

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
MINUTES**

May 5, 2011
Memorial Hall, 3rd Floor, City Hall
7:00 P.M.

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

Absent: Michele Higgins and John Skarin

Approval of Minutes: The minutes of April 7, 2011 were reviewed; and the Commission voted unanimously to accept and place on file.

Public Hearings:

Notice of Intent (continuation of public hearing)

1017 Boston Post Road (Steven Anthony's Restaurant)- Anthony Scerra.

(Dennis Demers abstained from this discussion due to a conflict of interest)

To Install a new septic and leech field and replace decks and add a patio

Mr. Scerra and his wife were present. Mr. Jude Goven from the engineering firm Adept ESC Inc. was present and showed a revised plan dated April 27, 2011. He noted that this revised plan includes the items requested at the Commissions last meeting and comments provided from the Board of Health.

The changes include: erosion controls in the form a straw wattle, a deck behind the function hall and two patios, the new one is located to the east of the building. The plan now shows the buffer zone. The plan also shows the septic system, grease trap and the new location of the trash compactor to be added to the property to consolidate all the trash bins and grease containers.

The Commission asked questions about the presby septic system to be installed. Mr. Goven explained that 180 cubic yards of soil is to be removed from the site. It will not be stock piled; it will be hauled away as it is dug out. All new soil is needed for this system. The Commission cautioned that these systems need to be well installed to work and that faster contractors may not be better contractors. Mr. Goven said he would be overseeing the installation to ensure compliance.

Ms Ryder noted that the new patio as shown is within 15' of the wetland, so will impact the 20' Buffer Zone. The Commission asked Mr. Scerra if he could reduce the patio by 5'. He replied that would be fine. Very little grading is required, so the patio reduction would be acceptable. The Commission noted this would be included in the Order of Conditions.

Ms. Ryder also noted that there had been discussion of removal of invasive species and that she had drafted in the Order of Conditions to allow this after a site meeting with her and approval of the work to be done. Trees removed should be replaced with native trees and shrubs after the invasive bittersweet and other invasive shrubs are removed. This can be an ongoing process as it will take some time to get this area under control. The Commission agreed, Mr. Scerra said he'd contact Ms. Ryder.

There being no further questions, the hearing was closed. At the end of the meeting the Commission reviewed the draft Order of Conditions and voted 4-0 to issue the Order of Conditions as drafted and amended. (Dennis Demers abstained due to a conflict of interest)

Certificate of Compliance

- 212-313 630 Hemenway St. - Partial (re-issue).
Ms. Ryder explained that this had been voted on and signed at the last meeting. However, there was an error on the form, because this is registered land only an “unadulterated” form with no corrections can be used. The Commission voted 5-0 to issue a partial Certificate of Compliance.

Discussion

1. DPW Snow Storage Policy and discussion of filter bed reactivation - Mr. LaFreniere had a conflict and had requested through Ms. Ryder that this item be continued to the next meeting on May 19th. Ms. Ryder noted that a site walk of the filter beds with DCR regional director John Scannel has been requested. A date for either May 11th or May 18th in the early afternoon was requested. Ms. Ryder will set this up and notify the members.
2. DEP 212-1060 785 Boston Post Road - Waste Management Inc. request to remove jute chute. The Commission reviewed the letter from Waste Management Inc. requesting the removal of the jute chute since the detention basin is in and operational and test results are showing water quality leaving the site to be well below the 100 NTU's required. Ms. Ryder indicated she has visited the site with Tom Cullen and inspected the system and the outfall structure. Water leaving the site from this system appears to be clean – although much iron loving algae is found in the stream system. The Commission asked that some additional testing of the outfall water be done and asked Ms. Ryder to check with the Board of Health on what the testing parameters should be. Ms. Ryder will check and then send a letter to Waste Management Inc.
3. Community Garden Program proposal - Ms. Ryder explained that she has been exploring the creation of a Community Garden in the city. Several locations have been looked at and the one that looks most promising is at Cider Knoll/Mello Family Meadows Conservation Land on Elm St. Ms. Ryder said there will be a cost for the water line installation, but that the DPW can do the clearing and tilling of the property once the Commission decides to proceed. The Commission said it was a good idea, that plots should be 10' X 20' plots and asked Ms. Ryder to provide a budget and layout of the garden idea for the next meeting, so they could make a more informed decision; but in concept the Commission asked her to pursue the idea. Ms. Ryder indicated that she would.
4. Request for a Frisbee golf course set up at the Grove - The recreation department had inquired whether a Frisbee golf course could be installed at The Grove. Ms. Ryder inquired to the State DCS who indicated that because it would have nets/baskets, that Frisbee golf would be considered “active” recreation and therefore, not permitted on Conservation land purchased with state funds. Ms. Ryder will let the recreation department know.
5. Reconstruction of Farm Rd., Cook lane to Boston Post Rd. (ENF) - Ms. Ryder indicated that the preliminary plans were submitted in the ENF showing that one culvert would be replaced and another upgraded. Ms. Ryder noted that she attended the ENF hearing and mentioned that there were no fatal flaws in the proposal; however the project would need Conservation Commission review and approval for all work within wetland jurisdiction.
6. Conservation Accomplishments 2010 and goals 2011- summer intern position- Ms. Ryder reviewed these briefly and asked for feedback from the Commission.
7. Desert Natural Area Conservation Land – Trout unlimited will make a presentation at our May 19th meeting regarding proposed evaluation of streams and possible projects.

Other Business

- Fafard Indian Hill trail issue - Several people were in the audience who live on Azalea way at the Indian Hill Development. They asked to speak to the Commission about the proposed trail behind their homes. Ms. Cisewskis explained that she has kids and was concerned that if a trail went behind her home, she would be concerned with her kids safety especially if the trail were to be opened up to the public. She wanted to know what was being pursued. Ms. Ryder indicated that she had just had a meeting with the Rose Pointe Condo trustees and the lawyer for Violet Woods Condo and Fafard's lawyers that afternoon. The lawyers were going to look into some of the legal issues and talk to the condo association trustees to determine what might be acceptable and what might not be acceptable. No decisions were made yet on what the final outcome will be. Mr. Clancy did explain that the original Special Permit issued in 1987 required a connection to Callahan State park, and that the City is working towards connecting trails throughout the city that residents can use for recreation. The abutters thanked the Commission for their time.
- E-mail was received by Ms. Ryder RE: 146 Phelps St. - regarding the filling of the pond on this property over the past 40 years. A photo was included. The owner is concerned that the pond has filled in over the years. Ms. Ryder will follow up with owner.
- Boston Properties ball field rehabilitation - Ms. Ryder had an inquiry from Joe Delgineo regarding the rehabilitation of the Boston Properties ball field at the corner of Simarano Dr. and Cedar Hill St. Some plant removal and minor regarding and top soil application is needed to bring these fields back to use. The Commission indicated that the work is "maintenance" in nature and no wetland filing would be required. Ms. Ryder will inform Mr. Delgineo.
- Sunovion - (formerly Seprecor) Waterford Dr. off Robin Hill St. - The site engineer has inquired as to whether they need to file a Request for Determination of Applicability (RDA) or a Notice of Intent (NOI) for the reconstruction of the parking lot within the buffer zone. Ms. Ryder provided the photos submitted to her showing the deteriorated nature of the parking lot. The Commission determined that an RDA was appropriate. Ms. Ryder will inform the engineer.
- MWRA- D'Angelo Dr. - The solar array that was installed under the RDA has been completed. Ms. Ryder asked if any of the members wanted to do the final inspection and see the installation. The Commission indicated yes and that Wednesday May 11th at 2:00 PM would be a good time. Ms. Ryder will set it up.
- Felton Conservation Land - Ms. Ryder will be walking the Felton Conservation Land on Monday, May 9th at 12:30 with Ms. Butler to look at areas to be cleared to open up the field some more. The Commission was invited to attend.
- Desert Conservation Land - Ms. Ryder reported that she has been working with the Marlborough and Hudson Police Chiefs to see if the ATV's that are illegally using the Desert Natural Area Conservation Land can be caught. Progress is being made.

Adjournment - There being no further business, the meeting was adjourned at 8:49 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer