



TOWN OF NORTHBOROUGH
Conservation Commission
Monday, May 10, 2010

Conservation
Commission
Approved
6/14/10

Present: Wayne Baldelli, Mo Tougas, Tom Beals, Todd Helwig, and Greg Young
Absent: Diane Guldner and Brian McManus
Others Present: Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; Mr. and Mrs. Gavani – 21 Fernbrook Road; Adele Beatty – 23 Shadylane Avenue; Mo Bayou – 1C Belmont Street; Scott and Geoff Kelly – 23 Shadylane Avenue; Mark Farrell – Green Hill Engineering; and John Grenier – J.M. Grenier Associates.

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

- 21 Fernbrook Road violation – Commissioners discussed with Mr. and Mrs. Gavini the violation of fill added to a no disturb area of wetlands. Mr. Gavini explained that his yard has been eroding over the past two years and showed the Commissioners a videotape of the area. Commissioners explained that Mr. Gavini must "cease and desist" any further work and file a Notice of Intent for any further work to be permitted. Commissioners requested that silt fence be installed 16-17' from the wetlands to protect any further erosion and damage to the wetlands. Mr. Litchfield explained the details of filing a Notice of Intent before the May 28th at 12:00 pm deadline in order to schedule a public hearing on the June 14th Conservation Commission meeting.

Public Hearings:

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

Notice of Intent filed by Mo Bayou for redevelopment of site within 200' riverfront area at 1C Belmont Street.

Notice of Intent filed by Adele for grading and installing a new lawn within the 200' riverfront area at 23 Shadylane Avenue.

Notice of Intent filed by Mary Pettus for a septic system replacement with associated grading at 132-134 Ridge Road.

Notice of Intent filed by Bill Lofton for a septic system replacement for existing single family home with associated grading at 363 Whitney Street.

Request for Determination of Applicability filed by Michael J. Venincasa to determine the limits of any resource areas at 41 Reservoir Street.

7:27 PM **Notice of Intent, 23 Shadylane Avenue, Map 76, Parcel 3, DEP # 247-0991**
Grading and planting a new lawn within 200' Riverfront area.
Applicant: Adele Beatty

Ms. Beatty submitted green signature cards and abutter list previously to the Engineering office. Commissioners discussed the need for demarcation of the wetlands. Commissioners discussed the site walk last Saturday and agreed that Ms. Beatty could plant bushes along the property, but must stay out of the 15' no disturb wetland area (Mr. Kelly explained that the planting would be at least 20' away from the wetlands). Mr. Litchfield explained that the silt fencing must stay up until the lawn has been mowed several times and he inspects the property. After Mr. Litchfield inspects and approves the completed work, the silt fencing could be removed and a Certificate of Compliance issued.

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

Mr. Tougas motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Adele Beatty for 23 Shady Lane Avenue, Map 76, Parcel 3, DEP # 247-0991."

7:34 pm Notice of Intent, 1C Belmont Street, Map 109, Parcel 2, DEP # 247-0990

Redevelopment of site with an existing miniature golf course and parking lot to a site with a commercial building, parking, and vehicle storage areas and storm water management facilities within 200' riverfront area.

Applicant: Mo Bayou

Representative: John Grenier, J.M. Grenier Associates, Inc.

Mr. Grenier gave the signature cards and abutter list to Mr. Litchfield. Mr. Grenier explained the plans for development within the existing disturbed area (currently a mini golf area, would become a vehicle retailer). Mr. Grenier assured Mr. Litchfield that the redevelopment would be completely within the previously disturbed area, no more. Mr. Grenier explained the proposed improvements to the stormwater management system (brought up to DEP stormwater management standards), recharge area, replacement of retaining wall, and increased treatment of runoff. Mr. Grenier explained that the existing well and septic system would be used.

Commissioners discussed the ZBA meeting (applicant will be attending to discuss automotive usage proposed) scheduled for May 25th. Commissioners asked that the proposed building be further away from the wetlands. Mr. Grenier and Mr. Bayou explained the reasons why the building location on the plan was selected in relation to the wetlands. Commissioners asked for berm to be more than just the Cape Cod berm, more detail on the plans for the retaining wall to channel water, and more information about the on-going maintenance plan proposed for the stormwater management.

Mr. Litchfield asked about the Board of Selectmen's comments for parking spaces; Mr. Bayou explained that Ms. Wackell spoke with the Board and the proposed 165-car lot would be fine, as long as the ZBA and Conservation Commission approve the plans. Commissioners discussed continuing the public hearing next month. Mr. Baldelli requested audience sharing; no abutters were present.

Mr. Grenier explained that he would inform the Commission about any changes that the ZBA may require to the plans.

Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, "To continue the public hearing for Mo Bayou for property located at 1C Belmont Street, Map 109, Parcel 2, DEP # 247-0990 until June 14, 2010 at 7:15 pm."

8:00 pm Notice of Intent, 132-134 Ridge Road, Map 72, Parcel 12, DEP # 247-0993

Repair of 1 septic system shared by a 2-unit condo within the 100' buffer zone.

Applicant: Mary Pettus

Representative: Mark Farrell, Green Hill Engineering

Mr. Farrell gave the abutter list and signature cards to Mr. Litchfield. Mr. Farrell explained the proposed plans to repair the septic system of the 2-unit condominium. Mr. Baldelli asked that the siltation devices be closer to the building and straw bales be added along the driveway. Commissioners agreed that the site was tight and no stock piling would be allowed on the site; excess material would need to be removed.

Mr. Litchfield asked for the vertical datum for topography to be compatible with the town GIS system. Mr. Farrell expressed concerns with the costs and asked if benchmarking was necessary. Commissioners and Mr. Litchfield discussed the importance of benchmarking and the need to be compatible with the town's GIS system.

Mr. Farrell explained that the disturbance would be about 75' from the wetlands. Mr. Baldelli commented that no audience members were present to share or ask questions.

Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, "To issue an Order of Conditions to Mary Pettus for property at 132-134 Ridge Road, Map 72, Parcel 12, DEP # 247-0993."

8:26 pm Notice of Intent, 363 Whitney Street, Map 19, Parcel 54, DEP # 247-0992

Repair of septic system for single-family house within 100' buffer zone.

Applicant: Bill Lofton

Representative: Mark Farrell, Green Hill Engineering

Mr. Farrell gave the abutter list and signature cards to Mr. Litchfield. Mr. Farrell explained the proposed plans to repair the septic system, proposed replacement of 1,000-gallon tank to 1,500 gallon tank, leach pits, old leach field, stone wall and drainage easement on property, and the closest disturbance to be about 60-70' from the wetlands. Mr. Farrell explained that the shed on the property would need to be relocated and a large tree would need to be removed. Mr. Farrell explained the details of the test pits used for alternative analysis; Mr. Baldelli expressed his preference to Mr. Farrell that more test alternative analysis be done in the future to keep disturbance the furthest distance from the wetlands.

Mr. Beals motioned, Mr. Tougas seconded, and it was unanimously voted, "To approve the Order of Conditions for applicant Bill Lofton for property at 363 Whitney Street, Map 19, Parcel 54, DEP # 247-0992."

8:26 pm Request for Determination of Applicability, 41 Reservoir Street, Map 42, Parcel 11.

Construction of single-family house with amenities.

Applicant: Michael J. Venincasa, Trustee
Representative: Glenn E. Krevosky, EBT Environmental Consultants, Inc.

Commissioners discussed the site walk on Saturday that they had with Mr. Krevosky from EBT Environmental. Commissioners discussed the site walk analysis: the test holes, rocky terrain, water flow, wetlands present down the stream, drainage piping, and no sign of wetland habitation on property. No abutters were present for comment and questions.

Mr. Tougas motioned, Mr. Young seconded, and it was unanimously voted, "To approve a negative determination for Michael J. Venincasa for property at 41 Reservoir Street, Map 42, Parcel 11 contingent that the green signature abutter cards have been submitted."

(Applicant failed to notify abutters and must re-advertise for a public hearing on June 14, 2010)

New Business:

- The next meeting has been scheduled for Monday, June 14, 2010.
- Review Minutes of April 12, 2010 Meeting
Commissioners discussed the minutes and had no changes.

Mr. Tougas motioned, Mr. Helwig seconded, and it was unanimously voted, "To approve the minutes of April 12, 2010."

Old Business:

- 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.

Representatives for 73-85 West Main Street were not present this evening to discuss. Mr. Litchfield explained that the applicant was expected to attend tonight's meeting to give an update. Commissioners discussed this past weekend's site runoff due to failure of contractor to dig a trench that would have channeled the water into the retention pond instead of down Route 20. Commissioners discussed the disappointment of the applicant's failure to plan for the rain and make appropriate and responsible decisions (to direct the anticipated rain and runoff). Commissioners discussed that the applicant still needs to finalize a plan for silt cleanup – applicant agreed during the April meeting to have the erosion cleaned up by the next meeting on June 14th. Commissioners and Mr. Litchfield discussed and agreed to send another violation letter and to notify DEP for the improper stormwater management and silt water entering the Cold Harbor Brook.

- 292 Crawford Street revised plan (Stearns property) – Commissioners discussed the plantings along the driveway on the OOC and agreed that the planting are unnecessary (not related to any wetland protection issues, but rather a former privacy issue).
- 60 Brigham Street – Mr. Litchfield explained the owner's interest in putting a pool on the back of the property. Mr. Litchfield explained that the pool would be out of the 100' buffer zone. Commissioners discussed and agreed that a Notice of Intent does not need to be filed if the pool is outside the buffer zone.

Certificates of Compliance:

- Partial Certificate of Compliance, 85 Maynard St., Map 19, parcel 12, DEP # 247-771

Commissioners discussed 32 Beechwood Circle (85 Maynard Street, lot 8R). Mr. Litchfield explained that the property is ready for a partial Certificate of Compliance.

Mr. Tougas motioned, Mr. Helwig seconded, and it was unanimously voted, “To issue a partial Certificate of Compliance for 85-93 Maynard Street (lot 8R) at Beechwood Circle, DEP # 247-771.”

Adjourn:

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

Mr. Tougas motioned, Mr. Helwig seconded, and it was unanimously voted, “To adjourn the Conservation Commission meeting.”

The Conservation Commission meeting ended at 8:55 pm.

Respectfully submitted,

Eileen Dawson

Commission Secretary