

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
January 19, 2017 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Approval of Minutes – The minutes of January 5, 2017 were reviewed and approved as written.

Public Hearings:

Request for Determination of Applicability

181 Cullinane Dr. – Mr. and Mrs. Leipold

Mrs. Leipold was present and explained that they want to add a 14' addition to the house. There are 3 trees near the house they would like to take down since they are leaning towards the building. 5 other trees are termite infested and the tree expert said they need to come down. In addition, Ms. Ryder noted that when she spoke to Mr. Leipold, he had expressed a desire to improve a small foot path just outside the fence on the water side. The slope is steep and needs to be reinforced to prevent it from eroding. The Commission asked questions about the slope, erosion controls and excess materials. The Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination of Applicability with conditions and that erosion controls be placed along the roadway to prevent mud from entering the drainage system and approved the removal of trees and the repair of the trail.

Request for Determination of Applicability (Continuation)

178 Simpson Rd. – Joseph Bisazza

Nicole Bisazza, the owner, explained that her husband is a fire fighter and could not attend. She explained that they want to fill in the back yard to make it more useable since it was just a slope. They had an opportunity to get some free blast material which was delivered to their yard. They were notified by Ms. Ryder that they were close to wetlands and needed to get a permit to do this work, so they filed and are here tonight. The fill is 90% rocks, they have all the rock they need. In the spring they will grade it out. Ms. Ryder noted that she marked the wetland and the closest point is 30' from the wetland. The Commission requested that erosion controls be placed at the base of the slope at the closest point to mark the limit of work and prevent erosion. Mrs. Bisazza explained that they would be bringing in top soil to finish off the back yard. The Commission asked about equipment to be used and erosion controls and slope design. Mrs. Bisazza explained that they would be using an excavator and backhoe and would be constructing a 2:1 slope. The outside slope would be stone and grass on the flat area behind the house. The Commission closed the hearing and voted unanimously 7-0 to issue a negative Determination with conditions for a preconstruction meeting, erosion controls and stabilization of the yard.

Request for Determination of Applicability (Continuation)

329 Boston Post Rd. - 329 Boston Post Rd. Owner LLC

Proposes to construct a self-storage facility and associated site work and drainage near a river and wetlands. (Review Draft Order of Conditions) Attorney Christopher Flood and Mr. Ferreria, the owner were both present. They explained that they had not received comments yet from the City Engineer. The Commission asked questions about how the buildings were to be demolished and where materials would be stockpiled. They asked for a construction sequencing plan as well. The Commission noted that they needed confirmation that the drainage was acceptable before rendering a decision. The hearing was continued to the Feb. 2nd meeting. If all issues with the City Engineer have been resolved the Commission would close the hearing and review the Order of Conditions.

Notice of Intent (Continuation)

215 Fitchburg St. - Assabet Valley Regional Vocational School District

Chris Huntress of Huntress Associates and representatives from Assabet Valley Vocational School were present. Mr. Huntress confirmed he had received a copy of comments from the city engineer and provide the Commission with a revised set of plans dated 1-19-17. Ms. Ryder noted that she had received confirmation from Tom DiPersio, the City Engineer, that the changes made were acceptable and that he has no further issues with the design. Mr. Huntress noted that the only thing he hasn't added was the fence around the detention basin. He'd like to discuss this with the City Engineer. The Commission agreed this could be a condition of the Order of Conditions, if the City Engineer required this. Mr. Clancy discussed the clearing and grubbing sequencing plan, the grading and clearing plan, the fence location and who would be able to use the fields. Mr. Huntress explained that the cleared areas would receive a loam and seed mix, but if the Commission preferred the area on the stream side of the path could be seeded with a woody seed mix to restore this area with instruction that this area would not be mowed. This can be noted in the Order of Conditions and in the Operation & Maintenance Plan. They do show a split rail fence around the detention basin if that is acceptable. Mr. Demers asked about the hydrant and the irrigation system and noted that there are quite a few utilities in that area that the contractors should be aware of.

There were no further questions or comments, so the Commission closed the hearing. Later in the meeting the Commission reviewed the draft Order of Conditions and after some discussion, the Commission voted unanimously 7-0 to issue the Order of Conditions as drafted and amended.

Extension Permit

DEP 212-1114 Overlook at Lake Williams

Overlook at Lake Williams DEP 212-1114 The applicant requested an extension of three years, but expect the work will be done by next fall. The Commission decided to issue a 2-year extension. The Commission voted unanimously 7-0 to issue a 2-year extension on this project.

Discussion

- Violation Notice - APEX Center – 212-1177 Scott Goddard from Goddard Consulting, Rich Zucco and Vinny Farese from ETL and Joe Trolla of Ryan Development were present. Mr. Goddard gave an update on the current construction at the site. He noted that only a ditch is left to clean up from the previous violation which will be done in the spring. He noted that the discharge last week, which is the subject of the current

violation notice, was a small discharge and very minor with little or no cleanup required. They have tightened up the site now and it is really under control and that ETL has been very responsive.

Mr. Williams, Commission Member, explained that during the public hearings on this project, Joe Peznola, the project engineer, promised that the sequence plan provided in the plan would prevent the project from impacting the wetland. However, as seen in the previous violation which wasn't followed, this created the first significant violation. He expressed concern that they were not following the plan and was disappointed that there were any violations at all.

Rich Zucco explained that they added stone and big rip rap at the pinch point, so water can get over the pinch point without washing it out. Water did go over this point during the last storm, but nothing made it past the sewer line. The reinforcements were to help the situation. Mr. Clancy noted he'd been out after the last storm and was concerned with capacity. Mr. Zucco explained that the stone behind the walls is helping to retain and filter some of the water, so that is helping provide some capacity. Ms. Ryder noted that the infiltration systems are not active until only clean water can enter them, and discussed the need for more capacity in the interim.

Mr. Williams said that they needed silt sacs in the catch basin on Rte. 20. Tracking pads need to be reestablished to prevent mud from coming into the roadway. Mr. Clancy noted that the weekly progress reports from Goddard Consulting were great and comprehensive and commended Mr. Goddard on them. The Commission thanked ETL and Goddard Consulting for coming in to discuss the violation.

- Letter from MACC, dated Jan. 3, 2017 RE: Pipeline- The Commission reviewed the request from MACC to sign onto a letter regarding the pipeline and global warming. The Commission determined it was not pertinent to the Marlborough Commission and agreed NOT to sign the letter

Other Business/Correspondence:

- Letter from Solitude, dated Jan. 3, 2017 RE: Report for this year's treatment and survey results and the management recommendations for the next season. The report was reviewed and the Commission voted to accept and place on file.

Meetings – Next Conservation meetings – February 2 and 16th, 2017 (Thursdays)

Adjournment

There being no further business the meeting was adjourned at 8:24 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer