

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**MINUTES**

March 17, 2005  
Memorial Hall, 3<sup>rd</sup> Floor, City Hall

Members Present: John Skarin- Acting Chairman, David Williams, Allan White, Lawrence Roy, Donald Rider, Jr., and Priscilla Ryder-Conservation Officer

Absent: Edward Clancy-Chairman and Dennis Demers,

**Minutes** The Minutes of March 3, 2005 were accepted as written.

**Discussion**

- DEP 212-906 Fairfield Green at Marlborough - Pre-construction meeting with Commission - As required by Condition # 29 of the Order of Conditions for this project, the site contractor was required to appear before the Commission to discuss the project. Bernie Rafferty of Rizzo Associates was present and explained that there are three Orders of Conditions which pertain to this project including: the Boston Properties emergency access & utilities and the permit from Southborough for the Southborough access. He has compiled a comprehensive list of all the conditions for easy reference. He will be responsible for the oversight of the construction project and environmental monitoring. He will be overseeing the replication area, and the protection of the BVW, Buffer Zone, certified vernal pool and the Outstanding Resource Water (ORW) aqueduct draining to the Sudbury Reservoir.

Andrew Martino of McManus Excavating was also present. He will be doing the site work which is scheduled to begin in mid- April. Mr. Martino and Mr. Rafferty reviewed the construction sequencing process and the cuts and fills they will be doing on site. The stream crossing in Southborough was discussed briefly, although not a Marlborough Conservation Commission issue. They explained that they would not have to disturb the Boston Properties site until mid summer, so to protect the vernal pool. They wouldn't do any work or erosion control installation until mid summer. They have recently worked on several projects of this size in Charlton and Keen, N.H..

Robert Donahue was also present. He is the site supervisor for Fairfield Development and will be overseeing this project. He will be the "Go To" man. He has done many of these projects. The land transfer is expected to happen on April 7<sup>th</sup> and construction will happen soon after. They will be processing material on the site, and doing quite a bit of blasting. They have a Storm Water Pollution Prevention Plan (SWPPP) required by EPA which follows the sequencing plan presented. The site has some glacial tills, so they will be

working to keep the site dry and problem free. The Commission noted the need for dust control especially next to the highway. This is part of the plan. The project is expected to take 16 months.

After the Commission was satisfied that these contractors knew what they were doing, they thanked them.

### **Public Hearing(s)**

Abbreviated Notice of Resource Area Delineation

34 Mosher Ln. (Lot 11) - Christopher Mutti of Doe Builders Inc.

Mr. Scott Goddard of Carr Research Lab was representing Chris Mutti. He explained that the DEP had upheld the Commission's denial regarding lack of information on the wetland line. As outlined in the letter provided to the Commission with the Abbreviated Notice of Resource Area Delineation (ANRAD) application, the applicant now seeks to have the wetland line verified and is willing to have an outside consultant hired to do this work.

The Commission reviewed the procedures for hiring an outside consultant since this is the first time they will have used this new provision adopted in Feb. 2004. Ms. Ryder noted that she has been in touch with Brian Butler of Oxbow Associates and David Burke both of whom are experienced wetland specialist and both of whom are also acceptable to Mr. Goddard. She received a price back from Mr. Butler of between \$650 and \$1200 depending on if meeting attendance was required. She has yet to receive numbers from Mr. Burke. The Commission indicated that either of these consultants would be appropriate. As required in the rules, the Commission must send a written notice to the applicant regarding the selection of an outside consultant. The Commission voted unanimously to authorize Ms. Ryder to chose from one of these consultants and send the letter based on availability and cost as required in the rules. This will be done prior to the next meeting on April 7<sup>th</sup>.

Notice of Intent (Continuation of Public Hearing)

401 Cedar Hill St. (was 120 Bartlett St.) c/o RAM Management

Art Allen of EcoTech was representing the applicant. He explained that a revised set of plans had been provided to the Commission with the two items requested at the last meeting including grading and a note regarding the construction sequencing. He had received comments from the City Engineer that the plans were OK. He also noted that the City Engineer had a camera inspection done of the existing outlet pipe under the roadway and found that the discharge flared end was filled with vegetation and debris and should be cleaned out and maintained, if this drain is to function properly. This work would entail some excavation at the end of the pipe and placement of riprap. The Commission agreed that this was a maintenance item and would add this activity as part of the Order of Conditions. He also provided the information relative to the replication area as required by the Army Corp of Engineers.

There being no further questions the Commission closed the hearing. A draft Order of Conditions will be provided for the meeting on April 7<sup>th</sup>.

**Request for Determination of Applicability** (Continuation of Public Hearing)

CSX Transportation

Since the snow has not melted and this delineation cannot be verified until this occurs, the Commission with the applicant's consent, continued this item to April 7<sup>th</sup>.

**Certificates of Compliance**

DEP 212-934 120 Bartlett St. - Full Certificate of Compliance

Due to the snow cover, the health and stability of the replication area could not be confirmed, this item was continued to the April 7<sup>th</sup> meeting.

**Correspondence**

The Commission voted to accept the following correspondence and place it on file.  
Ltr from Paul Knapik-VHB dated February 14, 2005 RE: Proposed Transmission Line Maintenance.

**Other Business**

**Meetings**

Next Conservation Commission Meetings: April 7<sup>th</sup> and April 21, 2005 (Thursday)

**Adjournment**

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

Respectfully submitted,

Priscilla Ryder  
Conservation Officer

PR/sb