

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**Minutes**

**October 4, 2012 (Thursday)**

**Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall**

**7:00 PM**

**Members Present:** - John Skarin- Acting Chairman, Dennis Demers, Michele Higgins, Lawrence Roy, Allan White and Priscilla Ryder-Conservation Officer

**Absent:** Edward Clancy and Dave Williams

**Public Hearings:**

**Request for Determination of Applicability**

(Dennis Demers abstained due to a conflict of interest)

*209 Spoonhill Ave. - Mark Allen*

*Proposes to make a water line connection from the street to the house and abandoning the old well.*

Paul Demers from Demers Construction presented a plan to install a new water line from the street to the house. The trench will be 5' deep and will be within the existing lawn area. All excess materials will be removed immediately. The existing well will be capped. Ms. Ryder said she'd inspected the site and there should be no impact to the wetland. The yard is relatively flat. Mr. Demers said he would be installing straw wattles as erosion controls. The Commission determined that the work would not impact the wetland and voted unanimously 4-0 to issue a Negative Determination with standard conditions. (Mr. Demers abstained)

**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.*

No one from the club was present; however they had provided some photos to Ms. Ryder for the Commission to review. After some discussion the Commission reviewed some draft conditions to allow the work that had been done, but nothing more without a permit. **The Commission voted unanimously 5-0 to issue a Negative Determination with conditions as drafted and amended.**

**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.*

Richard Nardo, the owner and Matt Hammor PE from Hancock Associates were present. Mr. Hammor explained that they are proposing a three lot subdivision and that at the last hearing, he had been asked to investigate whether the area contained a vernal pool. The field botanist on their staff met with Ms. Ryder on site to see if the wet area in question had vernal pool characteristics. Ms. Ryder noted that there were no finger nail clams, lots of vegetation- uncharacteristic of an area that would

be inundated for 2 months of the year. There were no telltale signs of it being a vernal pool.

Mr. Hammor reviewed the erosion control plan, detention basin, construction sequencing plan and sedimentation basin and fore bay. The Commission noted that the detention basin should be moved away from the wetland line to provide a better buffer. They also noted concerns about whether the “country drainage” as described would meet with the approval of the City Engineer. Mr. Demers requested that a response from Tom Cullen would be needed before the Commission could pass judgment on the drainage design.

Mr. Hammor did explain that this is a relatively new design using country drainage, recharge, a smaller driveway and a cleansing ditch. This design follows the recommendation of the DEP Low Impact Development criteria, which is overall more environmentally sound. He noted the fire department is OK with the design as there is adequate place for truck turnaround. There are fewer infrastructures to upkeep and they would propose that the roadway be a private way and not a public street. Mr. Skarin asked about the existing drainage from Sudbury St. and how that will be addressed. Mr. Hammor said the existing drainage would be directed into the swales and then into the detention basin. Mr. Allan asked about construction sequencing and materials to be transported out. The consultant explained that they would be bringing materials in and not much would go off site.

Mr. Hammor explained that several subdivision waivers have been requested. Mr. Demers stated that the Commission needs to wait to see what the Planning Board is going to allow before doing a final review and issuing a permit for this project. He likes the green LID ideas, however it will be up to the Planning Board to determine if this meets with their approval or not. He is concerned with how the swales would be maintained ten years down the road. Ms. Higgins expressed concern with the maintenance, because she lives on a “common driveway” and has experienced how difficult it is to work with neighbors to get the proper maintenance done.

Mr. Paul Major of #671 Sudbury St., an abutter, explained that he lives up the hill and is a direct abutter to this property. He is not in favor of this design and is concerned that they are cramming two houses in a very small place. Lots of clearing will be done and he is opposed to this project.

Mr. Matt Scola of #621 Sudbury St., also an abutter, is concerned with the existing drainage pipe and the new design. The existing drainage system does not catch all the water and some drains on to his property. The water table is right near the

surface given the wetness of his back yard. He is concerned that this project will have an impact on him.

The Commission decided they needed to wait to get comments from the City Engineer and to wait for the Planning Board's review to determine if the waivers requested are to be granted. They did ask that the design be modified to include the 20' Buffer Zone and to move the detention basin away from the wetland and property line, so construction would NOT encroach on the 20' Buffer Zone area. The hearing was continued to the Oct. 18<sup>th</sup> meeting.

#### **Minor Amendment to Order of Conditions:**

- DEP 212-1101 28 Thompson Dr.- the applicants had made a written request that one of the conditions of the Order requiring an As-Built-Plan be removed, since they have not hired an engineer for this project and would prefer not to have that extra expense. The Commission agreed and voted 5-0 to amend the order to eliminate this condition. A letter will be sent to the applicant.

#### **Certificate of Compliance**

- DEP 212-761 48 Page Circle – full Certificate - The work is completed for this property. The Commission voted 5-0 to issue a full Certificate of Compliance for this property.

#### **Correspondence/Other Business:**

- Ft. Meadow Reservoir foam issue–FYI Ms. Ryder explained that she has been out around Ft. Meadow Reservoir trying to determine the cause and source of some significant foam on the lake. Residents from Hudson and Marlborough have observed this and called her to complain. Ms. Ryder has been out with the fire department and the Boards of Health in Hudson and Marlborough. To date, it appears to just be foam caused by wind action and the breakdown of some of the vegetation. The State DEP indicated that many lakes were experiencing the same foam and it was nothing to be alarmed about. It is off-white foam that is very stiff, but seems harmless and does not originate from any particular area.
- DEP 212-828 62 Lacombe St. The owners would like to add an addition on the existing pavement with a slab and wondered if they could file a Request for Determination of Applicability (RDA). The Commission looked at the sketch and agreed that an RDA would be sufficient. Ms. Ryder noted they will file for the next meeting.
- Mauro Farm update - Ms. Ryder reported that there have been a few issues at the Mauro Farm site with sediment; she will work with the Engineering Dept. under the stormwater ordinance to see if these issues can be addressed.
- 120 Bartlett St. - Ms. Ryder has been approached by the owners. They want to change the parking lot configuration to better accommodate truck deliveries. The Commission agreed that the work was minor and an RDA would be sufficient.

**Meetings:** Next Conservation Commission meetings - October 18, 2012 and November 1<sup>st</sup>, 2012 Thursdays

**Adjournment** - There being no further business the meeting was adjourned at 8:30 PM

Respectfully submitted,  
Priscilla Ryder  
Conservation Officer