

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES
July 20, 2006

Memorial Hall, 3rd Floor, City Hall

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

Absent: Allan White

Public Hearing

Abbreviated Notice of Resource Area Delineation
Hudson St. - Dwight Howe

Requests verification of a wetland boundary line at Hudson St. (Map 30 & 43, Parcels 20 & 86) across from the golf driving range. The abutters were not properly notified, so this item was continued to the August 10th meeting.

Request for Determination of Applicability
9 Violetwood Circle - Dale Merritt

The owner explained that he would like to install an above ground pool in his back yard. The pool would be located outside the 20 foot no disturbance buffer zone. He has received permission from the Condo Association for this installation as well. The area is already lawn and cleared. The pool will be 16 ft. from the deck. They will use a cartridge style filter, so no backwash will be necessary. The Commission noted that pool water should not be discharged into the woods unless it is completely clear of chemicals. The Commission voted 5-0 to issue a Negative Determination with conditions as noted above and to notify the Conservation Officer at the start and completion of the project for an inspection.

Abbreviated Notice of Intent
771 Donald Lynch Blvd. - Aggregate Industries

Kathy Badnaz of BSC Group, and Susan Flash from Aggregate Industries were present. Ms. Ryder said she visited the site with Ms. Flash in March to review the project and wetland boundaries. Ms. Badnaz explained the project and plan, work had begun prior to filing, as they weren't aware of the proximity to the wetlands. After being notified, they stabilized the areas and filed this Notice of Intent (NOI). A berm has already been constructed along the drainage swale. The plan is to install a washing station with stalls to help collect the wash water and sediments and recycle the water and materials. This will eliminate the washing problem and sedimentation to the river that Aggregate Industries has had in the past on the other side of this lot next to the Assabet River. The current site sheet flows into a drainage swale. This swale is to be cleaned and planted to provide better filtering capacity next to the entrance roadway. The second part of the

project includes removal of buildings, creating a bigger buffer strip along the Assabet River and restoring this area with loam and seed, so that there is more of a natural riparian buffer. A planting plan is included in the NOI. Some impervious area on the site is also being removed to improve drainage. After some discussion, the Commission determined this new project would not impact the wetland and would provide for improvements. The hearing was closed. The Commission asked Ms. Ryder to draft a set of conditions for review at the next meeting.

Notice of Intent

679 Stevens St. - Lisa Colleton

Ms. Colleton requested permission to remove 8-10 trees in the back yard and to fix the sink hole in her front yard. Once the trees are removed, the stumps will be ground in place and the site loamed, seeded and graded to prevent some of the water problems they are having. She is going to use a contractor named Terry Foster of New England Enterprises. The Commission discussed erosion controls needed; a grading plan should be discussed on site prior to construction to ensure the grading will solve the problem. The Commission asked Ms. Ryder to contact the DPW regarding the sink hole as it appears to be related to the sidewalk work, and may be inline with the drainage pipe (illegally installed many years ago). After some discussion, the Commission closed the hearing and asked Ms. Ryder to draft a set of conditions for review at the next meeting.

Notice of Intent (Continuation of Public Hearing)

246 Maple St. – Bluefin Properties LLC

The Commission reviewed the plans again and reviewed a draft Order of Conditions for this project. They made some amendments to the draft Order. The applicant was not present as there were no other items to discuss. The Commission closed the hearing and voted 5-0 to accept the draft Order of Conditions as drafted and amended

Notice of Intent (Continuation of Public Hearing)

714 Farm Rd. - Robert Valchuis

Mr. Valchuis proposes to construct an 11 unit residential condominium development with associated utilities near wetlands. At the applicants request this item was continued to the Aug. 10, 2006 meeting, to provide time to revise the plans as requested.

Notice of Intent (Continuation of Public Hearing)

215 Fitchburg St. - Assabet Valley Regional Vocational High School

Bruce Saluk of Bruce Saluk and Assoc. and Brian Butler of Oxbow Associates were present. They explained the slight changes made to the plan per comments from engineering. A revised plan dated July 20, 2006 was presented. The Commission reviewed and accepted the new plan. Commission reviewed a draft Order of Conditions. The Commission closed the hearing and voted 5-0 to issue the Order of Conditions as drafted and amended.

Notice of Intent (Continuation of Public Hearing)

Crowley Dr. (The Residences at Chestnut Ridge) – Metro Park Corp.

Those representing the project were John Deli Prescoli, Jeremy Downson representing Toll Brothers, of GCG, Bruce Saluk of Bruce Saluk and Assoc., and Brian Butler of Oxbow Associates. Mr. Downson explained the changes to the plans which still need to be included which are: structural wall design still needed, landscaping along the wall still need to be addressed, landscaping around the detention basin, remediation of Crowley Dr., sequencing plan, detention basin reconstruction, and the limit of work area as discussed are still to be changed. The Commission discussed each of these issues which are still to be addressed on the plans and approved by the city engineer. The wall construction drawings will be submitted by the wall manufacturer and will be provided to the Commission. After some discussion the Commission continued the meeting to the August 10th meeting. The Commission asked Ms. Ryder to draft a set of conditions for this project for review at their next meeting as well.

Correspondence

The following items were reviewed and the Commission voted unanimously to accept and place on file.

- Reports prepared by Mass. Dept. of Public Health Center for Environmental Health: Public Health Assessment for Millham Brook Area (A/K/A Glen St. Neighborhood) and Evaluation of Leukemia, Liver Cancer, and Lung Cancer in Marlborough, MA 1982-2002.
- Letter from Center for Environmental Health Environmental Toxicology Program, dated June 29, 2006 RE: Copy of Public Health Fish Consumption Advisory issued for Ft. Meadow Reservoir.
- Letter to Executive Office of Environmental Affairs, dated July 7, 2006 RE: Notice of Project Change/Phase One Waive Request EOE #13755 Beacon@495 Center
- Letter from DPW, dated July 12, 2006 RE: Intent to make a herbicide application on or ten days after August 7, 2006 to control weeds and undesirable growth within the limits of the rights-of-way.

Other Business

Ms. Ryder reported the following:

- Spotted Turtle - The Division of Fisheries and Wildlife after extensive public hearings has de-listed the spotted turtle to a species of special concern and not endangered. The Commission had one such area designated previously.
- Felton Conservation Land - Linda Butler, an abutter to this property has been doing some tree clearing and bitter sweet removal along the Elm St. side of this property. The work looks great and the Commission was encouraged to check it out.

Adjournment - There being no further business, the meeting was adjourned at 8:45 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer