

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

December 8, 2005 (Thursday)
Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, David Williams, Lawrence Roy, John Skarin, Dennis Demers, and Priscilla Ryder-Conservation Officer

Absent: Allan White and Donald Rider, Jr.

Minutes: The minutes of Nov. 3 and Nov. 17, 2005 were unanimously approved as written.

Discussion

- Planning Board - White Oak Estates
The Commission reviewed the preliminary subdivision plan and noted there are wetlands at the back of this lot. Ms. Ryder will send a letter to the Planning Board.
- Forest Cutting Plan - Marlborough State Forest from the Dept. of Conservation and Recreation (DCR). The Commission reviewed the draft press release for the forest cutting plan at the Marlborough State Forest next to Ghiloni Park. They will bid the project late winter and cutting may begin this winter or next.
- 233 South St. - Update on violation – (Dennis Demers abstained due to a conflict of interest) The owner, Mr. Reginolds, was present and requested permission to extend the time he has to remove the stone wall he built within the wetland area. He also asked if he could remove the cement and leave the stones in the area of the property line. The Commission noted that many of these stones were brought in from outside and not all of them were from the lawn/wetland area, therefore, they should be removed from the wetland area. Mr. Reginolds explained that he will need to remove the stones by hand and that it will take some time. After some discussion the Commission agreed to extend the time for removing the wall to March 1st.

Public Hearing(s)

Request for Determination of Applicability

- 1 Applebriar Ln. - Verizon New England, Inc.
Chris Parella from Verizon was present and explained that during the reconstruction of Rte. 20, the conduit feeding the Applebriar Apartments was crushed therefore, it needs to be replaced. They would like to install a plastic conduit with fiber optic cables through the landscaped area at the entrance to Applebriar to avoid disruption of the entrance way. The conduit would connect into the existing network already located in the driveway. After some discussion, the Commission agreed the work is minor in nature and will have a small amount of disturbance. The trench is to be

backfilled with flowable fill. The minor amount of excess fill will be removed or blended into the landscape. Mr. Demers suggested that the plastic pipe conduit may need to be tied down since it will eventually float in the flowable fill. The Commission voted 5-0 to issue a negative determination with no conditions.

Request for Determination of Applicability (Continuation)

- 32 Stevens St. - Jovelino Samuel
Mr. Samuel, the owner, was present and explained that he has not been able to get permission from the abutting land owner to extend his roof drain pipe onto their property. Instead, he would like to install a dry well on his side of the fence to help direct roof runoff away from his house and foundation. The Commission said this would be acceptable, as the wetland is at least 20 feet away from the back of his fence. The Commission voted 5-0 to issue a negative determination with conditions to notify the Conservation Officer when work is to be done and to stabilize the area once the work is completed.

Certificate(s) of Compliance

- DEP 212-775 West Ridge Estates - Roadway & Drainage (Map 40 Parcel 13) This request is premature as the work is not yet complete. However, the Order has expired, therefore, the applicant has been asked to refile a Notice of Intent (NOI) for the remaining work and once this is completed, the Commission will release both this order and the new one to be issued at the same time. Ms. Ryder will convey this to the applicant.
- DEP 212-880 Pleasant Gardens – The open space issues still need to be investigated, so this item was continued.
- DEP 212-926 20 Mosher Ln. (Lot 10) – Mr. Clancy noted that there are outstanding tax bills for this property and no permits should be issued for project where taxes are delinquent. Ms. Ryder will notify the owner of the delinquent taxes and when they are paid, the Commission will reconsider this request for a Certificate of Compliance.
- DEP 212-204 46 Barnard Circle (Lot 19B) Mello Estates - This lot did not have any wetlands on it, but was part of the subdivision. The Commission voted 5-0 to issue a Partial Certificate of Compliance for this lot only.

Correspondence/Other Business

The Commission reviewed the following correspondence and voted unanimously to accept and place these documents on file:

- Letter to Dan Moynihan dated Nov. 28, 2005 RE: Eagle Scout Project, storm drain markers-completion
- Letter to Shawn & Laura Butland dated Nov. 28, 2005 RE: Felton Conservation Land-Elm St. - Violation
- Letter from Dept. of Conservation & Recreation, dated Nov. 29, 2005 RE: draft press release and contract for the harvest in the Marlboro State Forest.

Other Business

- Post Rd. Plaza – Bob O’Connor had requested that Ms. Ryder show the Commission some sketches of the relocation of the CVS sign to make it more visible, but will not impact the Riverfront Area. The Commission noted that both options will not substantially impact the wetlands, but Mr. O’Connor would be required to file a Notice of Intent for this work. The drainage issues on the site will also need to be considered. Ms. Ryder will convey this to the owner.
- Kane School – Farm Rd. The DPW will be doing some milling and repaving work at the Kane School. They would like to move the fence closer to the wetland area in order to provide for easier access around the building. The Commission suggested that the DPW file a Request for Determination for this work, so the Commission could review the proposed work at a public meeting.

Meetings - Next Conservation Commission meetings-December 22, 2005 and January 5, 2006 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 8:00 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer