

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

August 16, 2012 (Thursday)

**Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 P.M.**

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

Absent: Michele Higgins, John Skarin, and Allan White

Public Hearings

Request for Determination of Applicability

200 Concord Rd. - Marlborough Country Club

Proposes to replace an existing wooden bridge with a similar foot bridge over Mowry Brook.

Ken Crimmings of the Marlborough Country Club explained that he is looking to replace an old cart bridge with a “trex” bridge for foot traffic only. It will be located in the middle of the 17th fairway above the pond and over the stream. The construction will involve the construction of an 18” holes with crust stone- there will be no footings. The span will be 16’ long and 4’ wide. They will use a small backhoe to remove the existing bridge. They will re-sod the area when they are done to stabilize it. The new bridge will have a 6” high railing. The Commission discussed the need to anchor the bridge into the ground to prevent it from washing away if there are large storms. Mr. Crimmings agreed. The Commission determined that the work would have no direct impact to the wetland and voted unanimously 4-0 to issue a Negative Determination with standard conditions including anchoring of the bridge.

Notice of Intent

28 Thompson Rd. - John Donahue

Proposes to replace an existing retaining wall with associated grading and related landscaping near wetlands.

David Hancox of Veron Landscaping represented the owner and presented the plans. He explained that the base plans were drawn by Handcock Associates and Veron Landscaping had added the topo and wall design on top of the existing conditions plan. They will be removing the existing wall which is about to fall over and in disrepair and in it’s place proposed two smaller walls at the base 3-3½ feet in height to replace the 5’-7’ existing wall. The new wall will use the “unilock wall” system which is simialr to the versolock wall. They will be using crushed stone and fabric, no geogrid is needed per the manufacturer’s design. Mr. Demers, explained that he knows this silty soil, and he would recommend that the geofabric be used on

this wall to keep it from moving in the future. Now is the time to install it. Mr. Hancox said he would look into it. He will not need a building permit, because the wall is less than 4' in height. The construction sequencing was also discussed and will be critical to follow given the soil type in this area and the amount of soil to be moved and added to this site. Weather will also be an issue and the Commission discussed options. The Commission voted unanimously to close the hearing and asked Ms. Ryder to draft a set of conditions based on this discussion.

Notice of Intent (Continuation)

637 Sudbury St. - Richard Nardo

Proposes to construct a private road intended to provide access to three (3) single family dwellings (one of which is existing) and with associated utilities within the 100 ft. buffer to a Bordering Vegetated Wetland.

Matt Hammor of Hancock Associates was present and represented the owner, Richard Nardo, who was also present. Mr. Hammor explained the subdivision design. A wetland botanist did the wetland delineation shown on the plan. They have included a drainage report and storm water report and will control and clean the runoff as designed. They are scheduled for a hearing with the Planning Board in September and have had several informal meetings with the Planning Board to review this Low Impact Development (LID) roadway design. The new roadway will serve two additional lots and the existing home to make this three lot subdivision. They have requested some waivers from the planning board to reduce roadway width to 22', and LID - country drainage with no curbing and no closed drainage system, just an open grass swale. The grass swale is designed to remove pollutants and provide some recharge into the ground. There is an existing 24" drainage pipe draining from Sudbury St. which will be tied into the grass swale. They are proposing to connect into the existing sewer line into Mosher Lane, water and gas are available from Sudbury St. Mr. Demers asked how the existing house deals with sewerage. Mr. Hammor explained that the existing house has a septic system. Mr. Williams asked who would be in charge of maintaining the swale and the roadway if it was a private road. Mr. Hammor explained that they would recommend it be a homeowners association and that the road remain private.

The Commission reviewed the plans and noted that there are no roof drains or foundation drains shown, will they be submitting plot plans for the actual houses, the detention basin/rain garden appears to be right on the line this needs to be moved back to allow for construction without impacting the neighbor's property. Feedback from the City Engineer, Tom Cullen is required on the drainage design before the Commission can make any type of determination. They would also like to see a construction sequencing plan, and to show that the new drainage easement from Sudbury St. would work. Mr. Demers asked about the retaining wall and the easement to be sure it would be adequate.

Mr. Paul Major an abutter at 671 Sudbury St. said the area has been woods forever; he has lived there 20 years. He noted he has seen spotted salamanders in the area and wondered if the wetland on this property was a vernal pool. He also expressed concern about drainage and who will maintain it if it isn't public.

Mr. Richard Nardo, the owner, explained that they would save as many trees as they can and these restrictions can be shown on the plans when they are finalized.

After some further discussion, the Commission continued the hearing to the Sept. 6th meeting to allow the applicant time to gather the above noted information and make changes to the plans.

Request for Determination of Applicability (Continuation)

3 Red Spring Rd. - The Inter-Colonial Club

Proposes to add sand to the lawn area near Ft. Meadow Reservoir.

Mr. Ciano, President of the Colonial Club was present. He showed pictures of the current condition of the shoreline to the west of the house. He noted that their filing was to request adding sand to extend their beach area, at the request of the landlord Mr. Morse. When the Commission was not in favor of that, they instead removed a few dead and broken trees and added wood chips in the area to control poison ivy. There were also some roots they covered up to make it easier walking. The Commission reviewed the pictures and discussed what had occurred. They determined that sand would NOT be acceptable in this area; grass and woodchips are permitted. They voted unanimously that the work done was acceptable and that the fine of \$100 issued in August 7, 2012 should be rescinded. Ms. Ryder will convey.

Request for Determination of Applicability

623 Stow Rd. - Jim and Kathy Gakis

Proposes to demolish an existing deck and replace it with a 14 ft. x 27 ft. deck. Work is proposed within the 100 ft. wetland buffer zone.

Don Bradley of LaCroix Construction was representing the owners. He explained that the wetland boundary was delineated using soils by Priscilla Ryder. They would like to remove the existing deck and add a new one that is bigger. The owners like the wetlands and do not wish to alter it. The plans show the deck just outside the 20' buffer zone. Sona tubes will hold up the deck and are the only excavation needed. After some discussion the Commission agreed that the work was minor and voted unanimously to issue a Negative Determination with conditions to include: Permanent boundary markers at the 20' buffer zone line, no mowing of the 20' buffer zone, and to allow the deck to be installed as shown.

Discussion:

- Desert Natural Area – Habitat restoration plan - Ms. Ryder reported that they have received the grant paperwork and are now working on the outreach material. A public meeting will be held to explain the project to all in Marlborough, Sudbury and Hudson.
- Forest Cutting Plan – Red Spring Rd. (update) - Ms. Ryder and Mr. Clancy along with Mr. Williams met with Laura Dooley from DCR and the forester. They walked the site and reviewed the buffer zone restrictions and felt satisfied that the wetlands will be protected. Several wetland crossings with equipment are proposed. Ms. Dooley had restricted one of them, but it looks OK. It is an aggressive cut according to Ms. Dooley, but should be fine.

Violation Notices:

- 3 Red Spring Rd. – As noted above, a violation notice was issued to the Inter Colonial Club for doing work along the edge of the lake without a permit. A permit was subsequently issued as noted above. The Commission unanimously agreed with the violation notice.
- 14 Union St. - Ms. Ryder noted that the owner of this lot has been building a wall and has stored material in the back in the 20' buffer zone. The violation notice requires them to clean it up. Ms. Ryder has since reviewed the site and notes that they have complied and have satisfactorily cleaned up the mess. Mr. Clancy had seen the site as well and concurred.

Correspondence/Other Business

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

- E-mail from Priscilla Ryder, dated Aug. 2, 2012 RE: ZBA Comprehensive Permit Brookside Village
- Letter to Matthew Scola, dated Aug. 6, 2012, RE: 621 Sudbury St. Unfinished items as required in Determination.

Meetings: Next Conservation Commission meetings – Sept. 6th and 20th, 2012 (Thursdays)

Adjournment: There being no further business, the Commission voted unanimously to adjourn.

The meeting was adjourned at 8:45 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer