

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

September 2, 2010
Memorial Hall, 3rd Floor, City Hall

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

Absent: Dennis Demers, Allan White, David Williams

Approval of Minutes: The minutes of June 3, 2010, July 8, 2010 and July 22, 2010 were reviewed. The Commission voted unanimously 4-0 to accept as written and place on file.

Public Hearing(s)

Notice of Resource Area Delineation (ANRAD)

279 South St. - Robert Moss of Moss Development Inc.

Request that the Conservation Commission review the wetland delineation and resource areas for the property known as Shoestring Hill – consisting of 88.4 acres at #279 South St. (Assessor's Maps/Parcels 92/19, 92/24, 92/32 and 103/19)

Scott Goddard of Carr Research Laboratories Inc. was present and represented Moss Development (not present.) Mr. Goddard explained he had received the DEP # 212-1075 for this Abbreviated Notice of Resource Area Delineation (ANRAD). He explained that he was requesting that the Commission approve the wetland boundaries as delineated on the plans submitted with the ANRAD. He did submit a revised plan entitled Existing Condition Plan, Sheets 1 thru 8, for 279 South St., Marlborough, MA dated Rev. June 28, 2010 which showed a slight change in the line based on the site visit he had with Ms. Ryder.

He gave a brief overview of the site, which is a glacial till drumlin which has some steep slopes, South Street Brook and some canal/ditch structures run through the property and there are several culverts that were constructed for farm crossings of the brook to the upland areas. The wetland areas at the toe of the hill consist of peat. There is evidence of some peat mining and stream cleaning activities over the years, evidenced by the piles of peat along the edge of the channel.

Mr. Goddard went through the wetland boundaries for each series. The wetlands include bordering vegetated wetland, two isolated wet areas which are too small to be jurisdictional under the wetlands protection act, and a long finger of wetland that meets two wetland depressions at the top of the hill. These have a drainage

connection between the wetlands on the hill and the wetland below and are therefore connected and are protected as BVW.

The South Street Brook has a watershed area of .64 sq. miles which does not meet the perennial stream criteria, and therefore Mr. Goddard concluded that it is an intermittent stream as shown on the USGS maps. He also checked the flood plain area and noted that it is not in the 100 year floodplain based on the FEMA maps.

The Commission noted that Ms. Ryder had provided them with photos of the 5 pools on the site that all contain vernal pool species in the spring as documented- mole salamander egg masses, wood frog egg masses and cadis fly larvae. Mr. Goddard indicated that he had observed the same species in all the pools, but also noted that the regulations do not grant protection to pools that are under a ¼ acre foot in size/volume regardless of species found unless they are within Bordering Vegetated Wetlands. Chairman Clancy made it clear that he would like to see the vernal pools protected and that he would frown on changes to these pools. Mr. Clancy also noted that August/September is difficult times to see wetland flags when the vegetation is all grown up and thick.

Mr. Goddard also noted that quite a few flags had been removed by vandals, but that most of the flags remain and you can “connect” the dots. The Commission indicated that all the flags must be replaced before a site walk by the Commission. Mr. Goddard indicated it would take about 3 days for them to be re-established. He wanted the Commission to choose a site visit date, so the flags could be hung a few days before. The Commission decided to do a site walk on Saturday, September 25 at 8:30 AM.

Abutters present:

- Monique Duross of 261 Desimone Dr. explained that there is a lot of water that comes through her neighbor’s yard and she has had extensive work on her property to keep the water out of her basement. She is concerned that any work on the hill will change this pattern and cause more damage. The Commission asked questions about the drainage. Ms. Ryder noted that the wetland does just disappear into the neighbor’s yard. Ms. Ryder will check the building plans to see what type of piping etc. exists and will bring it to the next meeting.
- Danielle and Stephen Rollins of 213 Desimone Dr. expressed concern that the surveyors were using their land to access the site and requested that when they reflag they either get permission from them or access from South St. They provided their contact information to Mr. Goddard.

The Commission continued the hearing to their October 7th meeting and invited the neighbors to join the September 25th site inspection at 8:30 AM, if they wished.

Certificate(s) of Compliance

- DEP 212-1070 Detention Basin – off DiCenzo Blvd. & Settlers Lane- Don Seaberg of Benchmark Engineering was present. Ms. Ryder confirmed that the City Engineer is now satisfied with the stone at the inlet and outlet structures and noted all the conditions of the order have been satisfied. The Commission voted 4-0 to issue a full certificate of compliance with the attached ongoing conditions.
- DEP 212-904 9 Johansen Dr. – Full - Ms. Ryder noted that this project has been completed for some time and is in compliance with the Order. The Commission voted 4-0 to issue a Full Certificate of Compliance for this project.

Correspondence/Other Business

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

- End of the year fall meeting for the Sudbury-Assabet-Concord Cooperative Invasive Species Management Area – Nov. 9th, 3-5 p.m. – Assabet National Wildlife Refuge Visitor Center

Project updates:

- Holts Grove - Work on the pond repair has begun and should be completed by Friday Sept. 3rd.
- 9 Shanes Lane - Request for Determination filing, the appliance has requested to add a slab, instead of placing the shed on sona tubes. The Commission said he'd need to send in a letter requesting a change, to be reviewed at the next meeting, before any work can begin.
- Paquin Dr. beach - Request for Determination (RDA) Ms. Ryder reported that clearing of brush along the waters edge, in violation of the RDA issued for this site occurred. She asked the Commission Members to check and provide their input, then she'll follow up with the Association about restoration of the area.

Adjournment - There being no further items, the meeting was adjourned at 8:20 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer