

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
January 21, 2016 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Absent: Karin Paquin and John Skarin

Minutes: The minutes of December 17, 2015 were unanimously approved as written.

Public Hearings:

Request for Determination of Applicability

37 Bracken Dr. – Elaine Martel

Kevin Keeler of Brandy Built Sun Rooms represented the home owner. He explained that they propose to remove the existing deck and screened porch and replace it with a pre-fabricated sun room. They will need to enlarge the existing concrete pad and will pour a new floor across the existing slab as well. Minimal amount of excavation is necessary; any excess soil will be removed from the site. They will install straw wattles as erosion control. There is 37' between the deck and wall and the wetland is about 20 +feet away from the toe of the wall. After some discussion, the Commission closed the hearing and voted unanimously 5-0 to issue a Negative Determination with standard conditions.

Notice of Intent (Continuation)

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

The applicant is still waiting for comments and review by the City Engineer and requested by e-mail that the hearing be continued to February 4th. The hearing was continued.

Draft Order of Conditions

- DEP 212-1168 Bolton St. - The City of Marlborough DPW – Rehabilitate the culvert. The Commission reviewed the draft Order of Conditions and voted unanimously 5-0 to approve as written.

Certificates of Compliance

- DEP 212-767 91 Kelber Dr. (Partial Certificate) - This is the subdivision Order of Conditions which is attached to this lot which is well away from any wetland. The Commission voted unanimously 5-0 to issue a partial Certificate of Compliance for this lot to clear the title.

Discussion/Correspondence

- Greater Callahan Initiative- Ms. Ryder noted that the Greater Callahan Initiative report has been updated and the working group would like an endorsement from the Commission. The Commission asked for copies electronically that they could review and discuss at the next meeting.

- Estoppel Certificate - Wheeler Hill – DEP 212-677 – As part of a land sale the lawyers for this property have asked the Commission to confirm that the Conservation Restriction placed on this property is still valid and has no violations. Ed Clancy and Priscilla Ryder walked the site to confirm on Dec. 21st, 2015 and noted that all was in order. The Commission voted unanimously to have the Chairman sign the Estoppel Certificate confirming same.
- E-mail from Melissa Cryan – dated Dec. 21, 2015 RE: Dog Parks – Ms. Ryder noted that she had inquired whether a dog park could be placed at the Felton Conservation area, the response was no, only passive recreation is permitted on properties purchased with Self-help funding from the state. She also noted that a community garden is also NOT considered passive and would not be permitted their either.
- E-mail from Kenneth Calder – dated Dec. 28, 2015 RE: Important MassDEP Snow Disposal Guidance. The Commission reviewed the memo and voted to accept and place on file.
- Review soil testing data for Millham Reservoir Dam submitted by DPW - Ms. Ryder explained that as requested Michele Higgins from the DPW has provided testing data for the soil to be used on Millham Reservoir. The only contaminate that exceeds levels set by DEP is barium which in both samples was found at slightly higher levels than acceptable. The Commission determined that as long as this was acceptable to the DEP and DPW this would be acceptable to them. They authorized Ms. Ryder to issue the Order of Conditions for this work which they had signed previously and asked to hold pending the test results.

Project Updates: Violation Notice – Walker Brook Estates – 212-1124 - The Commission reviewed the notice and discussed the violation. Ms. Ryder will continue monitoring the site.

Other Business:

- Mr. White expressed concern that the DPW sewer dept. is no longer requiring that sewer cleanout pipes be encased in concrete in lawn areas. This has been the practice for years to protect pipes from being crushed and clogging the sewer lines. After some discussion, it was agreed that when projects with sewer cleanouts are proposed within the 100' buffer zone to a wetland that the Commission could require the concrete reinforcement of the pipes.

Meetings – Next Conservation meetings – February 4th & 18th, 2016 (Thursdays)

Adjournment: The meeting was adjourned at 8:11 PM.

Respectfully submitted,


Priscilla Ryder *as*
Conservation Officer