

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**June 7, 2012 (Thursday) 7:00 PM  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall**

**Members Present:** Edward Clancy-Chairman, Lawrence Roy, John Skarin, Dennis Demers, Allan White- and Priscilla Ryder-Conservation Officer;

**Absent:** Michelle Higgins and David Williams

**Public Hearings**

**Request for Determination of Applicability**

**107 Beach St. - Amy Smith**

Proposes to install an above ground pool near wetlands.

Ms. Smith was present and explained that she wanted to install a pool 30' from the wetland edge. They will need to level a small section of the yard for this above ground pool. They will be using a diatomaceous earth filter system. Mr. Clancy made sure she knew they could not discharge to the wetland. The yard is flat, so no erosion controls are needed. There were no questions from the audience, so the Commission closed the hearing and voted unanimously 4-0 to issue a negative determination with no conditions.

**Request for Determination of Applicability**

**117 Wayside Inn Rd. - Joaquim & Karen Bento**

Mr. Bento was present and proposes to add a screened in patio/deck at the rear of the house. The porch will extend 5' into the 20' buffer zone as designed. The only disturbance will be the 8 footings. He showed photos of the area and provided a letter to justify the encroachment into the 20' buffer zone based on the city's Wetland Setback Policy. He plans to restore the wetland area by removing some of the non-native invasive glossy buckthorn and plant more high bush blueberry bushes. He will be building it himself and all work will be done by hand. The Commission discussed the encroachment and said they would prefer that he stay out of the 20' buffer zone to honor the Commission's policy which they don't usually bend. They suggested the deck be cantilevered to avoid this impact. After much discussion the Commission decided to do a site visit and continue the hearing to the June 21<sup>st</sup> meeting.

**Request for Determination of Applicability**

**7 Flint Dr. - David Sullivan**

Mr. Sullivan was present and proposed to do some grading work 25' from the wetlands to even the slope between the lawn and the woods and reinforce the slope with rock to prevent erosion. He will use 5" rock on the slope to reinforce it. A small amount of clearing will be needed to access the area with wheel barrels. He also wanted to rebuild the stone wall behind his house. As all work is outside the wetland and buffer zone, and is minor in nature. The Commission closed the hearing and voted unanimously 5-0 to

issue a Negative determination with conditions that a pre-construction meeting be held, erosion controls installed as needed, and field stone wall to be inspected prior to work.

### **Request for Determination of Applicability**

#### **79 Lakeshore Dr. - Lalita Matta**

No one attended, however the Commission reviewed the proposal to install a retaining wall near the shoreline of Ft. Meadow Reservoir. The Commission noted that the wall as shown on the plan would not impact the wetland and looked well designed. The Commission voted unanimously 5-0 to issue a Negative Determination with the condition that straw wattle erosion controls must be installed prior to construction and be inspected at a pre-construction meeting.

### **Notice of Intent**

#### **Royce Rd. - the City of Marlborough DPW**

Mark Dascoli was present and explained that the city proposes to reclaim Royce Rd. and install berms, rip-rap swales and add a slip line into the existing culvert at Mowry Brook at Royce Rd. He explained that the pipe is rotting out and they are using a new concrete seal liner to repair the culvert. They will need to dewater and bypass the pipe during construction. They will also be doing some vegetation clearing, add riprap to the slopes that are eroding near the headwall and create a leak off area for roadway drainage to go. The current swale is eroded. The pipe size will be reduced by 1” and they have already calculated the flow and this will be fine.

Abutter Ann and Todd Dixon of 52 Royce Rd. were present and concerned with water coming over the road during big storms and were concerned with impacts to his underground sprinkler system. Mr. Dascoli explained that the new riprap swale will eliminate the standing water/flooding on the roadway, and that they would protect his sprinkler system. The Commission had additional questions about the bypass system and dewatering, but had no problems with the plan. The hearing was closed and the Commission asked Ms. Ryder to draft a set of conditions for the June 21<sup>st</sup>. meeting.

### **Notice of Intent**

#### **73 Boivin Dr. – Jason Ward**

Mr. Ward was present and explained that he wanted to install an in ground pool, patio and fence with landscaping 44 ft. from the edge of the pond and wetlands at his home. The pool will be 57 feet away from the wetland. The Commission reviewed the plans and asked question about dewatering methods, disposal of materials and stockpile locations. The pool is to be 21’ x 39’ in size. After further discussion, the Commission agreed that the pool could be built without impacting the wetland and closed the hearing. The Commission asked Ms. Ryder to draft a set of conditions for the June 21<sup>st</sup>. meeting for review.

## Notice of Intent

### 88 D'Angelo Dr. - The Mass Water Resources Authority (MWRA)

Nitin Choksi of the MWRA, Joe Boccardo and James Petras of AECOM were present. Mr. Boccardo explained that the MWRA proposes to modify the existing interim Corrosion Control Facility (ICCF) to serve new uses. They will be removing the existing outbuildings, and installing additional paving. However with the removal of the existing building and tanks, they will reduce the impervious surface and therefore the existing drainage system will be able to accommodate the stormwater with no additional drainage structures needed. Mr. Petras explained that there will be no impact to wetland, but work is in the 100' buffer zone and riverfront area to the open channel. After some discussion the Commission agreed with the proposal as presented and closed the hearing. The Commission asked Ms. Ryder to draft a set of conditions for the June 21<sup>st</sup>. meeting for review

### Draft Orders of Conditions

- Lake Williams – Lakeside Ave. – removal of trees along Lake Williams - The Commission reviewed the draft conditions provided and voted unanimously 5-0 to issue them as written.
- 1 D'Angelo Dr. & 150 Cedar Hill St. – Ken's Foods, Inc. - The Commission reviewed the draft conditions provided and voted unanimously 5-0 to issue them as written.

### Certificates of Compliance

- DEP 212-1003 362 Elm St. – Flex Buildings - Ms. Ryder reported that she inspected the site and the as-built plans and all the conditions within the Order of Conditions have been met. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance for this project with ongoing conditions as required.
- DEP 212-1074 25 Cullinane Dr. - Ms. Ryder reported that she inspected the site and the as-built plans and all the conditions within the Order of Conditions have been met. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance for this project with ongoing conditions as required.
- DEP 212-367 25 Cullinane Dr. – Ms. Ryder explained that in looking through the files this Order of Conditions was never started and to clear the title, the Commission needs to issue a Certificate stating same. The Commission voted unanimously 5-0 to issue a Certificate of Compliance noting that the Order of Conditions has expired and that no work was ever done related to this permit.
- DEP 212-584 297 Maple St. – Ms. Ryder reported that she inspected the site and the as-built plans and the all the conditions within the Order of Conditions have been met. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance for this project with ongoing conditions as required.

- DEP 212-970 512 Bigelow St. - Ms. Ryder reported that she inspected the site and the as-built plans and all the conditions within the Order of Conditions have been met. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance for this project with ongoing conditions as required.

**Discussion/other business:**

- Aidan Stedman – Eagle Scout award ceremony - Ms. Ryder invited the Commission members to this ceremony to be held on June 22 for a scout who has done several projects for the Commission.
- Community Garden update - Ms. Ryder explained that the DPW will work with the Commission to have a well installed at the garden. In the mean time we have made an agreement with the neighbor to use his hose to fill two water tanks donated by Reg Burgess. It seems a better option that putting in a city water line. The Commission voted to pursue the well option. The Grand opening of the Community Garden was held on June 2<sup>nd</sup> and was well attended. The garden is now off and running.
- Desert Natural Area - Some volunteers working with the New England Wildflower Society will be removing and treating the black swallow wort – a non-native invasive plant on June 14<sup>th</sup>.
- Summer projects- Ms. Ryder provided the Commission with a list of summer projects for the summer interns to get done. The Commission reviewed the list and added a few additions.
- Felton Conservation Land - Ms. Ryder explained that the license agreement for Mr. Wright to hay the fields at the Felton Conservation Land needs to be renewed. She provided a draft to the Commission. This was reviewed and the Commission voted 5-0 to renew this license. The members all signed the license agreement.

**Meetings:** Next Conservation Commission meetings – June 21<sup>st</sup> and July 5<sup>th</sup>, 2012 (Thursdays)

**Adjournment:** There being no further business the meeting was adjourned at 9:25 PM.

**Respectfully submitted,**

**Priscilla Ryder**  
**Conservation Officer**