

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

July 7, 2005 (Thursday) 7:00 P.M.
Memorial Hall, 3rd Floor, City Hall

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

Absent: Donald Rider, Jr.

Acceptance of Minutes – Minutes of May 19, 2005, June 2, 2005 and June 16, 2005 were reviewed and approved as written.

Discussion:

- Violation - 200 Mechanic St.
Ed Clancy read the letter of violation issued to the owners and explained that he had been out to the site and noted that fill and stones have been placed in and near wetlands and that these need to be removed. The owners of the house, Eric Kammann and Juliane Carvalho, were present and explained that they are willing to comply with any remediation that is necessary. They would like to build a wall in their back yard to create a useable backyard area. The wall location was measured off by Ms. Ryder and Mr. Clancy during the site visit. It would allow for a 20 foot buffer zone in most areas except at the middle of the wall where it would be a bit less. However, there would be more than a 20 ft buffer on either side. After some discussion, the Commission determined that the applicant should file a NOI and get a permit to do this work. The owners said they would be happy to file and remove the material from the wetland.
- DEP 212-773 129 Wayside Inn Rd. - Requesting change to plan
The applicant's engineer, Steve Poole had submitted a letter dated, Oct. 3, 2005 requesting permission not to install the catch basin in the roadway as originally proposed. The Commission said this item should be directed to the Engineering Dept. to determine if the applicant is correct and that the catch basin should be eliminated. Ms. Ryder will forward this inquiry to the DPW.
- DEP 212-920 212 Reservoir St.
The owner has requested, on the phone, a minor change to the plan to include a new wall design behind this house and to change the elevation of the foundation to accommodate the driveway slope. The Commission requested additional information and continued this discussion to the next meeting.

Public Hearings

Request for Determination of Applicability

- 679 Stevens St. - Lisa Colleton, owner
Howard Pothier, the contractor, was present and explained that the owner wants to build a deck around the pool as shown on the plan. The stream enters a culvert about 25 feet away from the edge of the proposed deck. The Commission has reviewed this lot on several different projects and agreed that the deck as designed would not have an impact on the wetland. The Commission voted 7-0 to issue a negative determination with a condition to notify the Conservation Officer when work is to start.

Request for Determination of Applicability

- 368 Berlin Rd. - Stephen Donahue
At the applicant's request, this item was continued to the next meeting.

Extension Permit

- DEP 212-762 Villages at Crane Meadow – The project is almost complete, however there is still some work to be done and the applicant has requested a one year extension. The Commission voted 7-0 to issue a one year extension for this project.

Certificates of Compliance

- DEP 212-941 37 Russell St. (single family house) - The Conditions of the Order have been met. The Commission voted 7-0 to issue a full certificate of compliance with ongoing conditions as required.
- DEP 212-939 120 Bartlett St. - This item was continued as information on the replication is still needed.
- DEP 212-695 19 Miele Rd. (Lot 3) Orchard Estates III – This item was continued as additional information is still needed.

Draft Order of Conditions

- 226 & 238 Berlin Rd. - Berlin Farm Realty Trust – The Commission is waiting for a final plan before deciding on the Order of Conditions, this item was continued to the next meeting at the applicant's request.

Correspondence

The Commission reviewed the following correspondence and voted to accept and place on file.

- Ltr. from Basbanes Associates dated May 10, 2005 RE: Wetland replication for Donald Lynch Blvd. (This item will be reviewed at the next meeting)
- Ltr. from TEC Associates dated May 25, 2005 RE: Railroad Vegetation Management Plan

- Ltr. from Lee Thomson-Ft. Meadow Commission dated June 20, 2005 RE: Herbicide Treatment for Eurasian milfoil-Ft. Meadow Reservoir - Scheduled for Tuesday June 28, 2005
- Ltr. from Dept. of Environmental Protection RE: Request for Superseding Order of Conditions Site Meeting Notice DEP 212-960 221 Maple St. July 19, 2005

Other Business

- 95 Beach St. – Jason Benway had contacted Ms. Ryder about doing work to restore the pond on his property. He would like to restore the depth and remove some of the sediments. The Commission agreed that this could be done as a maintenance issue, but a Notice of Intent would need to be filed.
- An abutter to the pond at Cider Knoll has requested input from the Commission as to whether an aeration system can be installed in the pond. The Commission said that the pond is city land, the city would not want to maintain such a system or fund the energy needed to run such a system. There are liability issues to be concerned with. In addition just one aerator will not likely have much of an impact on the pond as it is quite shallow and such a pump may not be viable. Ms. Ryder will inform the abutter of this.

Meetings

- Next Conservation meetings on July 21st and August 18th, 2005 (Thursdays)

Adjournment

- There being no further business, the meeting was adjourned at 8:30 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer