

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
February 18, 2016 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall**

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

Absent: None

Minutes: The minutes of January 21, 2016 were unanimously approved as written.

Public Hearings:

Request for Determination of Applicability

17A Lakeshore Dr. - William Dunbar

Mr. Dunbar was present and explained that he proposes to add a deck to the existing house near Ft. Meadow Reservoir. The closest point to the water is 62' away. It is landscaped and terraced. Excavation will include the holes for the pillars that will support the deck, all excess materials will be removed from the site. The Commission voted unanimously 7-0 to issue a negative determination allowing the project with standard conditions.

Request for Determination of Applicability

300 Nickerson Rd. - Normandy Real Estate Partners

Patrick Connolly from Beals Associates explained that the owners are proposing to add a basketball and volley ball court at this property. The basketball court will be entirely on existing pavement however some additional green space islands will be created between the court and the parking lot. There will be a net gain of open space. The volleyball court is next to the wetland area, however it is located more than 50 feet from the wetland as required by the Water Supply Protection District. Erosion controls will be installed between the work area and wetlands. All excess materials will be removed from site. Fencing will also be installed. After some discussion and confirmation that the drainage swales would remain as they currently function, the Commission closed the hearing and voted unanimously 7-0 to issue a negative determination with standard conditions.

Request for Determination of Applicability

24 Hager St. - Lourival Santos

Mr. Santos was present and explained that he proposes to remove an existing shed and replace it with a garage within the Riverfront Area to Hop Brook. He will need to check with the building department regarding setback requirements and meet all their requirements. He will do that. The foundation will be a slab with a 4' frost wall. The area is above the existing retaining wall on the site. Erosion controls will be installed as needed. The Commission had no concerns and closed the hearing and voted unanimously 7-0 to issue a negative determination with standard conditions.

Notice of Intent

West Hill Rd. reconstruction – Marlborough Dept. of Public Works

Evan Pilachowski, City Engineer, was present and explained that the city is proposing to re-construct West Hill Rd. and add new drainage and curbing. Work is proposed near two wetlands areas, at McDonough Dr. and between 257 and 247 West Hill Rd. At McDonough Dr. the existing pipe is an old corrugated metal pipe that is longer functioning and needs to be replaced. It will be replaced with a reinforced concrete pipe 18" in diameter with a flared end. They will add a sump at the end to collect any sand. At the area next to 257 West Hill Rd. the sight distance is bad and vegetation that is between the road and the wetland will need to be removed to improve this. There is an existing drain pipe at this location that is functioning well and the new pipes will be connected to this existing pipe. The Commission asked whether this outlet needed protection. Mr. Pilachowski indicated he hadn't seen it, but it was not reported. The Commission asked what the drainage calculations revealed about the additional drainage flow and what type of riprap might be needed at the end of both pipes to prevent scour and erosion. Mr. Pilachowski indicated that full calculations had not been completed, but will be provided at the next meeting.

Mr. Clancy asked for questions from the residents:

- Stan Clements of 265 West Hill Rd. explained that most of the time the drain near him works, but on larger storms the water overflows from the road into the wetland.
- Jeff Grogan asked how wide the drain would be next to his home at 311 West Hill Rd. He also asked about what the new velocity of the water would be. Mr. Pilachowski stated the easement would be 15' wide. Ms. Ryder noted that the trees in his back yard should not be disturbed under this proposal. Drainage will be addressed as noted above.
- Dave and Cindy Demico of 102 West Hill Rd. asked if the calculations would include the added width of the road, since it is proposed to be widened which would increase the surface area. Mr. Pilachowski indicated yes it would. Mrs. Demico asked if the reconstruction does not get approved, would they do any of the drainage improvements. Mr. Pilachowski indicated only necessary items for safety would be done.

Mr. Demers, Commission Member, asked if the water line was to be replaced. Mr. Pilachowski explained that they would replace sections as needed, but were not planning to replace the entire line. The Commission and Mr. Clements expressed concern that if it is not replaced the new roadway would be torn up sooner, and encouraged the DPW to consider replacing the entire line. Mr. Demico was assured that any water line replacement or disconnection would be reconnected as part of the project and not at the expense of the home owner.

The Commission continued the hearing to the March 3rd meeting to allow for the information requested to be provided. Mr. Clancy also noted that there are additional meetings for the Planning Board re: street trees which is being held on Monday; and a neighborhood meeting to be held on March 2nd that the public is invited to attend.

Notice of Intent (Continuation)

Corner of Lizotte Dr. and Williams St. – Lake Williams Marsh LLC (212-1165)

Peter Lavoie from Guerrier and Halnon the engineer representing the owner explained that he provided a revised plan for the proposed 2 story office building next to the wetland. (Map 91, Parcel 40). The changes to the plans include: curb cut location, turning radius adjusted and catch basins moved, underground detention basin adjusted, readjusted curbing on the site to allow for better access as requested by police chief, added catch basins and 4' sumps to meet the TSS removal requirements. The detention basin areas discharge into the 50' buffer zone through a level spreader. All work is outside the no disturb zone. There is a dewatering plan on the erosion control plan sheet, including a settling pond to be used during construction and filter bags to be used. Construction sequencing is also shown. He is waiting for final comments and approval from the City Engineer. After some discussion, the Commission continued the hearing to the March 3rd meeting to receive final comments. If all is in order the Commission will plan to issue an Order of Conditions at the March 3rd meeting.

Certificates of Compliance

- DEP 212-18 Gristmill Estates I - Ms. Ryder noted this is a very old file and a certificate was issued years ago, however, it was not recorded, so a new certificate is requested that they can record. The Commission voted 7-0 to re-issue the Certificate of Compliance.
- DEP 212-45 New England Telephone - Ms. Ryder noted that this was for maintenance work along the utility line, which is now replaced with the yearly operational plan and vegetation management plan programs. This too is very old file and the company wants to clear the deeds. The Commission voted 7-0 to issue a full Certificate of Compliance for this work.
- DEP 212-1115 Avalon Marlborough - Ms. Ryder has walked the site several times. All erosion controls have been removed. The site is now stable. Ongoing conditions for maintenance are required. The Commission voted unanimously 7-0 to issue a full Certificate of Compliance with ongoing conditions as required.
- DEP 212-680 73 Dean Rd. (Lot 2) – A letter from the lawyer indicated that the 20' buffer zone markers would be installed when weather permitted. Ms. Ryder said she'd been to the site and the new owners have been doing some clearing around the house outside the 20' buffer zone to get access for repairs etc. The Commission decided to table this item until the markers are in the ground and have been inspected by Ms. Ryder.

Discussion/Correspondence/Other Business: The Commission reviewed the following correspondence, made the following comments and then voted unanimously to accept and place on file:

- Greater Callahan Initiative Plan – sign letter – Plan sent by e-mail - Ms. Ryder summarized the plan which is for the towns surrounding Callahan State Park to work together to protect parcels in this area and enlarge the greenway corridor and open space. The Commission was in favor of the plan and voted unanimously to accept the plan. Mr. Clancy will sign a letter to be sent acknowledging same.
- Ft. Meadow – Annual Report 2015 Aquatic Vegetation Reservoir Mgt. Program – Marlborough & Hudson, MA

- Letter from Division of Fisheries & Wildlife, dated Jan. 11, 2016, RE: 2016 Mass Wildlife Habitat Mgt. Grant Program: Proposal for the Desert Natural Area Invasive Plant Removal Project.
- Felton Conservation Land – Donald Wright - Ms. Ryder noted that Mr. Wright has been clearing back some of the trees which were encroaching on the stone wall, he will continue to do work to keep the fields open and accessible.
- Chapter 61A – Right of 1st Refusal – Bolton Tree Farm - The Commission discussed the letter received which notifies the city of its right of first refusal for the 421 Bolton St. Christmas tree farm property. The Commission noted that although this parcel does fall in the open space plan as a parcel of interest, it contains about 2/3 wetland and a smaller area off Bolton St. that is dry and another small area off Stevens St. that is dry. Because, the wetlands protection act will serve to protect the majority of this property from development, the Commission determined that for the asking price of \$1,500,000 the value to open space was not worth that cost. But that they would recommend some protection on the wetland area and land on Stevens St. as part of the agreement not to exercise the right of first refusal. The Commission voted unanimously to have Ms. Ryder send such a letter.

Project Updates:


- Violation notice – DEP 212-1117 Brookview (aka Preserve at Ames) Ames St. –Fairfield Development. Ms. Ryder noted that they have come into compliance and did take action after receiving the violation notice.

Meetings – Next Conservation meetings – March 3rd and March 24th, 2016 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 8:41 PM

Respectfully submitted:


Priscilla Ryder
Conservation Officer *PR*