

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**MINUTES**

December 7, 2006

Memorial Hall, 3<sup>rd</sup> Floor, City Hall

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

**Absent:** Allan White

**Minutes:** The minutes of Sept. 21, 2006 were reviewed and unanimously accepted as written.

**Discussion:**

- Michele Higgins - New Conservation Commission Member- Chairman Edward Clancy congratulated Michele Higgins on her successful appointment as the newest Conservation Commission member. All the members welcomed her.
- Villages at Crane Meadow - Replication areas minor change - DEP 212-762 - Ms. Ryder noted that the Condominium Association has indicated they are not in favor of the replication area behind the club house, so Mr. Franchie will not pursue this location at this time. No one will attend this meeting. Therefore, this item was withdrawn and no one attended.
- Ch. 61A Notice - Right of first refusal - 10.09 acres Berlin Rd. - Ernie Houde - The Commission discussed the letter asking if the City would like to buy this property. Ms. Ryder will draft a letter, to City Council for the Commission's review at the next meeting.
- Proposal for an Energy and Environmental Inventory for Marlborough- This item was continued to the next meeting.
- Preliminary Subdivision Plan - Mauro Farm, Cook Lane - The Commission reviewed a copy of two preliminary subdivision plans which have been presented to the Planning Board. The Commission noted that both plans encroach into the riverfront area on this project and would not be acceptable. Ms. Ryder will draft comments for review at the next meeting.

**Public Hearings**

Request for Determination of Applicability

69 Amory Rd. -Wayne Nelson

Mr. Nelson was present and explained that he wanted to remove a very large pine tree from the back yard, right next to the lake. He will be using a crane to remove it as it is very proximate to the house, similar to the removal of the previous tree. He will grind out the stump and replace it with grass and another smaller tree. The Commission determined that this work would have no impact on the lake and voted 6-0 to issue a negative determination of applicability with

the condition that the stump grindings would be removed from site and that another tree would be planted in its place.

Notice of Intent (Continuation of Public Hearing)

362 Elm St. - First Colony Development Co. Inc. - Flex Industrial Building.

Bruce Saluk of Bruce Saluk and Associates provided a revised plan dated last revised 11-27-06. He reviewed the changes made to the plan and the landscaping plan for stabilizing the slope above the detention basin.

Chairman Clancy asked where the truck loads for fill would be taken if fill is coming from Crowley Dr. and what will be the construction sequencing plan. Mr. Saluk indicated they would designate a route and had provided a construction sequencing plan, included in the plan set, to ensure that the site is under control.

There being no further questions the hearing was closed. A draft Order of Conditions will be reviewed at the next meeting.

Notice of Intent (Continuation of Public Hearing)

185-191 Mill St. - Tom Teager of Fore Kicks II, Inc.

Proposal to construct an indoor soccer facility with parking and drainage. A portion of the work is near wetlands and the Riverfront Area. At the applicants request, this item was continued to the next meeting on Dec. 21<sup>st</sup>.

Notice of Intent (Continuation of Public Hearing)

Donald Lynch Blvd. (Map 50, Parcel 7B of the Zoning Assessor's Maps) - New England Development LLC

Dennis Lowry from ENSR and Bill Dillon of Goulston and Storrs representing New England Development LLC were both present. Mr. Lowry explained that VHB had done a peer review of the project on behalf of the City and had some minor comments. He explained the plan. There is a small depression at the S.E. corner of the lot which is an isolated wetland according to the definitions of the Army Corp of Engineers, but is not large enough to be jurisdictional under the Wetlands Protection Act. However, if an Order of Conditions is issued locally it servers as the 401 Water Quality Permit for the project and oversight stays local. The wetland to be filled will be replicated to allow for the same flood storage and ecological values of the area that exists today. Ms. Higgins, noted that the haybales line around the wetland was incorrect. Mr. Lowry indicated this would be corrected. The Commission asked where the leach field septic system for the motel was located. The applicant did not know for sure, but would look into it and provide that information at the next meeting. Ms. Ryder will also check with the Board of Health and Engineering on this matter. The Commission had some discussion of the infiltration system, sediment control plans and storm water quality issues and conditions to be considered.

The Commission continued the hearing to the December 21st meeting in order for the above information to be provided.

Notice of Intent (Continuation of Public Hearing)  
329 Maple St. - Benjamin Donnarumma

At the applicants request this item was continued to the Dec. 21<sup>st</sup> meeting.

**Draft Determination of Applicability**

- 413 Lakeside Ave - Motiva Enterprises, LLC - The Commission reviewed final plans and voted unanimously 6-0 to issue a Negative Determination of Applicability with conditions to control runoff and add erosion controls.

**Extension Permits**

- DEP 212-733 Slocumb Lane - 3 yr. Extension (David Williams abstained from these discussions due to a conflict of interest) -The Commission voted 5-0 to issue a one year extension for this project.

**Correspondence**

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

- E-mail from Hank Norwood dated Nov. 10, 2006 RE: This Year's Christmas Bird Count Dec. 31<sup>st</sup>.
- Ltr. from Paul Knapik - VHB dated Nov. 14, 2006 RE: Proposed Transmission Line Maintenance - Marlborough, MA
- Ltr. from DEP, MaryAnn DiPinto dated Nov. 22, 2006 RE: Wetlands/Marlborough DEP File # 212-985 Request for Superseding Order Rt. 20 & Glen St. drain pipe. Site walk scheduled for Dec. 6, 2006 (Wednesday) at 9:30 a.m. Ed Clancy and Ms. Ryder reported that they attended this meeting. All sides were heard. DEP will now make their decision based on all the facts. It should take a month or so.

**Other Business**

- The Commission asked Ms. Ryder to check the NSTAR Gas Co. work on Rte. 20, and to ensure that the Joy Asia clearing work was stable.
- Ms. Ryder noted that there were some changes requested at the 246 Maple St. project relative to the drainage swale out back. The Commission noted that if changes are to be made, the applicant would need to come to a Commission meeting formally.

**Adjournment** - There being no further business the meeting was adjourned at 9:30 PM.

Respectfully Submitted,

Priscilla Ryder  
Conservation Officer