



TOWN OF NORTHBOROUGH  
Conservation Commission  
Monday, April 12, 2010  
Conference Room B

Conservation  
Commission  
Approved  
5/10/10

- Present:** Wayne Baldelli, Mo Tougas, Diane Guldner, Todd Helwig, Greg Young, and Tom Beals (arrived 7:25 pm)
- Absent:** Brian McManus
- Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; Mr. Poole – engineer for 73-85 West Main Street; Andrew Liston – Thompson-Liston Associates; Jeffrey Leland – Leland Law; Richard Mainville – Thompson Liston Associates; Susan McNulty – 44 Northgate Road; and Michael Durkin - 48 Moore Lane.

At 7:06 pm, Mr. Baldelli opened the Conservation Commission meeting.

- Informal discussion with the applicant and/or the engineer for 73-85 West Main Street as the applicant was requested to provide an update on the conservation related progress.

Mr. Poole gave an update on the progress on the wall construction, westerly side closed off, pond expansion, infiltration wale on easterly side and pond blocked (plans to clean up this connection), slope stabilization, very fine silt coming off of site, and information needed from the state regarding their permit application. Mr. Poole asked the Commission if their request to clean the piping on Route 20 (due to erosion that occurred last fall) could be put off until June to allow the contractors' time to focus on site progress and stabilization. Commissioners requested that the applicant come to the May 10<sup>th</sup> meeting to give an update on site progress and come to the June 14<sup>th</sup> meeting to confirm that the pipes on Route 20 have been cleaned out.

**Public Hearings:**

*Mr. Tougas read the legal advertisement for the following public hearings:*

*Notice of Intent filed by Eugene and Linda Kim for 127 Bartlett Street for septic system replacement for existing single-family house with associated lawn work within 200' of stream.*

*Notice of Intent filed by Charles Black of Kendall Homes for the construction of a new single family home with associated utilities and grading at 245 Hudson Street within the 200' riverfront area of the Assabet River.*

*Notice of Intent filed by Peter Fallon for the construction of a small addition and an attached deck at 44 Northgate Road with associated grading within the 100' buffer zone.*

**7:15 PM**     **Notice of Intent (continued public hearing), 117 Maple Lane, Map 65, Parcel 52, DEP # 247-0981**

Construction of a single family home within 30' no disturb buffer zone.

Applicant:        Thomas H. Hays, III

Representative:   Steve Pflug, Thompson Liston Associates, Inc.

Mr. Liston, representative from Thompson Liston Associates, explained the details of the letter submitted to the Commission explaining the revised plans. Mr. Liston explained the changes including: house redesign with a walk out basement, house moved forward (ZBA approved), rip rap and grading removed from plans, and well remaining in the same

location. Mr. Liston explained that the hay bales have been refreshed, sewer line and water main still need work, and part of the deck proposed to construct on the back of the house is within the 30' no structure area.

Commissioners discussed the site visit including: need for siltation devices to be 15' away from the wetlands - so installed 16'-17' away, need for siltation devices to wrap around the whole house area, need for flags on the trees to be cut down, and the Commission's preference would be a cantilever deck (posts to be installed outside of the 30' no structure bylaw). Commissioners asked questions about the well being 15' from the wetlands (Mr. Liston explained that the well is out of the 15' no disturb area). Commissioners agreed to a site walk visit on May 8<sup>th</sup> to ensure the siltation devices are around the house including the westerly side. Ms. Guldner asked that more ground cover be near the wetlands, which would allow less grass for mowing near the wetlands.

Mr. Baldelli asked for audience sharing; no one responded.

*Mr. Helwig motioned, Mr. Tougas seconded, and it was unanimously voted, "To issue an Order of Conditions subject to new plans approved by the town engineer for Thomas H. Hays III for property located at 117 Maple Lane, Map 65, Parcel 52, DEP # 247-0981 with the additional conditions: cantilever deck off the back of house, siltation devices brought out past 15' no disturb area, silt fencing around the house, well outside of the 15' no disturb area, ground cover near wetlands, and private road must remain open and accessible."*

**7:34 pm      Notice of Intent, 127 Bartlett Street, Map 52, Parcel 97, DEP # 247-0987**

Construction of septic system replacement for an existing single-family house with associated grading within 200' of stream.

Applicant:            Eugene and Linda Kim  
Representative:    Michael Sullivan, Connorstone Engineering, Inc.

Richard Mainville, Connorstone Engineer, gave the abutter list and signature cards to Mr. Litchfield. Mr. Mainville explained the details of the septic replacement within 200' of Stirrup Brook and the 1,000 square feet of previously disturbed area that would be disturbed again. Mr. Mainville explained that the Board of Health has already approved the permit and the applicant's timeframe being soon.

Commissioners discussed the need for silt fencing northwest of the deck to the corner of the property, stakes needed to be installed by the next site visit marking the septic system location. Commissioners asked about the utility pole status; Mr. Mainville commented that the utility pole would be removed (he agreed to get the details on the removal and communicate this with Mr. Litchfield). Mr. Litchfield requested updated plans by next week.

Mr. Baldelli asked for audience sharing; no one responded.

*Mr. Tougas motioned, Ms. Guldner seconded, and it was unanimously voted, "To issue an Order of Conditions to Eugene and Linda Kim for property located at 127 Bartlett Street, Map 52, Parcel 97, DEP # 247-0987."*

**7:40 pm      Notice of Intent, 44 Northgate Road, Map 52, Parcel 97, DEP # 247-0989**

**Construction of a small addition and deck within the 100' buffer zone.**

Applicant:            Peter Fallon  
Representative:    P.E. Fallon Construction, Inc.

Mr. Litchfield commented that abutter signature cards have already been submitted.

Ms. McNulty, owner of 44 Northgate Road, explained that the addition would have hand-dug earth and sonar tubes for deck footing installed, 3 season room would be built outside the 30' no structure area. Commissioners discussed the tight area and slope in the back of the property and required that no backhoe be used for this project and that the room must meet building codes. Commissioners requested that materials be brought to the front of the property and not stored in the back, siltation (silt fence) be installed around the whole back of the property, and discussed the relatively flat area that would be disturbed. Ms. McNulty asked the Commission if she could fill in the swimming pool that contains wetland vegetation growth (skunk cabbage and other life). Commissioners agreed that even though the area was a pool at some point in the past, it now has wetland vegetation growth and must not be disturbed.

Mr. Baldelli asked for audience sharing; no one responded.

*Mr. Tougas motioned, Mr. Helwig seconded, and it was unanimously voted, "To issue an Order of Conditions to Peter Fallon for property located at 44 Northgate, Map 52, Parcel 97, and DEP # 247- 0989 with the stipulation that the property is hand dug for the installation of the deck and sonar tubes."*

**7:55 pm      Notice of Intent, 245 Hudson Street, Map 35, Parcel 35, DEP # 247-0988**

Construction of 4 bedroom single family dwelling with associated utilities and grading within 200' riverfront area of Assabet River.

Applicant:            Charles Black

Representative:    Richard Mainville, Connorstone Engineering, Inc.

Mr. Manville gave the abutter list and signature cards to Mr. Litchfield. Mr. Manville explained the plans for the new 4-bedroom house, removal of the existing house, extension of sewer line, installation of a retaining wall, 2:1 slope, and new driveway (would cut into hillside) and drainage. Commissioners requested that a 2' stone tracking pad be installed for vehicles coming on and off the site, infiltration of gutters (Mr. Manville explained that he couldn't find a place to do this), and materials that are stored on site must be outside the riverfront area, silt fencing is needed (not straw wattles).

Mr. Baldelli asked for audience sharing; no one responded.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Charles Black for property located at 245 Hudson Street, Map 35, Parcel 35, DEP # 247-0988 with the special conditions that a 2' stone tracking pad be installed, materials must be stored outside the riverfront area, and silt fencing be used for erosion control."*

**Old Business:**

- **78 Maple Street** – Commissioners discussed that a tracking pad is needed on the site. Mr. Litchfield agreed to talk with the applicant to install a pad.
- **Avalon Bay** – Commissioners discussed matting needed on the slope, and the loam currently eroding on the site. Mr. Litchfield commented that hydro seeding would occur this week or next to stabilize the area. Commissioners discussed the concern with rain, the 2:1 slope, and the curbing that has not been constructed yet. Commissioners agreed that the curbing installation planned for the future would assist with properly channeling the water. Mr. Litchfield commented that the area beyond the silt fence would be cleaned; he spoke with Borggaard today and the area would be cleaned within a few weeks.
- **Hudson Street** – Mr. Litchfield and Commissioners discussed the superseding Order of Conditions from DEP (response to the appeal), the wetland issues, the structure (retaining wall)

being proposed within the 30' no structure local bylaw, need for DEP maps (Mr. Litchfield will obtain), and the potential for this site to have water problems in the future.

**New Business:**

- The next meeting has been scheduled for Monday, May 10, 2010. Commissioners agreed to meet on Monday, May 10<sup>th</sup>.
- Mr. Young asked about getting a projector at the monthly Conservation meetings to display pictures. Mr. Litchfield agreed to talk with the IT department about equipment.
- Mount Pisgah Trail – Mr. Litchfield asked the Commission on behalf of Kathy Joubert - who discussed the trail issues with the Trails Committee - if the section of the trail eroding could be relocated to a less susceptible area. Commissioners discussed a sign might be helpful to keep bikes and heavy foot traffic off sections of the trail during the wet seasons.
- Scott Gore Eagle Scout project – Mr. Litchfield requested a letter from the Commission indicating the completion of the turtle nesting area project at Watson Park.
- Right of Way – Mr. Litchfield commented that he has the 2010 yearly operational plan for the railroad.

**Certificates of Compliance:**

- Lawrence Street, DEP # 247-876

Commissioners discussed the request for this Certificate of Compliance and the work that never began under this order DEP #247-876. Commissioners previously approved this Certificate in January 2010.

**Review Minutes of March 8, 2010 Meeting:**

Commissioners discussed the minutes and had some minor changes.

***Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To approve the minutes of March 8, 2010 as amended."***

**Adjourn:**

Commissioners had no further business to discuss and agreed to adjourn the meeting.

***Mr. Tougas motioned, Mr. Young seconded, and it was unanimously voted, "To adjourn the Conservation Commission meeting."***

The Conservation Commission meeting ended at 8:34 pm.

Respectfully submitted,

Eileen Dawson  
Commission Secretary