

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

July 8, 2010
Memorial Hall, 3rd Floor, City Hall

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

Absent: None

(Note: Due to a lack of a quorum the July 1st meeting was cancelled and rescheduled to this July 8th meeting date)

7:00 PM Public Hearings

Notice of Intent

25 Cullinane Dr. – Peter DiTammoso owner

Proposes to remove existing house and replace with a new house next to Ft. Meadow.

Mr. DiTamasso was present and explained that he wants to remove the existing house and replace it with a new house to be located at 25 Cullinane Dr. next to Ft. Meadow Reservoir. The house and deck have all been designed to be outside the 30 ft. Flood Plain and Wetland Protection District. The house will be a two story house with a walk out basement. He wants to add a garage and new driveway which will be quite a bit higher than the existing driveway and will be almost level with the roadway. He explained that the existing house is quite run down and needed too much work to renovate. Tom Dipersio, his engineer, produced the plans entitled: Proposed Site Plan of Land in Marlborough, MA, Prepared by Thomas Land Surveyors, dated June 9, 2010. The Commission asked about the area to the left of the house that shows as a gravel driveway. Mr. DiTammaso indicated he'd like to maintain that existing access. However, the Commission noted that the slope would be quite steep and determined that it would be best for this area to be loamed and seeded. The Commission discussed the crushed stone driveway and asked if this would cause siltation to the lake and if the grading on the road would direct water to the driveway or not. Mr. Clancy asked Ms. Ryder to confirm with Engineering and Building departments whether a gravel driveway would be acceptable.

Several neighbors were present and expressed the following concerns – all the neighbors were from across the street (but unfortunately names were not provided). Questions raised were: There has been storage of construction materials, wood splinters and lots of other vehicles over the years. Is there any

contamination from oils or vehicle fluids on the site? How high will be building be and where will the roofline sit.

The Commission determined that several conditions regarding checking for any oil or hazardous spills, protecting trees to be saved, determining stockpile locations, stabilize soil under the deck, providing foundation drain on the plans, and requiring a pre-construction meeting to inspect site before work begins should be considered. Because, some information on the gravel driveway is needed, the Commission continued the hearing until July 22, 2010. Ms. Ryder was asked to draft a set of conditions for that meeting.

Abbreviated Notice of Resource Area Delineation (Continuation of Public Hearing)
93 Framingham Rd. - Melanson Development Group, Inc.
Requesting a review and confirmation of the Bordering Vegetated Wetland boundary located on the site.

Bruce Saluk was present to represent the owners. He provided a revised plan titled Existing Conditions Walker Brook village, 93 Framingham Rd. Marlborough, MA, Prepared by Bruce Saluk & Assoc., Stamped by Bruce Saluk R.L.S. and P.E. dated revised 6-28-2010 which shows the wetland boundary changes discussed at the previous meeting. He also presented a 4 page report showing the results of the Stream Stats program on the “West Branch Brook” which intersects the intermittent stream which runs behind the majority of the property. The Commission reviewed the report presented and noted that the “West Branch Brook” per the stream stats is considered a River at this point and therefore, the Riverfront area would apply. Mr. Saluk asked whether this would affect the status of 340 Maple St. project where the brook was found not to be a River. The Commission noted that this is new information and going forward any further development on that lot would be looked at through the rivers regulations. However, already permitted projects would not be affected.

Mr. Saluk was asked to add the Riverfront Area onto the final plan for approval at the next meeting on July 22, 2010. The Commission continued the hearing to the next meeting.

Draft Order of Conditions

- DEP 212-998 - 714 Farm Rd. - Robert Valchuis - Amend Notice of Intent [Note: John Skarin abstained and provided a disclosure that he sometimes works for Mr. Valchuis, but would not be working on this project. Dennis Demers and Allen White abstained from this discussion as they may both work on this project.]

The Commission members had received the draft Order of Conditions for the above noted project. They voted 4-0 (Mr. Demers, Mr. White and Mr. Skarin abstained) to issue the Order of Conditions as drafted and amended.

Certificate of Compliance

- DEP 212-340 - 38 Flint Dr. (Lot 51) – Full Certificate - Ms. Ryder noted that all is in order for this old Order of Conditions, and the wetlands look fine. The Commission voted 7-0 to issue a full Certificate of Compliance for this lot.

Ratify Emergency Certification – Holts Grove pond repair- Ms. Ryder explained that over the past few rain storms and the storms this past spring, the dam at Holts Grove was washed out and has left the pond almost dry. Mr. Clancy and Ms. Ryder met with the DPW crew earlier in the week to discuss the repairs and determined an Emergency Certificate should be issued to ensure the repairs happen soon. Repairs will include re-establishing the dam, removing debris washed into the brook, and removing excess sand and silt which was washed into the pond. The Commission reviewed the Emergency Certificate and vote unanimously 4-0 to ratify it.

Discussion

- Photo ID for Conservation Commission - Ms. Ryder noted that any members who wish to have a photo ID from the City to use when doing inspections of sites can do so at the Personnel Department.
- Division of Fisheries and Wildlife – “Draft” License Agreement – Flagg Brook Wildlife Mgt. area.- The Commission reviewed the draft agreement and discussed the use of mountain bikes and hunting. It was determined that Ms. Ryder will find out what the hunting criteria is on Fish & Wildlife land from Pat Huckering at DFW. She will report back at the next meeting.
- Desert Natural Area – Bridge project to begin July 10th .- Ms. Ryder explained that Hunter Loveland an eagle scout will be building the bridge and removing glossy buckthorn at the “beaver” dam area of the Desert Natural area on July 10th.

Correspondence

The following correspondence was accepted unanimously and placed on file:

- Letter to Planning Board dated June 18, 2010 RE: Shoestring Hill-preliminary subdivision plans
- Letter to Marlborough CPA (Community Preservation Act), dated June 21, 2010 RE: Community Preservation Act.
- Open Meeting Law documents from the Legal Department were distributed for review by the members.

Other Business

- The Massachusetts Water Resource Authority (MWRA) will be filing for a permit to install an ultra violet light treatment facility within a very small portion of the Riverfront Area and Bordering Vegetated Wetland at the Carroll Treatment Plant.
- Ocean Job Lot/ Marshall’s store – a spill from mop and floor resurfacing water had been dumped along the shoreline of the stream. The owners of the property caught them on the surveillance camera and reported the activity to DEP. DEP

required an LSP be hired. Testing is currently being done, results are pending. We'll be notified when results come through. Immediate cleanup was done.

- Mauro Farm subdivision is beginning construction of the roadway. Preconstruction meeting has been held. So far so good.
- Berlin Rd. - New Hope Church - has hired a consultant to help with the design. They had inquired whether they could amend the existing Order of Conditions or would need to file new permit. The Commission determined that a new permit should be filed since this is additional – not pipe related work. Ms. Ryder will convey this to the applicants.
- Notification has been received that the transfer of the 53 Acres of MassHighway Land has been conveyed to the Div. of Fish and Wildlife. A license agreement between DFW and the Conservation Commission is now being drafted, so that the Commission can manage and maintain the trails on this site.

Meetings – Next Conservation Commission meetings – July 22nd and August 5th, 2010 (Thursdays).

Adjournment

Respectfully submitted

Priscilla Ryder
Conservation Officer