

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
July 1, 2013 (Monday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Members Present: Edward Clancy-Chairman, Lawrence Roy, John Skarin, Dennis Demers, David Williams, and Allan White. Also present was Priscilla Ryder-Conservation Officer;

Absent: Michelle Higgins

Public Hearings:

Request for Determination of Applicability

Mass. DOT Rte. 85 Connector roadway and Fitchburg St.

William Clougherty of Mass DOT Highway Div. District 3 was present. The proposal is to do maintenance resurfacing project on Fitchburg St. from Berlin Rd. to the I-290 connector and then on the 290 connector from the intersection of Bolton St. to the clover leaf. They will just be milling and paving, no clearing or grubbing is anticipated. All catch basins will have silt sacks and in a few locations where the road crosses a stream, straw wattles will be placed, especially at the low pave leak off areas. These will be identified in the field prior to construction. The Commission discussed this and confirmed that the erosion controls would be removed once the project is complete. Mr. Clougherty confirmed. The Commission closed the hearing and voted 6-0 to issue a Negative Determination with standard conditions.

Draft Order of Conditions

- 148 Phelps St. – Matthew Arel - The Commission reviewed the draft Order of Conditions for this single family house proposal. The Commission voted 6-0 to approve the project and issue the Order of Conditions as written.

Certificate of Compliance:

- DEP 212-498 48 Taylor Rd. – Full Certificate
Ms. Ryder reported that she inspected the site and the Order of Conditions and all the conditions have been met. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance for this project with ongoing conditions as required. (Note: We are waiting to see “wetland language” on the deed before releasing the Certificate of Compliance.)

Correspondence/Other Business:

- Rain events update – Violation notice to Toll Brothers – Regency @ Assabet Ridge
Bill Keaton, Shawn Nuckles, and Mark Sargent all from Toll Brothers were present. They explained that as part of the violation notice issued to them they were required to report back to the Commission at this meeting. Mr. Keaton presented a revised erosion control plan and showed photos of the progress made so far. Progress is being made on the back slope. Phase III is on

schedule and they will be putting binder down next week on the entire roadway. Chairman Clancy was concerned that the basin is very muddy and lots of materials have flocked in the basin. Mr. Keating said they would clean the basin when it is dry, they will need 5-6 days without rain. Mr. Keaton, Nuckles and Sargeant all discussed what had happened, how the site is now under better control and that going forward they don't expect any further problems. Mr. Skarin expressed concern that at this stage of the game this violation should never have occurred. He hopes Toll Brothers has it under control and will not tolerate this type of breach again. After additional discussion, the Commission told Toll Brothers to proceed, but that additional violations will be met with much stiffer consequences and that Toll Brothers should be in touch weekly and after each storm to keep the Commission and Ms. Ryder informed of progress being made. They hoped not to have to meet under these circumstances again.

- Brochure – Riverfest – June 21st – 23rd, 2013 – Sudbury, Assabet & Concord- the Commission accepted this brochure and voted to place it on file.
- Land Steward meeting update – Ms. Ryder noted that the land stewards will be meeting at 9:00 on Wednesday May 29th to figure out a work plan going forward.

Meetings – Next Conservation Commission meetings – **July 18, 2013** and August 1, 2013 (Thursdays)
(* Note change)

Adjournment: There being no further business, the meeting was adjourned at 8:15 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer