

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

July 21, 2005
Memorial Hall, 3rd Floor, City Hall

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

Absent: Donald Rider, Jr, Allan White, and Dennis Demers

Discussion:

- DEP 212-920 212 Reservoir St. - The Commission reviewed a plan showing some minor changes to the yard configuration and includes a retaining wall to help make the slope less steep. The Commission reviewed the plan dated Rev. 6/23/2006 entitled: Site Plan of Land for Lot 136 & 137 212 Reservoir St. Plan # M-6051 and voted unanimously to approve the plan as a minor change. No further review is necessary.
- DEP 212-773 129 Wayside Inn Rd. – The Commission reviewed again a request by the applicant to not install the catch basin in Wayside Inn Rd. as originally required in the Order of Conditions. Based on comments from the engineering department and the Commission's opinions, the Commission voted 4-0 to deny the request and require the installation of the catch basin and drainage pipe as required. Ms. Ryder will inform the applicant.
- DEP 212-950 98 Wellington St. – The owner had provided a letter and a hand sketch plan requesting additional landscape work and some improvements to the drainage. They have been experiencing some erosion and wanted to make some adjustments to correct this problem. The Commission reviewed the sketch and asked that additional information be provided on the french drain and rip rap. The other landscaping items are minor in nature and need no further review. Ms. Ryder will have the owner provide more details on the catch basin design for the next meeting and tell them to proceed with the rest of the work.
- DEP 212- 960 221 Maple St. – During the Dept. of Environmental Protection (DEP) site visit on the appeal of this Order of Conditions, the consultant asked that the plan be changed, so that there is no Riverfront Area. DEP did run stream stats and determined that the watershed area to this stream is too small to make it a river, therefore this change is acceptable. The Commission requested that the plan with the changes be provided before taking a vote on this change.

Public Hearings:

Request for Determination of Applicability

- 43 Cullinane Dr. - John & Alice Platt- owners
Kenny McKinnon represented the owners and explained that he needs to repair the existing deck as it is rotting away. The deck is 53' away from the lake and will be installed on sona tubes. He would also like to remove the shed and fix some of the stairs on the terraced lawn and remove the old fire pit. After some discussion the Commission determined that the work would not impact the wetland and voted 4-0 to issue a negative determination to allow the work.

Request for Determination of Applicability

- 19 Balcom Rd. - Robert Chouinard
Mr. Chouinard was present and explained that he wants to install an in ground pool in his back yard which is already an existing lawn area. McCarthy pools will do the installation. The work involves some cuts and fills of the slope; and all excess materials will be removed from the site. The pool will use a canister filter system. The Commission noted that dewatering may be necessary during construction and if this is needed a sediment removal system will be required to protect the wetland. A fence and patio are also proposed around the pool and were shown on the plan. After some discussion the Commission voted 4-0 to issue a standard set of conditions with special conditions regarding dewatering and the type of filter system to be used.

Request for Determination of Applicability (Continuation of Public Hearing)

- 368 Berlin Rd. - Stephen Donahue
Mr. Donahue is proposing to construct a garage within the existing foot print of the house 70 ft. from the edge of the North Branch of Mowry Brook. Some of the existing foundation slab will be removed. They will be removing all excess soil from the site that will not be used in the backfilling process. The Commission noted that erosion controls must be installed between the work area and the stream to protect the stream from any impact. This is also within the city's water supply protection district, so all work must be outside of the 50 foot buffer zone. After some additional discussion, the Commission voted 4-0 to issue a Negative Determination of Applicability with conditions as noted above.

Certificates of Compliance

- DEP 212-939 120 Bartlett St. - Information regarding the replication area still needs to be provided. This item was continued to the next meeting.
- DEP 212-695 19 Miele Rd. (Lot 3) Orchard Estates III - The work on this house is complete. The Commission voted unanimously to issue a Certificate of Compliance for this lot.

Draft Order of Conditions

- 226 & 238 Berlin Rd. - Berlin Farm Realty Trust. The Commission is still waiting for a plan from their engineer, Bob Parente, showing the wetland flag changes discussed at the previous meeting. This item was continued to the next meeting.

Correspondence/Other Business

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

- Memorandum dated June 30, 2005 RE: Special Municipal Employees: Designation and Restrictions
- Memo from Ron Guest dated July 5, 2005 RE: Parcel 12, Map 34, 146 Raymond Rd.
- Ltr. to 644 Concord Rd. dated July 13, 2005 RE: Wetland violation: site visit summary
- Council Order - RE: legal advertising cost
- Brochure-Nature Walks Summer 2005, sponsored by the Marlborough Conservation Commission

Updates

- DEP 212-802 Crowley Dr. Detention Basin - Ms. Ryder reported that the detention basin was going to be tested shortly by the site engineer and the structural engineer.
- Wetland Protection Act Regulation changes - Ms. Ryder explained that Dept. of Environmental Protection (DEP) has again changed the regulations to the Wetland Protection Act (WPA) and the changes include some additional exemptions of work within the 50 foot buffer zone. Copies of the changes were provided to the Commission for their information.
- MWRA – The new Water Treatment Plant is to have a grand opening celebration on August 18th, the Commission members are invited to attend.
- The Assabet River Rail Trail Grand opening is scheduled for September 24, 2005.

Meeting

- Next Conservation Commission meetings: August 18, 2005 and Sept. 1, 2005 (Thursdays)
- Adjournment
There being no further business, the meeting was adjourned at 8:30 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer