

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

**June 2, 2005 (Thursday)
Memorial Hall, 3rd Floor, City Hall**

Members Present: Edward Clancy-Chairman, David Williams, Allan White, Jr., John Skarin, and Priscilla Ryder-Conservation Officer

Absent: Donald Rider, Lawrence Roy, Dennis Demers,

Discussion

- **Zoning Board of Appeals – Hearing Notice for June 7, 2005**
Variance request for 146 Raymond Rd., Temple Emanuel. - The Commission discussed the upcoming hearing with the Zoning Board of appeals and indicated that they were not in support of the new proposal as it could still have an adverse impact on the adjacent vernal pool. The Commission reviewed and amended and voted unanimously to accept the draft letter to be sent to the ZBA for this hearing.

Public Hearing(s)

Amend Order of Conditions (DEP 212-762) – Continuation of Public Hearing
Villages at Crane Meadow (Williams St.) – Crane Meadow, LLC

Bill Pezonn said the only item remaining was to get some input from the city engineer. Ms. Ryder provided a response submitted by Mr. Arsenault dated May 20, 2005 which Chairman Clancy read into the record. The memo indicated that the removal of the berm should serve to drain the land as designed. After some discussion, the Commission determined that the removal of the berm would be acceptable as long as it is done with a hand crew and a small rubber tired vehicle. The planting plan however, must be modified to substitute the following plants: Red Maple for the Pine and Cinnamon Fern for the other fern identified. The High Bush Blueberries are still acceptable.

The Commission reviewed the draft order of conditions and voted 4-0 to issue an Order of Conditions as drafted and amended.

Notice of Intent – Continuation of Public Hearing
502 Williams St. – Axel Knaf

Axel Knaf was present and explained that he had staked out the addition on his property. The Commission did take a look at it and discussed the location and noted the following: 1. dewatering will be needed since it is only 17 feet from the 20' buffer zone; 2. wetland boundary markers should be installed at the 20 foot wetland boundary line, so that current and future owners are aware of this boundary (the stone wall already serves this purpose on the rest of the property); 3. all excess material must be removed from the site; 4. haybales and silt fence

are not shown on the plan, but must be installed prior to construction; 5. the area where the leaf pile is located, is a wetland area. The leaf pile must be removed to expose the wetland area.

After further discussion, the Commission closed the hearing and voted 4-0 to approve the standard Order of Conditions including the above mentioned special conditions.

Request for Determination of Applicability - Continuation of Public Hearing

520 Pleasant St. (Lots 1 and 2) – Shanes Lane, LLC (known as Corbertt Development)

Sandy Austin from Gadbois and Bergeron Law firm was present representing Ed O'Neil owner of Corbertt Development. The Commission at the last meeting wanted information about how the water moves across the site. Ms. Austin provided a letter from Bert Hamill explaining that the property is pitched to much to contain a ¼ acre foot of water and therefore, would not be an isolated wetland. Mr. Clancy said he had done a site visit and noted that the area is very wet. Commission member, Allen White, noted that this area is always wet and comes down off the hill. They asked where the drainage discharges once it enters the street drainage system and whether this outlet had been checked.

After some discussion, the Commission asked that Jim Arsenault (city engineer) provides his evaluation as to whether the area can contains ¼ acre foot of water during a large storm, so this issue can be resolved and to get information about the drainage pipes. With the applicants consent the meeting was continued to the June 16, 2005 meeting.

Notice of Intent – Continuation of Public Hearing

255 Boundary St. (Millham Water Treatment Facility) – Dept. of Public Works

Joe Shea of Woodard & Curran reviewed the plans for the installation of a new clear well at the Millham Water Treatment Facility. He indicated that due to some of the utilities and piping, they are not able to move the structure outside the 50 foot "no build zone" of the Floodplain and Wetlands protection District. Therefore, they will be filing with the ZBA. The Commission then reviewed a draft Order of Conditions and voted 4-0 to issue the Order of Conditions as drafted and amended.

Notice of Intent

853 Donald Lynch Blvd. – Digital Credit Union

Roy Tiano of Edwards & Kelcey was present and explained the plan for the construction of a parking garage at this property. Work does occur within the 200' Riverfront Area and the 100' Buffer Zone. There is no sewer in this location, so no sewer connection is permitted. He has had discussions with DEP and the city's plumbing inspector to determine how to deal with the drainage within the decks. Linda Dimazio of DEP has discussed the water quality issue. The consensus is that if they install a water quality unit to remove the Total Suspended

Solids and infiltrate most of the runoff from the roof section of the deck, this should help to meet the stormwater criteria. Other items discussed were the snow storage and parking lot's Stormwater Maintenance Operation and Maintenance Plan. After further discussion, the Commission wanted confirmation from DEP and the plumbing inspector that this design was acceptable. The Commission continued the hearing to the June 16th meeting. If all is in order Ms. Ryder will draft an Order of Conditions for this meeting as well.

Notice of Intent

226 & 238 Berlin Rd. – Berlin Farm Realty Trust

Bob Parente the project engineer and Henry & Marlo Renaud and Thomas & Elizabeth Kehoe the owners of the property were all present. Mr. Parente explained that this subdivision is an Open Space Development and a portion of the property near the brook will be deeded to the city as open space. The wetlands have been flagged and the top of bank was flagged to determine the wetland boundary and the 200' Riverfront Area respectively. The only work occurring within the 200' Riverfront Area is the detention facility for the subdivision. Mr. Parente noted that he had used an older form and the old fee structure. He will provide the remainder of the fee due and will be filing the new form with the Commission and DEP. The Commission noted that the outlet pipe is not shown on the plan and that they are awaiting comments from the city engineer. Ms. Ryder also noted that not all the wetland flags are visible, so these need to be reflagged and the wetland boundary confirmed. The meeting was continued to the June 16th meeting date to get these items addressed.

Draft Order of Conditions

- DEP 212-916 114 Kelber Dr. (Amended Order of Conditions)
Carlos Ferreira provided a revised plan dated last revised 5-26-05, as required at the last meeting, which showed the actual location of the existing walls and structures as well as the proposed walls. The Commission then reviewed a draft Amended Order of Conditions and voted 4-0 to issue an Amended Order of Conditions as drafted and amended.

Certificates of Compliance

- DEP 212-934 120 Bartlett St. (Full Certificate)
The commission is still waiting for final information on this item this was continued.
- DEP 212-258 184 Robert Rd.
This project is complete, the Commission voted 4-0 to issue a Partial Certificate of Compliance.

Correspondence/New Business

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

- Possible Berm Removal Comment Sheet – Villages at Crane Meadow Revised, dated May 20, 2005
- Memo from EcoTec, Inc. Arthur Allen dated May 25, 2005, RE: 120 Bartlett St.
- Memo from Rizzo Associates, Bernie Raftery dated May 26, 2005 RE: Fairfield Green at Marlborough – Marlborough/Southborough, MA Field Report I
- Mass. Association of Conservation Commissions – Newsletter dated March 30, 2005
- Mass. Land Protection Seminar on June 16, 2005

Ms. Ryder provided the following update:

- Winski's Trailer Park - There was a leak of oil at a trailer in Mr. Winsk's trailer park. The hazardous waste cleanup is underway to remove the oil soaked soil. The work is next to the stream. The commission determined that this can proceed as it is an emergency.
- 26 Wilkins Way – The owners are having the yard completely landscaped and reloaded with walls and patios added. Ms. Ryder has investigated. No wetland fill occurred. The Commission asked that the owners be notified that they should get a permit for any future work.

Meetings

Next Conservation Commission Meetings – June 16th and July 7th, 2005 (Thursdays)

Adjournment

There being no further business the meeting was adjourned.

Respectfully submitted,

Priscilla Ryder
Conservation Officer