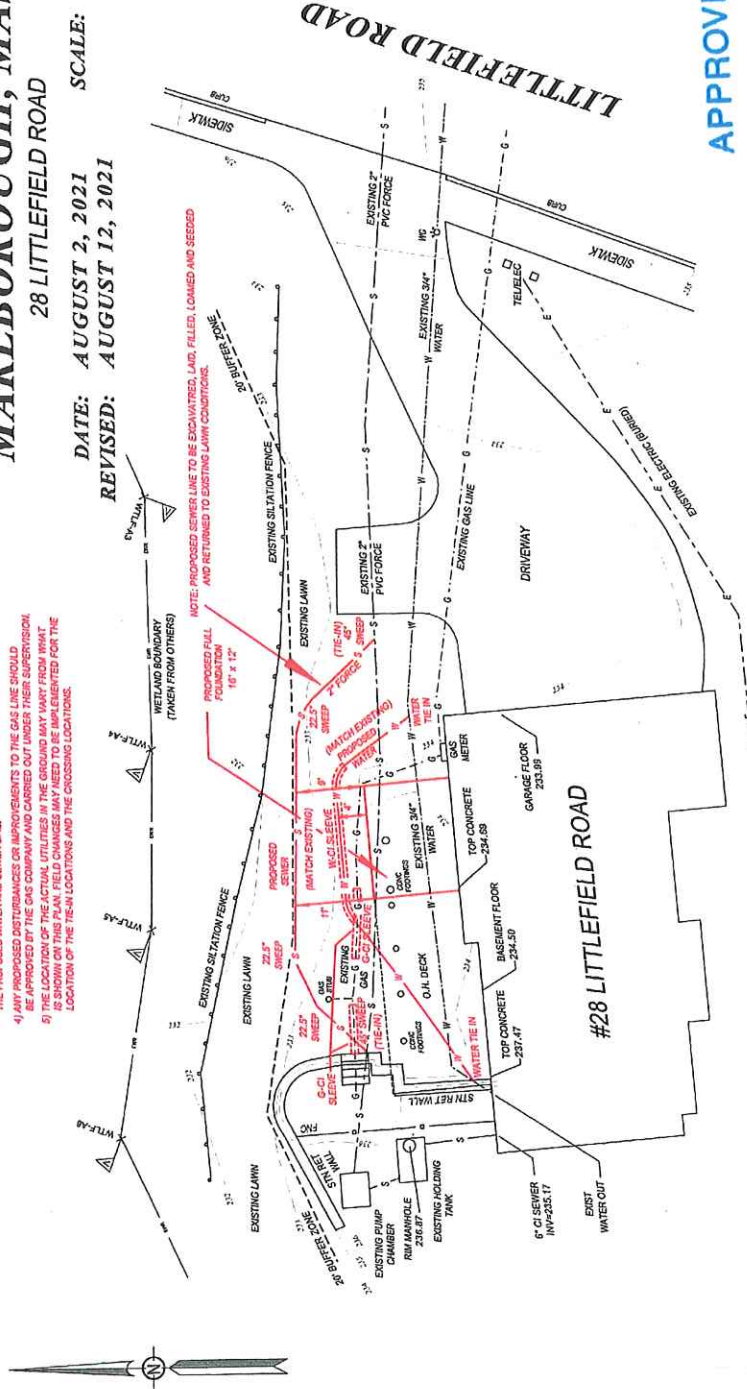
✓
7x7

UTILITY RELOCATION PLAN IN MARLBOROUGH, MASS 28 LITTLEFIELD ROAD

DATE: AUGUST 2, 2021
REVISÉ: AUGUST 12, 2021
SCALE: 1"=10'

PREPARED FOR: LEANN NEAL REILLY

- NOTES:
- 1) PROPOSED WATER LINE TO BE 4 FEET OFF NEW FOUNDATION.
 - 2) PROPOSED WATER LINE TO BE SLEAVED IN CAST IRON OR CONCRETE PIPE AS SHOWN IN THE AREAS WHERE THE SEWER LINE IS CLOSER THAN 10 FEET.
 - 3) THE EXISTING GAS LINE IS TO BE SLEAVED IN CAST IRON OR CONCRETE PIPE AT EVERY POINT (AND 2 FEET IN BOTH DIRECTIONS) WHERE IT CROSSES THE PROPOSED WATER AND SEWER LINE.
 - 4) ANY PROPOSED DEPTH CHANGES TO THE GAS LINE SHOULD BE INDICATED BY A NOTE AND CARRIED OUT UNDER THEIR SUPERVISION.
 - 5) THE LOCATION OF THE ACTUAL UTILITIES IN THE GROUND MAY VARY FROM WHAT IS SHOWN ON THIS PLAN. FIELD CHANGES MAY NEED TO BE IMPLEMENTED FOR THE LOCATION OF THE TIE-IN LOCATIONS AND THE CROSSING LOCATIONS.



