

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
October 17, 2013 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Absent: Michelle Higgins and Dennis Demers

Public Hearings:

Request for Determination of Applicability

24 O’Leary Rd. - Paul Brusco

Mr. Bruscoe was present and explained that he wants to install an 8’ x 12’ shed on blocks. The only work will be to dig a few holes to get the blocks level. Work is within 25’ of the wetland and inside the existing fence. The Commission didn’t have an issue and closed the hearing. The Commission voted unanimously 5-0 to issue a Negative determination without conditions.

Notice of Intent – Continuation of public hearing

Ames St. (across from Reilly Way) – Marlborough/Northborough Realty Trust - The Preserve @ Ames

Tim Williams of Allen and Major and Bill Caulder of Marlborough/Northborough Realty (Gutierrez) were present. Mr. Williams explained that he has the requested items from the last meeting and presented them as follows: 1) added fence to the rear of site to prevent snow dumping; 2) A memo from Tom Cullen was presented outlining his outstanding issues regarding sidewalk, brook crossings, intersection design and phasing plan. Mr. Williams also provided a revised construction phasing plan. Mr. Caulder discussed the cuts and fills, some of the buildings have walk out basements and others do not. They have engaged a Licensed Site Professional (LSP) who will be finalizing a soils management plan for the contaminated orchard soils that are found on the site. They will need to excavate 6,000 cubic yards of top soil and remove and bury it. They are planning to bury it under the parking lot. It will be a 5-6’ compacted layer under the pavement. The groundwater table is 11 feet deep so this “fills” will not be in the water table. In fact the borings show that they hit bedrock before encountering water. The LSP will be in direct control of the soils on the site and will be responsible to have dust meters etc. The Commission asked how the contaminated soil under the ground will be treated in the future and how someone would know. Mr. Caulder indicated they could record something with the deed stating what and where the contaminated soils are buried on the site once it has been moved and stabilized. After additional discussion, the Commission requested that the following information be provided to the next meeting: 1) foot bridge locations and design details, with an indication of how many trees are to be removed; 2) the Soil Management Plan prepared by the LSP and location of soils to be buried; 3) Information from a geotech engineer confirming the buried soil won’t heave; 4) Provide the Board of Health input on the SMP. The Commission did not want any contaminated soils to be located in any utility corridor, to prevent contact or disturbance if repairs are needed. The Board of Health will need

to review any data on soil contamination as well. With the applicants consent the Commission continued the hearing to the Nov. 7th meeting.

Notice of Intent – Continued to Nov. 7, 2013

Lakeside Ave. – Crabtree Lake Williams, LLC – Overlook at Lake Williams

At the applicants request prior to the meeting, this hearing was continued to November 7, 2013.

Extension Permit:

- 212-998 714 Farm Rd. - The work has not yet been completed for this project. The detention basin is in and the drainage installed, however one of the remaining houses covered under this Order of Conditions has not been built. Mr. Valchius who owns the property has requested in writing a 3 year extension. The Commission voted 5-0 to issue a three year extension for this project.

Certificates of Compliance:

- 212-1046 197 Stow Rd. – Partial Certificate of Compliance - Per the letter provided, the owners are requesting a partial Certificate of Compliance for Lot 1 only. This is the old farm house which is being sold and they would like to clear the title from this subdivision Order of Conditions for this lot. The proper as-built and maintenance deed language as required has been provided. The Commission voted 5-0 to issue a partial Certificate of Compliance for Lot 1 only.

Discussion:

- DEP 212-1103 Memorial Beach – Project update - Ed Clancy told the Commission that he and Ms. Ryder inspected the site with the contractor and reviewed the Order of Conditions with him. The contractor apologized for the mix up and not attending the last meeting. Mr. Clancy explained that he was comfortable with the contractor and his approach to the work. They will contact Ms. Ryder before they start the stream crossing work to set up the dewatering system etc. Mr. Clancy made the decision that the contractor did not need to attend tonight's meeting. The Commission was ok with that.

Correspondence and Other Business:

- Desert Natural Area – Prescribed Burn preparations - Press Release and Letter of Support - These documents were accepted and the Commission voted to place them on file.
- Hunting season - Ms. Ryder noted that Hunting season begins Oct. 21st. Ms. Ryder will post the entrance to the Desert Natural area which is the only city land which allows hunting. The Division of Fish and Wildlife land off Pleasant St. does allow hunting, but it is not posted for the safety zone etc. The Commission asked Ms. Ryder to talk to the Police Chief to see if any notice or meeting is needed to make the neighbors aware of this situation.

Meetings - Next Conservation meetings – November 7th and 21st, 2013 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 8:32 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer