

**City of Marlborough
Conservation Commission**

Minutes

**May 6, 2010 (Thursday)
Marlborough City Hall, 3rd Floor-Memorial Hall**

Members Present: Edward Clancy-Chairman, Lawrence Roy, John Skarin, David Williams and Priscilla Ryder-Conservation Officer

Absent: Dennis Demers, Allan White, Michele Higgins

Public Hearings

Request for Determination of Applicability
45 Bartlett St. – Marlborough Bartlett LLC

Proposes maintenance work involving resurfacing the existing paved parking areas and access, providing stormwater management improvements, and cutting vegetation near wetlands.

Paul Finger of Paul Finger Associates represented the applicant. He explained that they would like to improve the driveway and parking area and while doing so, add some drainage to improve storm water runoff from the site. The work is quite close to the wetland; however with the reconstruction of the parking lot they will add curbing, drainage structures, and a stormceptor system. Water quality leaving the site will be far improved over existing conditions. They were not able to meet all the storm water standards, but as a repair project this is a great improvement.

Ms. Ryder indicated the city engineer had reviewed the plans and had no issues. An Operation and Maintenance (O & M) plan was also provided and will be followed. They will also be filing for an NPDES/SWPPP permit for this work. The Commission had questions about erosion controls and determined that the work proposed, although quite close to the wetland, will improve the overall protection to the wetlands. The Commission closed the hearing and voted unanimously 4-0 to issue a negative Determination with conditions to: 1) Notify the Conservation Office when work begins and when it is completed; 2) install erosion controls and have them inspected before work begins; 3) make sure city engineer approves all details before construction and; 4) make sure the O & M plan is followed and the city is notified annually of work performed under the O&M plan.

Amend Notice of Intent (DEP 212-998)

714 Farm Rd. - Robert Valchuis

Proposes to amend the approved plans for the over 55 Condo project by relocating 2 units to the rear of the site and converting the open surface detention basin to an underground detention system.

Mike Dean of Guerriere and Halnon was present and represented the applicant who was out of town. He explained that the original plan was approved under DEP 212-998 and was extended to September 10, 2010. The delay in starting the project has been that the FAA required changes to the plan and then they had to re-file with the city council and now they are back to the Conservation Commission. The changes are: 2 units on the airport field side had to shift to the apartment side of the lot; the open detention basin has been redesigned to be an underground culvert system with grass pavers on the top; the new drainage system has stormsewer systems; and an 81 unit culvert chamber. The erosion controls and limit of work are the same, as are the stockpile locations. The dumpster will be at the end of the cul-de-sac in an enclosure. The Commission indicated they wanted a response from the City Engineer Tom Cullen to be sure this new design and drainage meets with his approval as well. The Commission continued the hearing to the next meeting on May 20th and asked Ms. Ryder to draft a set of conditions for review at that meeting.

Abbreviated Notice of Resource Area Delineation

93 Framingham Rd. - Melanson Development Group, Inc.

Requesting a review and confirmation of the Bordering Vegetated Wetland boundary located on the site.

Scott Smyers of Oxbow Associates, the wetland scientist, and Bruce Saluk of Bruce Saluk and Associates were both present. Mr. Smyers explained the project location. Most of the wetlands are just off site on the city land which contains the stream. The stream runs through a concrete three sided channel for most of the section. The resource area on this property is bordering vegetated wetland. The stream shows as intermittent on the USGS map. He noted that two members of the Commission Mr. White and Mr. Demers had indicated that they had seen the stream dry at Walker Street during review of the 340 Maple St. project.

Ms. Ryder indicated that she had checked the wetland flags and only had two small changes to the wetland flags which she provided to Mr. Smyers and Mr. Saluk to incorporate in the plans.

Mr. Saluk did run the stream stats program for the one stream behind the lot and found it to be .32 square miles using both stream stats and the city's GIS maps. The stream behind is considered to be intermittent. The Commission asked Mr. Saluk about the second stream which comes from South Street Swamp. Mr.

Saluk indicated he'd run the stream stats program on that as well and provide it at the next meeting.

The Commission continued the hearing to the May 20th meeting.

Request for Determination of Applicability

25 Lakeshore Dr. - Robert Stempson

Proposes to erect a stone wall along the property line near Ft. Meadow Reservoir.

Mr. Robert Stempson, the owner, was present. He noted that he gets a lot of runoff from this neighbor's property since the neighbor did some renovations to their house. Therefore, he wants to install a 2' high stone wall with a 4" deep footing along his property line and then put a fence on top of that to help protect his property. The wall and fence will be 25' from the waters edge and be about 75 feet up past his drain pipe. He will also be adding some additional drainage behind the wall to help direct runoff through a perforated pipe in a stone trench. The Commission asked some questions about construction and what would be done with excess materials. The Commission determined that the wall and fence would not have an impact on the lake. The Commission voted unanimously 4-0 to issue a negative Determination with conditions to notify the Conservation Officer before work begins and once it is completed.

Request for Determination of Applicability (Continuation of Public Hearing)

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 reconstruction is within the 100 ft. buffer zone and 200 ft. Riverfront Area of the Assabet River.

(Because Mr. Clancy and Mr. Williams were not present at the previous hearing, they asked that the hearing begin from the top, so that they could evaluate the project effectively)

Chip Orcott who manages the owners personal property was present and explained the proposal. New England Sports Management Corp. is interested in adding a sixth skating rink at the current site. A small portion of the work associated with adding the rink and adjusting the parking area and drainage falls within the 200' Riverfront Area. Only a small amount of re-grading falls within the 100 foot buffer zone. None of the new building will be within a resource area. Some added utility connections will be made to the back of the building in the Riverfront Area. The Commission asked about dust control, and construction sequencing. Mr. Orcott explained that the sequencing would follow the following steps: 1- building and pad; 2- utility connections in trenches; 3- in August re-do the parking lot (should take 2 weeks); 4- in September do plantings that might be required.

Before signoff, the Commission noted that the detention basin needs to be maintained and the large trees and shrubs growing within the basin should be removed. The Mr. Orcott noted that the planting plan has been augmented with a few more evergreens along the property line to help screen the view for the neighbors.

An abutter indicated that he wanted to be sure the signage and lighting issue had been addressed. Mr. Clancy noted that these are not wetland issues, but stated that the vegetated screening proposed looks adequate.

The Commission then reviewed a “draft” Determination of Applicability and made some edits.

The Commission voted 4-0 unanimously to issue a Negative Determination with the conditions as drafted and amended.

Correspondence/Other Business

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

- Notary block no longer required for Wetlands Permits
- Volunteers needed for early detection invasive plant surveys
- 2009 Aquatic Vegetation Management Program Monitoring and Management Recommendations Fort Meadow Reservoir, Marlborough and Hudson, MA

Discussion

- DEP 212-1070 DiCenzo Bld. Detention Basin- according to the Order of Conditions this project was to have been completed by May 1, 2010. Ms. Ryder will write a letter asking about this deadline.
- Ms. Ryder said they have limited funds for a summer intern this year. She will see what she can get done with some volunteers this summer and see how that works. Some funds are anticipated from the Forest Trail open space plan, but have not yet been received.

Adjournment - There being no further business the meeting was adjourned at 9:08 PM

Respectfully submitted;

Priscilla Ryder
Conservation Officer