THIS PLAN PREPARED TO SHOW PROPOSED RELOCATION OF EXISTING WATER AND SEWER LINES. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.

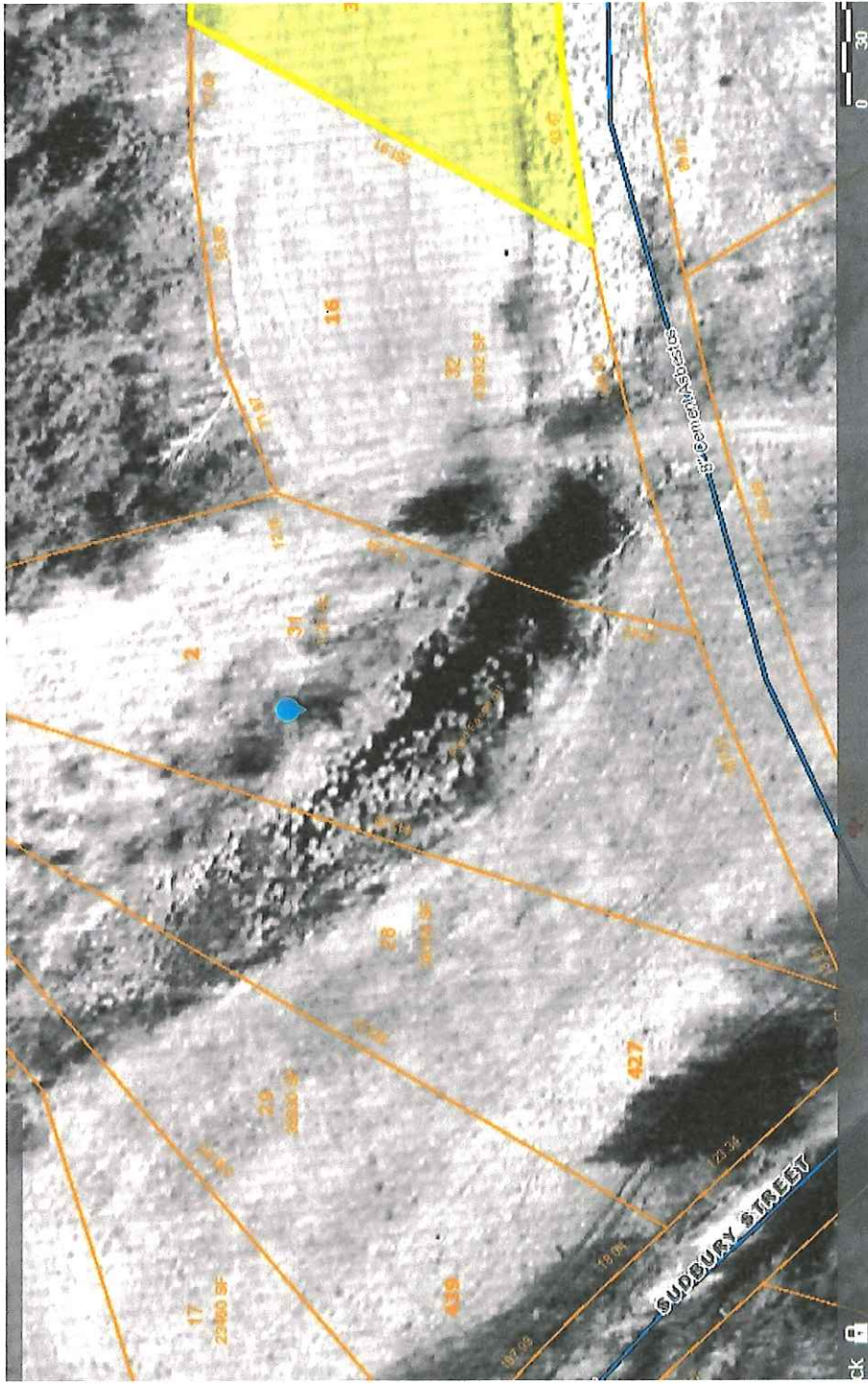


LOCATION OF UTILITIES SHOWN ARE BASED ON FIELD SURVEY AND COMPILATION OF EXISTING PLAN DATA. ALL UTILITIES ARE TO BE MARKED OUT ON THE GROUND BY THE PROFESSIONAL ENGINEER PRIOR TO CONSTRUCTION. NO GUARANTEE AS TO THEIR ACCURACY IS WARRANTED OR IMPLIED BY THIS PLAN.

APPROVED
AUG 11 2021
MARLBOROUGH DPW
ENGINEERING DIVISION

DATE:	AUGUST 12, 2021
SCALE:	1"=10'
FIELD SURVEY BY:	JAS / BWG
CALCD BY:	JAS / TDP
DRAWN BY:	JAS
CHECKED BY:	TOP
REVISIONS:	

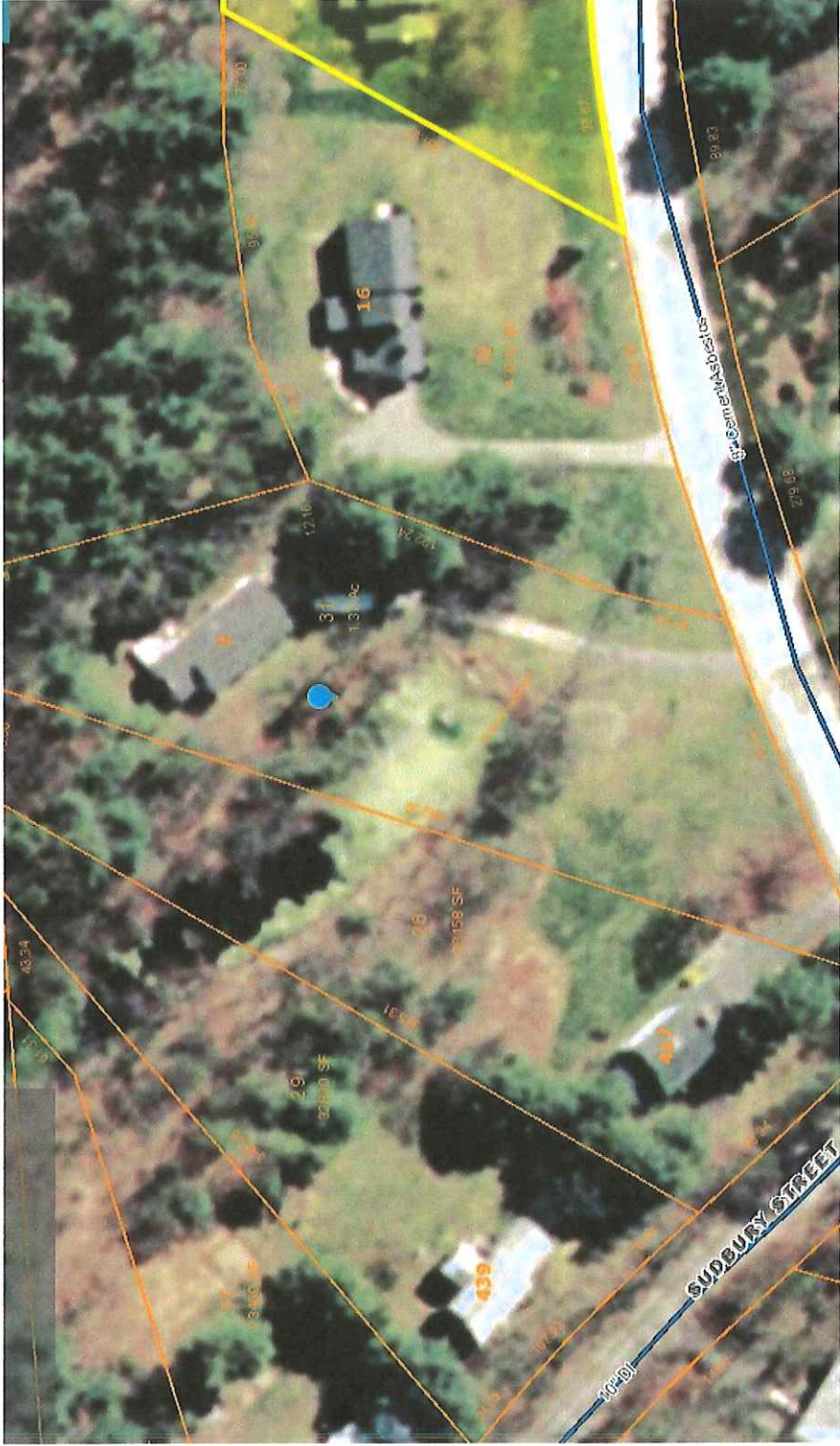
SAVELLO & ASSOCIATES
LAND SURVEYORS / WETLAND CONSULTANTS
32 PEARL STREET
MARLBOROUGH, MASSACHUSETTS
TEL. (508) 481-8205



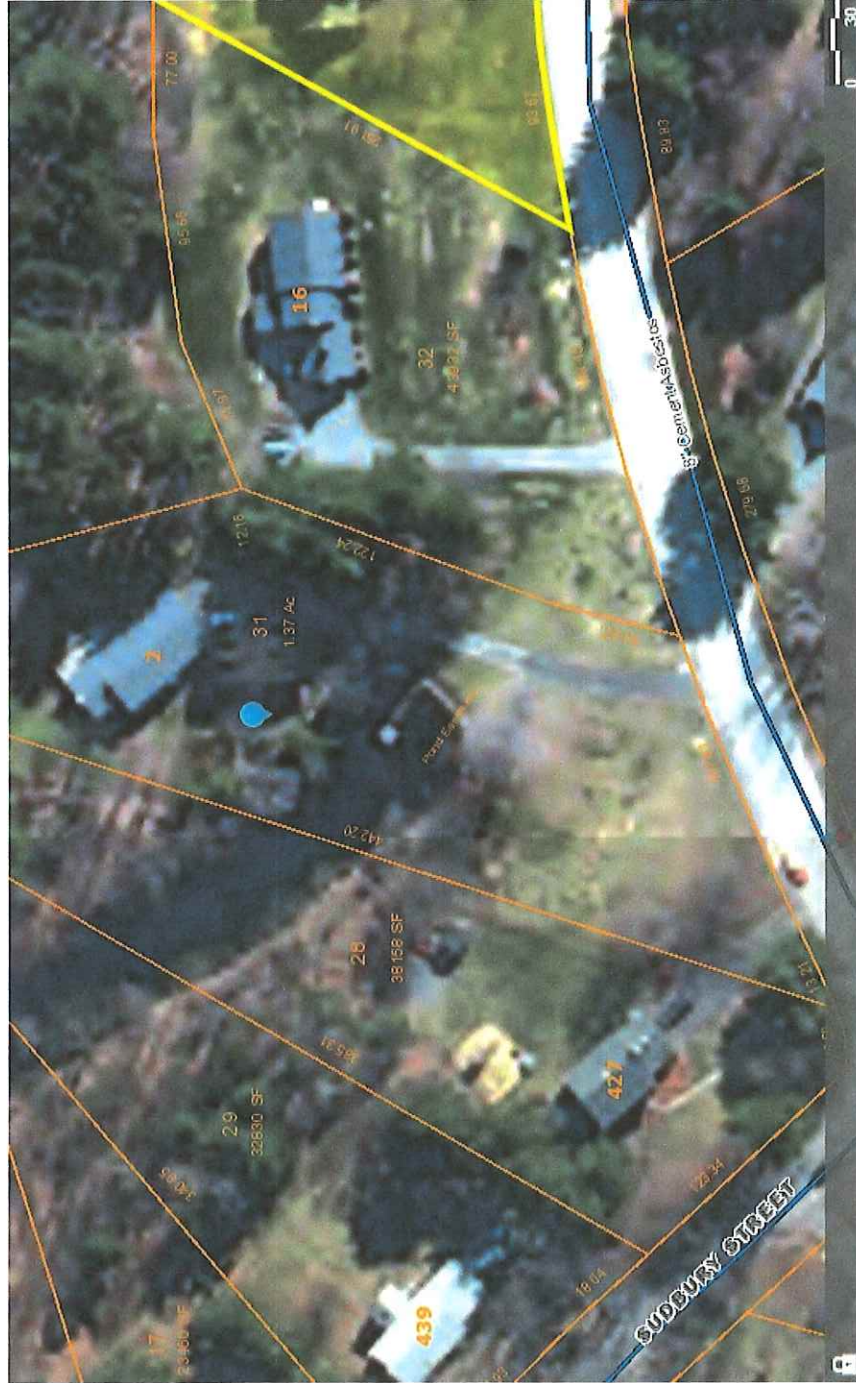
City Image 1960



City Image 2000



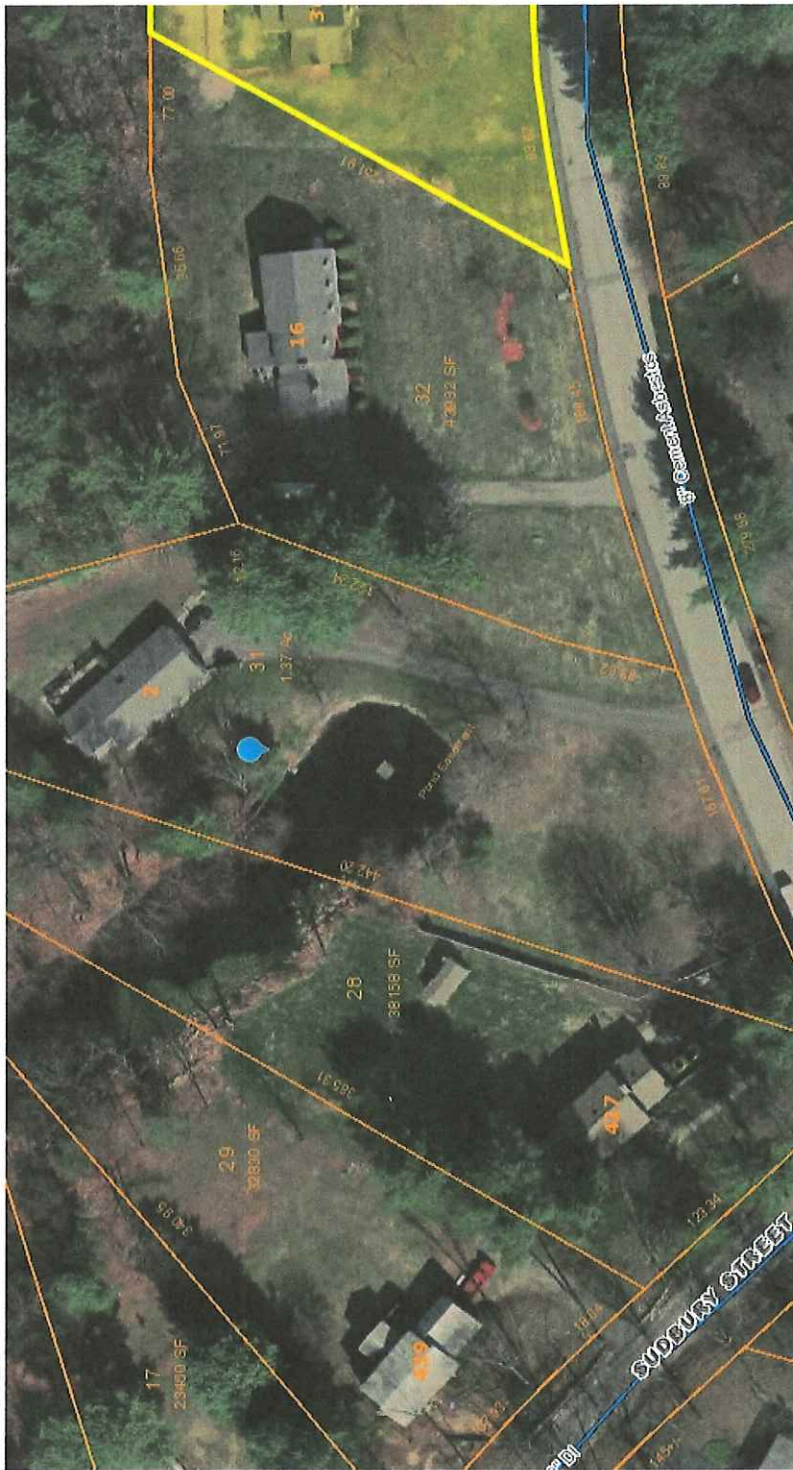
Statewide 2001



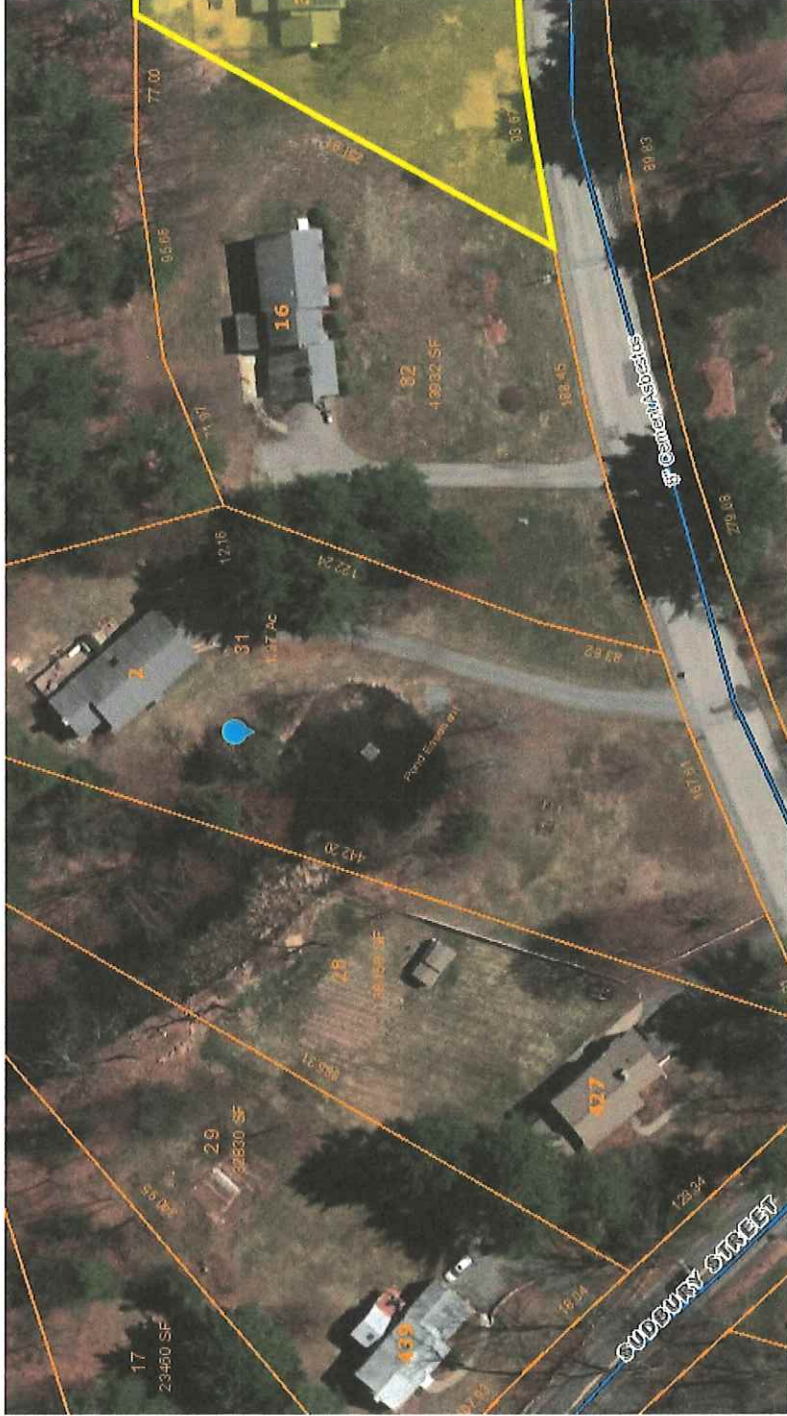
Statewide 2005



Statewide 2008



City Image 2014



True Color 2017



Orthos 2019

Draft

Determination of Applicability

1000 Nickerson Rd.; Marlborough
Construction of a building with associated drainage
Special Conditions

FINDINGS OF FACT: The project is a huge building on a hill with steep grades and lots of grading and glacial till soil. The Commission's jurisdictional 100' buffer zone extends into the driveway and small portion of the drainage structure. However, due to the nature of the project, without proper erosion controls within the site, mud could easily impact the adjacent wetlands across the street. The site is divided into two watershed drainage areas, the northern side drains to the city's drinking water supply, the southern side drains west towards Northborough and a large wetland system with endangered species habitat. Because of these sensitive receptors it is imperative that this site does not negatively impact the wetlands during or after construction. Therefore, the following special conditions must be followed in order to protect the adjacent wetland area:

CONDITIONS:

Erosion Control/Construction sequencing

1. Prior to construction a preconstruction meeting will be held with the Conservation Officer and Site Contractor to review these conditions and inspect the erosion controls and review the construction sequencing plan. The construction sequencing plan, to be amended for final approval by the site plan review committee, shall be followed to ensure the wetlands are protected.
2. The developer is required to hire an "Erosion Control Expert" to oversee the site work on the site. This individual(s) shall have a proven record of controlling sites of equal size and equal material type. The Conservation Officer and the City Engineer shall evaluate whether the individual(s) to be hired has adequate experience before they are hired to work on this project. This erosion control expert shall be hired prior to construction and shall be an integral part of the preconstruction meeting noted above.

OR would you prefer this one:

2. 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 of 0.5 inches or more. Necessary repairs and maintenance of the erosion control devices shall be made

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expeditiously. These inspections shall be described in the reports required in the condition below.

3. Stone construction entrance pads and/or a truck washing station shall be in place at the exit onto Nickerson Rd. 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. A street sweeper shall be readily available.
4. The Erosion Control monitor shall be consulted when there is any discussion about or deviation to the overall plan and the erosion control plan to ensure that there is proper coordination with the site development and the erosion control and stormwater management at all times. Any substantial changes to the plan shall be reported to and discussed with the Conservation Officer before implementation.
5. Said erosion control monitor shall be responsible for regular inspections of the erosion controls on at least a weekly basis and prior to and following (within 24 hours) each storm event of 0.5 inches or more. 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.
6. Said erosion control expert will report (by e-mail) to the Commission weekly, during construction, summarizing the work that has been completed, compliance of the project with the Order of Conditions and the status of the erosion controls. It will also include his/her recommendations on actions needed and also report compliance with recommendations. Failure on the part of the developer to implement the recommendations made by the Erosion Control Expert will be a violation of the terms and conditions of the permits issued for the project. These weekly reports from the consultants shall begin as soon as the work begins on the site. As construction progresses the reporting may be reduced at the discretion of the Conservation Officer.
7. 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.
8. The Commission requires that all discharges from the site that drain off site be below the turbidity reading of 280 NTU's which is the EPA standard for turbidity outside of drinking water supply areas.
9. All large stockpiles must be maintained in a stabilized condition with erosion control in place and approved by the Conservation Officer. Earth material stockpiles shall not be

allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days will be shaped, stabilized and circled with erosion controls. The Erosion Control Expert shall be consulted to ensure that the stockpile locations are not interfering with drainage or erosion control during construction. The Commission understands that the site will shift and change during construction, but the erosion control expert must be on board with all such changes before they are made to ensure proper coordination.

10. If dewatering is needed during the excavation of the building foundation or after storm events, all silty water must be filtered through a dewatering/sedimentation trap system, until such time as the water runs clean. At no point shall silty water be discharged into the street drainage system, wetlands or streams without first being filtered and cleaned. Please notify the Conservation Officer if dewatering system is needed to allow for an inspection of the system before it is used.
11. All catch basins shall be equipped with gas/oil hoods and 4-foot sumps.
12. Tree protection – the trees along Nickerson Rd. and the existing detention basin shall have the drip line and roots protected during construction to ensure their survival. The applicant will maintain the trees to the extent possible and the applicant will replace impacted trees in kind
13. The emergency spillway from the existing detention basin shall be configured so as to have the least impact on the existing trees along Nickerson Rd.
14. Prior to request for final occupancy the site shall be stabilized, and all drainage systems inspected and cleaned as needed.

Any thing else?



CITY OF MARLBOROUGH
Marlborough, Massachusetts 01752

Fort Meadow Commission

SEP 2 - 2021



TOWN OF HUDSON
Hudson, Massachusetts 01749

Marlborough Conservation Commission

30 August 2021

City Hall

140 Main Street

Marlborough, Ma

Dear Ms. Ryder

This is to notify you that at the August 19, 2021 meeting of the Fort Meadow Commission they voted to recommend a winter long drawdown of Fort Meadow Reservoir starting November 1 with a projected spillway closure March 1, 2022 depending upon environmental conditions.

Regards,

Lee Thomson
Chairman
Fort Meadow Commission

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City of Marlborough Conservation Commission

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

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

August 27, 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 \$400
149 Hayes Memorial Dr., Marlborough

Dear Mr. Lopez,

As I discussed with Dan Dedinsky, Mark Arnold and the construction team on Friday August 20, 2021 on the 149 Hayes Memorial Dr. site, the muddy water and silt which was discharged into three different area into the wetlands during the rain last week is a violation of the Order of Conditions issued for this project and a fine of \$400 is being assessed for each of these discharges and the failure to follow the sequencing plan as required. The site was planned to be phased to ensure that the site would not be opened up. However, as this wasn't followed the site failed to be able to control the runoff from the heavy storm, we had last week.

As a follow up to my site visit last Friday, I have had several e-mails from both Dan and Mark which included construction sequencing and cleanup information which has addressed these violations and it is clear they are both working with the construction team to bring the site into a condition so these violations will not occur again and have cleaned up the silt from the wetlands. We appreciate the prompt attention given to address these issues. We will continue to keep a close eye on this site until it has been stabilized. We are hopeful this will be the last violation on this site.

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; Mark Arnold mark@goddardconsultingllc.com

Ticket: #0333 \$400



**Department of Conservation and Recreation
Commonwealth of Massachusetts**

**Sudbury and Foss Reservoirs Watershed Public Access Plan Update
Public Listening Session
Wednesday September 22, 2021 @ 6:00pm – 7:30pm**

Join: [Click here to join the meeting](#)

At this remotely held public meeting, the DCR Division of Water Supply Protection team for this project will provide an overview of the process and timelines that will be used to update the Sudbury and Foss Reservoirs Watershed Public Access Plan. The Sudbury and Foss Reservoirs are emergency water supplies for the DCR/Massachusetts Water Resources Authority system that provides drinking water to over 3 million Massachusetts residents. The last public access plan update for this watershed occurred in 2010.

The purpose of this public access plan is to review existing policies and implement changes based on sound science to control impacts to water quality from passive recreation activity on DCR Division of Water Supply Protection lands in the Sudbury and Foss Reservoirs watershed.

If you need assistance joining the meeting, please contact Daniel.cushing@Mass.gov. After the presentation, the public will be invited to ask questions and provide feedback on the proposed design.

After the meeting, the presentation will be available for viewing at <https://www.mass.gov/dcr/past-public-meetings>. DCR encourages the public to share additional feedback, with a deadline for receipt of comments by DCR of October 13th, 2021. Comments may be submitted online at <http://www.mass.gov/dcr/public-comment>. Please note that the content of comments you submit to DCR, along with your name, town, and zip code, will be posted on DCR's website. Additional contact information required when commenting, notably email address, will only be used for outreach on future updates on the subject project or property.

If you have agency-related questions or concerns or would like to be added to an email list to receive DCR general or project-specific announcements, please email Mass.Parks@mass.gov or call 617-626-4973.

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need, please include as much detail as you can. Also include a way we can contact you if we need more information. Please allow at least two-week advance notice. Last minute requests will be accepted, but we may be unable to fulfill the request. Please send an e-mail to Melixza G. Esenyie, ADA and Diversity Manager at the Executive Office of Energy and Environmental Affairs at Melixza.Esenyie2@mass.gov or call 617-872-3270.

Please follow us on Twitter at [#MassDCR](https://twitter.com/MassDCR)

7/14

City of Marlborough
Commonwealth of Massachusetts



Pamela A. Wilderman (X30201)
Ethan Lippitt (X 30200)
Code Enforcement
140 Main Street
Marlborough, MA 01752
Phone: (508) 460-3776 (x30201)
Fax: (508) 460-3736
Email: pwilderman@marlborough-ma.gov
elippitt@marlborough-ma.gov

September 8, 2021

David James Roberts
Daohathai Roberts
37 Boivin Drive
Marlborough, MA 01752

RE: Final Landscaping
37 Boivin Drive

212-1036 (LOT 13)

Dear Mr. and Mrs. Roberts:

Attached please find a copy of correspondence sent the previous owners on August 24, 2021. I note that the property was sold to you on August 31, 2021 and I'm assuming that that information was not given to you.

The occupancy permit was issued on the promise that all the appropriate landscaping would be completed in the spring. Since it has not been completed, it is imperative that the work be completed before winter to ensure that all the plantings take. You should also be aware that the Conservation Commission, on July 22, 2021, denied the Certificate of Compliance request until the lawn has been re-established (add topsoil and reseed).

Please contact this office no later than Monday, September 13, 2021 to advise of your schedule for compliance. Failure to do so could result in further fines and/or sanctions including the withdrawal of the Occupancy Permit for this property.

Sincerely,

Pamela A. Wilderman
Code Enforcement Officer

Cc: Councilor Doucette
Conservation Officer
Planning Board
Engineering Dept.
File

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City of Marlborough Conservation Commission

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

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

Memorandum

To: Barbara Fenby, Chairwomen
Planning Board

From: Ed Clancy, Chairman Marlborough Conservation Commission

Date: September 7, 2021

RE: Preliminary Subdivision Plan – Cullinane Dr.

Edward Clancy
EB

The Conservation Commission is in receipt of and reviewed, at our Sept. 2, 2021 meeting, the following plan:

Title: "Preliminary Subdivision Plan Cullinane Dr. Extension" Marlborough, MA
Owner: J. MOR Realty Trust
Dated: August 6, 2021
Prepared by: Chappell Engineering Associates, LLC

The Commission provides the following comments:

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 Commission wanted to make note that the current Open Space and Recreation Plan does identify the undeveloped portion of Red Spring Rd. as a parcel that is worth protecting undeveloped 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.

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

Cc: Tom DiPersio, City Engineer
Tin Htway, Building Commissioner

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