

**City of Marlborough
Conservation Commission**

Minutes

**April 15, 2010 (Thursday)
Marlborough City Hall, 3rd Floor-Memorial Hall**

Members Present: John Skarin- Acting Chairman, Lawrence Roy, Michele Higgins, Dennis Demers, and Priscilla Ryder-Conservation Officer

Absent: Edward Clancy-Chairman, Allan White, David Williams

Public Hearings

Request for Determination of Applicability

79 Lakeshore Dr. - Lalita Matta- owner

Proposes to add an additional deck next to Ft. Meadow Reservoir.

Michael Frias of F & G Construction as present and explained that the owner wants to add a new deck with 6 new footings. It will be a larger deck than exists today. The only excavation is associated with the new footings and all excess material will be removed from the site. The work is more than 30 feet from the waters edge. The Commission noted that this was a minor project with little impact to the wetland. The hearing was closed and the Commission voted 4-0 to issue a negative Determination without any special conditions.

Request for Determination of Applicability

98 Paquin Dr. - Nicholas Shebak

Proposes to replace the foundation on a portion of his house next to Ft. Meadow Reservoir.

Nicholas Shebak was present and is the owner. His house was hit by a car coming off Hosmer St. and he has been out of his house for a year, because the foundation was deemed unsafe. Finally, the insurance has come through and his plan is to have the house jacked up and a new foundation poured on $\frac{3}{4}$ of the house. Most of the work is to the front and side of the house, only a small amount of work is to the back of the house. Erosion controls will be installed at the edge of the driveway to help prevent any washout into the lake. All excess materials will be piled at the front of the house and removed from the site. He would also like to remove the railroad tie retaining wall and install some stone walls at the front of the house to have a more stable entry way. After some discussion about the construction method and erosion controls, the Commission closed the hearing and voted unanimously to issue a Negative Determination with conditions to: 1) notify the Conservation Officer when work begins and the erosion controls are installed; 2) keep roadway clean and clear of mud and dust; and 3) notify the Conservation Officer when work is completed.

Request for Determination of Applicability

121 Donald Lynch Blvd. - Quad Rink Limited Partnership/New England Sports Management Corp.

Proposes to add a sixth rink, work related to the parking lot with reconstruction within the 100 ft. buffer zone and 200 ft. Riverfront Area of the Assabet River.

Rob Truax a civil engineer from GLM engineering was present and explained that they are proposing to add a sixth rink on the north side of the building. A small section of the work will fall within the buffer zone and Riverfront Area on the site. The area in question is already a parking lot, so no disturbance beyond the existing disturbance in the resource area is proposed. The plan shows erosion controls and silt sacks in the catchbasins. Some grading change to the parking area on the road side is needed to meet slope grades. The Commission asked what the construction sequencing would be. Mr. Truax explained that this will be added to the plan and will include stockpiles being protected, catchbasins to be cleaned at end of the project, parking area to be done at the end of the project and will not be exposed for more than 2 weeks.

Mr. Demers from the Commission asked how the detention basin is to be accessed to clean it since the access path is proposed to be planted. Mr. Truax explained that the city engineer also noted this and agreed that if they want to access it from the steeper section that is OK as long as they can get equipment in to clean and maintain the basin.

An abutter was present and asked about dust control, vegetation and the type of fencing to be used during construction. The response was that they would keep the vegetation there as long as possible during construction. During the parking lot expansion, they would be removing vegetation and would stabilize the slope quickly. Kevin McAlister, the attorney representing the abutter, asked about snow dumping and the impact on the vegetation.

Ms. Higgins from the Commission expressed concern about snow dumping at the back of the parking lot near the Riverfront Area. Mr. Truax said they would designate snow storage areas on the plan. The Commission noted that some additional information is needed including: 1) construction sequencing plan; 2) stockpiles to be protected; 3) detention basin and catchbasins to be cleaned at end of project; 4) dust control; 5) Operation and Maintenance Plan to be provided; 6) snow storage area to be shown on the plan; and 7) a revised planting plan providing a good screening to the abutter. The meeting was continued to May 6, 2010, so the applicant can provide the above information to the Commission.

Discussion

- DEP 212-1060 Post Road Auto to file revised plan (Continuation) - The applicant was not ready with the preliminary plan, this item was continued to the next meeting.
- Dept. of Conservation and Recreation (DCR) – Sudbury & Foss Reservoirs Watershed 2010 Public Access Plan Update – March 2010 Draft. The Commission asked Ms. Ryder to review this document and make comment as needed.

Certificates of Compliance(s)

- DEP 212-1069 416 South St. – Full Certificate - Ms. Ryder indicated that all the work was completed for this project and the Commission voted 4-0 to issue a full certificate of compliance with ongoing conditions as noted.
- DEP 212-89 & 212-93 10 Tassi Dr. (Lot 8) Ms. Ryder noted this was a very old filing and the house is being sold. These old Orders of Conditions were found in the title search. All work is completed. The Commission voted 4-0 to issue a full Certificate of Compliance for both these Orders of Conditions.
- DEP 212-246 15 Brady Way (Lot 13) Ms. Ryder noted again that this was a very old filing and the house is being sold. All work appears to be completed. The Commission voted 4-0 to issue a full Certificate of Compliance for this permit.

Correspondence/Other Business

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

- Letter from Marlborough Community Preservation Act Committee, dated Feb. 1, 2010
- Letter to Howard Fafard, dated March 19, 2010, RE: DEP 212-1070; Diczno Blvd. Detention Basin

Adjournment - There being no further business, the meeting was adjourned at 8:40 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer