

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

August 20, 2015 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

Members Present: Edward Clancy, Chairman, Dennis Demers, Karin Paquin, Larry Roy, and Allen White. Also present was Conservation Officer, Priscilla Ryder.

Members Absent: John Skarin and David Williams

Approval of Minutes – July 16, 2015 - The minutes were reviewed and unanimously approved 4-0 (Ms. Paquin abstained)

Note: the August 6th meeting was cancelled. All items from that agenda have been added to this meeting.

Public Hearings:

Request for Determination of Applicability

50 Roosevelt St. – Steve Moura

Steve Moura was present and explained that he wanted to install a new detached garage on his property. The wetland lines were marked by Ms. Ryder and he will stay 50' away from this location. He will meet all setback requirements that the building department had. The sketch he provided showed a garage that was 28' by 40', however he believes it will be a bit smaller. The Commission indicated they could approve the plan and if the building is smaller that is not an issue. However, if he enlarges it, he'd have to come back to the Commission. There will be some excavation, in which all materials will either be used as backfill or removed outside the 100' buffer zone. The Commission discussed erosion controls and agreed that silt fence and straw waddles or compost socks would be permitted and would need to be placed above the 50' buffer zone line. After some discussion the Commission voted unanimously- 5-0 to issue a Negative Determination of Applicability with standard conditions to allow for the building of the garage at this location.

Request for Determination of Applicability - **Continuation**

635 Stow Rd. - Anthony Mulherin

Anthony Mulherin, the owner, was out of town and had been ready to present at the last meeting. Ms. Ryder inspected the site and took photos, she reported that they want to expand and extend the existing deck. They will stay out of the 20' buffer zone location and only have 8-10 footings to install. The Commission reviewed the photos and the plan and voted unanimously 5-0 to issue a Negative Determination of Applicability with standard conditions for this deck expansion/addition.

Notices of Intent - **Continuation**

West Hill LLC – (Fafard Construction)

25 Defresne Dr.	43 Dufresne Dr.
53 Dufresne Dr.	71 Dufresne Dr.
81 Dufresne Dr.	85 Dufresne Dr.

Peter Lavoie of Guerriere and Halnon Inc. and Scott Goddard from Goddard Consulting were both present. Mr. Lavoie and Mr. Goddard both explained that based on the site visit with the Commission and neighbors on July 23, 2015, they had modified the plans to include the following: 1. changes to the

boarding wetland line on Lots 12 and 10; 2. identification of the low wet area as presumed Isolated Land Subject to Flooding (ILSF) (No calculations were provided to support this). The maximum flooding is the extent of the ILSF wetland jurisdiction there is no buffer zone, 3. changes to the property lot boundaries to eliminate the long skinny lot behind the homes on McDonough Dr. The lots are now more normal shapes. The designation of the smaller wetland as ILSF which has no buffer zone, allows for the first 4 lots to be reviewed under an RDA. Therefore, they will withdraw the NOI's for each of these 4 lots, and they will provide amended plans for the last two lots which do fall within the 100' buffer zone- #81 and #85 Dufresne Dr. They have filed the RDA's for 25, 43, 53 and 71 Dufresne for the next Commission meeting. The lot reconfiguration will be reviewed by the Planning Board on August 24th.

Mr. Lavoie provided a map showing all the new lots lines together and resource areas and proposed houses. He noted that the houses shown are the maximum size, and likely will be smaller when built. Mr. Lavoie asked that the Commission formally withdraw the NOI's for lots 25, 43, 53 and 71. The Commission will hold the withdrawals until the next meeting, so these NOI's can remain open until the RDA's are in place.

The Commission opened the hearing for 85 Dufresne Dr. (Lot 12C).

Mr. Goddard explained that a good portion of the work will be within the buffer zone, but they will have no disturbance to the wetland. Mr. Lavoie pointed out the house location, utilities and grading. There was some discussion about the small detention basin next to the cul-de-sac and where it drains and if the grading proposed on the house lot will be impacted. The engineer will look and add that information to the plans. This house is proposed with a roof drain infiltration system. The Commission discussed the roof drainage system and Mr. Demers noted that it will need to have one inspection port to observe how it's functioning over time. The engineer will add that to the design. Ms. Ryder suggested that the Commission require boundary markers for the 20' buffer zone. After some discussion, the hearing was continued to the September 3rd meeting with the applicants consent.

The Commission opened the hearing for 81 Dufresne (Lot 10D)

Mr. Lavoie explained that this house is in the 100' buffer zone and abuts the ILSF as well. The house grading blends into the grading for Lot 12C. There will be limited yard in the back. The plans did not show a deck, Mr. Lavoie will add one to the design. The roof drains into two separate recharge areas. Mr. Lavoie indicated he'd add inspection ports to these as well. He noted that Weston and some other communities are requiring these roof drain infiltrators on all their projects, so they are adding them here too. The Commission had no objection, but discussed the long term maintenance and what the issues might be. Mr. Demers indicated he'd seen them clogged and without an inspection port it is impossible to check or clean. There was discussion about the fill and grading needed on these sites. The house would have a walk out basements same for Lot 85.

Several neighbors were present. Chris Dipre asked if the fill being brought in would be clean. Mr. Lavoie said it would be. Another neighbor asked about grading to avoid flooding or wet yards. Mr. Lavoie said they would be graded to keep the homes and yards dry.

Mr. Lavoie said he'd make the changes to the plans for the next meeting. The hearing was continued to the September 3rd meeting.

Notices of Intent

Howe's Landing Developers, LLC – new subdivision off Hudson St.

Paul DeSimone from Colonial Engineering Inc. was present to represent the owners. He explained that the subdivision roadway and utility work had been approved under another Order of Conditions. Tonight he is here to review the individual Notices of Intent for each of the lots that fall within the buffer zone to the wetlands on the site. These include lots 5, 6, 7, 8, 9, 10 Gikas Lane. Each is an individual NOI.

NOI Lot 5 Gikas Lane:

Mr. DeSimone explained that this lot is elevated from the roadway. There is a large cut at the back of the house in order to level the lot to make the driveway requirements. The size of the house is the biggest house box that can be fit on the lot under current zoning, the likely hood is that the house will actually be smaller. The Commission indicated they could condition the house to note that if the final house design fits into the envelope shown, no further review would be necessary. The house will also have a roof drain infiltration system, similar to those on Dufresne Dr. (noted above). Mr. DeSimone indicated he can add inspection ports as required. This lot falls within the 100' buffer zone, but is not directly adjacent to the wetland. The hearing was continued to the September 3rd hearing to allow for the plan modifications to be made.

NOI Lot 6 Gikas Lane:

Mr. DeSimone explained that this lot is up against the wetland and all work is within the 100' buffer zone, but work is well away from the 20' no disturb zone. The house lot is similar to Lot 5 and erosion controls between the work and the 20' buffer zone will be provided. The Commission discussed the type of erosion controls and determined that straw waddles or compost socks with silt fencing would be appropriate. Mr. DeSimone will add that to the plans. The Commission noted that wetland boundary markers and a perimeter drain should also be added to the plans and will be a requirement in the Order. The same issues with the infiltration basin also applies as per Lot 5.

Mr. DeSimone will modify the plans for the next meeting, the hearing was continued to September 3rd.

NOI- Lot 7 Gikas Lane:

Mr. DeSimone explained that this lot is very close to the wetland, the house is located outside the 20' no disturb buffer zone. The same issues regarding erosion control, roof drain infiltration system, wetland markers and perimeter drain applies. The Commission discussed the sewer pump system for this house and the remaining lots which pump from a tank into the force main in an easement, per the subdivision design. This applies to lots 8, 9 and 10 as well since the homes are lower than the street. They discussed the manholes to access the tanks for repair and cleanout and the alarm system that is required per the Planning Board. The basement elevation is not shown and must be added to the plans as well as the items noted above. The hearing was continued to September 3rd.

NOI- Lot 8 Gikas Lane:

Mr. DeSimone explained that this lot is similar to Lot 7, the same issues apply. The Commission noted that the street drainage outlet and drainage path should be shown on the plan. All other issues noted above on the previous lots apply as well. The hearing was continued to September 3rd.

NOI- Lot 9 Gikas Lane:

Mr. DeSimone explained that this lot is similar to the other lots, the house again is the largest that can fit on the lot but will likely be smaller. It has the same issues and additions needed as the other lots. This lot should include some type of visible divide along the 20' buffer zone boundary in addition to the wetland boundary markers. Mr. DeSimone indicated he could add some type of split rail fence or other fencing along this boundary and the other lots too and can show them on the plans so they are consistent on lots 7 through 10. The hearing was continued to September 3rd.

NOI- lot 10 Gikas Lane:

Mr. DeSimone explained that this last lot is again similar to the others, the Commission asked that the detention basin and grading be shown on this plan to see how the lot grading will blend into that structure which is on this lot. A foundation drain also must be shown in addition to the items as noted above for the other lots 5-9. The hearing was continued to September 3rd.

Discussion – pedestrian bridge – Preserves @ Ames /Brookview Village (DEP 212-1117) Ms. Ryder noted that the Engineering Department had approved the final design and footings and they needed to proceed after the last meeting (which was cancelled due to the lack of a quorum). Since all was in order Ed Clancy and Ms. Ryder allowed them to proceed without coming before the Commission as required by the order. The footings are to be installed next week and the bridge is to arrive on August 31st.

Certificate of Compliance

- DEP 212-1089 MWRA - 88 D'Angelo Dr. – Continuation- This was for the redundancy valve work under the open channel. The work has been completed in compliance with the Order of Conditions.
- DEP 212-543 and 212-463 64 Varley Rd. (Lot 11) - This house lot and subdivision have been completed for quite some time. All items in the order have been met the Commission voted unanimously 4-0 to issue a full certificate for both. (Dennis Demers abstained since he's done work on this house in the past)

Discussion/Correspondence/Other Business:

- Letter to Scott King, dated July 21, 2015, RE: Wetland violation – work near wetland without a permit – 811 Pleasant St. Ms. Ryder indicated she had not received any response to this letter. The Commission asked for her to follow up and be sure Mr. King submits an application.

Project Updates: Ms. Ryder provided the following updates:

Preserve at Ames- The contaminated soil has all been buried and stabilized, final report from LSP to be submitted shortly, foundations are in and work on the bridge as noted above is underway.

Avalon Bay – The site is almost complete, three of the four detention basins are stable and riser pipes have been removed. Basin A still has a riser pipe until all areas draining to it are stable. Avalon is hoping to be completely done in October.

Residents @ Assabet Ridge – Toll Brothers is almost complete they have a few more items to address. The detention basin is draining and has a lot of algae in it that should disappear when it's drained. We should see a request for certificate of compliance shortly.

Meetings – Next Conservation meetings – Sept. 3rd and 17th, 2015 (Thursdays)

Adjournment- There being no further business the meeting was adjourned at 9:00 PM.

Respectfully submitted;


Priscilla Ryder
Conservation Officer