



TOWN OF NORTHBOROUGH
Conservation Commission
Monday, September 20, 2010

Draft
Conservation
Commission

- Present:** Wayne Baldelli, Mo Tougas, Diane Guldner, Todd Helwig, Tom Beals, and Greg Young
- Absent:** Brian McManus
- Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; Dick Pedone – 373 Howard Street; Kevin Warwick – 117 Maple Lane; John Grenier – J.M. Grenier Associates; Mo Bayou – 1C Belmont Street; Mike Sullivan – Connorstone Engineering; David Giurleo – 324 Howard Street; Brian Braverman – 328 Howard Street; and Stephen Poole – Lakeview Engineering.

At 7:03 pm, Mr. Baldelli opened the Conservation Commission meeting.

- **Informal meeting with Kevin Warwick regarding 117 Maple Lane** – Mr. Warwick apologized for the tree cutting on the property that was within the buffer zone of wetland resources. Mr. Baldelli asked how this issue happened, explained his desire for Mr. Warwick and the Commission to learn from this issue, and to implement a plan to rectify this violation. Mr. Warwick explained that the tree cutting occurred before the plan was finalized which clearly outlined the trees to be removed, and he took complete responsibility for the offense. Commissioners discussed the trees removed within the silt-fenced area of the wetlands, the need for better markings (ribbons and spray paint), and the need for a larger excavator or crane to remove the tree in the pond (the small excavator has dragged the trees, causing more disturbance, and destroying the wetland buffer zone). Commissioners expressed feelings that the removal of trees brought a clear view of the pond and questioned the sincerity of the applicant's stance that the trees removed was completely an accident.

Mr. Litchfield commented that within his tenure, the Commission has not imposed fines, but that Mr. Warwick has been advised not to make additional violations. Commissioners reviewed the Order of Conditions details that the cantilever porch footings must comply with the 30' no structure bylaw. Ms. Guldner expressed that she would like to see blue spruce trees and bushes planted instead of oaks and pines for replacement. Mr. Litchfield suggested that the Commission be very specific on the plan revision requests (add details to the existing map). Mr. Beals recommended that conservation restriction markings be added to the wetland area. Commissioners agreed to mark up the map with expectations (including types of trees to plant and location). Mr. Litchfield commented that he would send a letter with the Commissioners' detailed requests in a few days to Mr. Warwick.

Public Hearings:

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

Request for Amended Order of Conditions filed by Matec Instrument Companies for property at 56 Hudson Street to modify plans for redevelopment and parking areas within the 200' riverfront area.

7:26 PM Notice of Intent (continued), 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, representative of J.M.Grenier Associates, and Mr. Bayou reviewed the meetings and plan approvals by the ZBA, Design Review Board, and Board of Selectmen. Mr. Grenier reviewed the final plan dated August 3, 2010 and explained the changes to include the Commission's curbing request to control runoff. Commissioners, Mr. Grenier, and Mr. Bayou discussed the plans to use the existing septic system, vortex system for storm water management, a concrete pad for the new building, and snow removal to be stock piled on the east and west sides (not in the back of the property where vegetation is to be protected). Commissioners commented that no drums of oil or hazardous waste are to be stored on site, but minor vehicle repairs (tune ups, small brake work, topping off of vehicle fluids) would be acceptable. Mr. Bayou explained that all of his vehicles for sale are 2007 or newer. Commissioners had no further questions. Mr. Baldelli asked for audience sharing; no response came. Mr. Baldelli requested action.

Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, "To issue an Order of Conditions to Mo Bayou for property located at 1C Belmont Street, Map 109, Parcel 2, DEP # 247-0990."

7:34 pm Notice of Intent (continued), 333 Howard Street, Map 27, Lot 70, DEP # 247-0996

Construction on a 767' long common driveway to serve existing buildings and 3 new house lots. Included installation of utilities such as telephone, electric, CATV, and drainage within 100' of bordering vegetated wetlands.

Applicant: Evelyn B. Silver, Trustee

Representative: Richard Mainville, Connorstone Engineering, Inc.

Mr. Sullivan, engineer with Connorstone Engineering, gave the abutter list and signature cards to Mr. Litchfield. Mr. Sullivan gave an update on the woodchips piled on the west side of the property (woodchips disposed of improperly) and plans to plant New England rye, white pines, and dogwood trees. Mr. Sullivan explained the history of the paved driveway constructed to get trucks on and off site with minimal earth disturbance while building the septic system (trucks were sinking in the earth on the westerly side of the driveway).

Ms. Guldner suggested planting viburnum and dogwood instead of white pine trees. Commissioners agreed that the next few weeks would be ideal for planting the new trees. Commissioners, Mr. Litchfield, and Mr. Sullivan discussed the water flow, drainage calculations, culvert pipe being too small (4" and should be much larger)

and the causes of water flow onto Howard Street. Mr. Litchfield reminded everyone that the NOI that has been filed is for the driveway construction not for the houses (another NOI would be filed for the houses at a later time).

Mr. Baldelli requested audience sharing. Mr. Pedone, abutter at 373 Howard Street, asked several questions related to mulch, ownership of property, stones, maintenance plan for the culvert, and explained his basement flooding issues and costs. Mr. Pedone explained the issues that have been occurring on Howard Street for several years due to the catch basins not diverting the water and asked that plans include solutions to have water flow into the catch basins. Mr. Pedone asked that the driveway on the westerly side be removed and asked for wetland replication (Commissioners agreed that wetlands were not destroyed).

Commissioners discussed the concerns with continuing the public hearing due to weather changes coming and the need for tree and shrub plantings, need for removal of the portion of paved driveway in the 30' no disturb area, need for stone removal, and need for widening of the driveway. Commissioners agreed that the wood chips are stabilized on the easterly side of the property and could remain in place.

Mr. Brian Braverman, abutter at 328 Howard Street, explained the flooding off Howard Street onto his property and the costly repairs of his driveway due to water damage. Mr. Beals suggested that temporary 4" frames and grates (lower than the 6" frames and grates on the catch basins) be installed to direct the water flow instead of flooding Howard Street. Mr. Beals suggested that the culvert be cleaned more frequently. Commissioners discussed the need for a larger pipe in the easterly culvert and that the Commission has no jurisdiction over replacing the small piping in the culvert (the town's issue, not a conservation or applicant responsibility). Mr. Giurleo, abutter at 324 Howard Street, commented on the flooding of his property and Howard Street, and gave the Commission a DVD video taken of the water flow on Howard Street. Commissioners and Mr. Sullivan agreed to meet and walk the property and review the westerly catch basins and culvert area. Commissioners discussed continuing the public hearing.

Mr. Helwig motioned, Mr. Young seconded, and it was voted 5 in favor, 1 - Mr. Beals opposed, 0 abstained, "To continue the public hearing for Evelyn B. Silver, Trustee for property located at 333 Howard Street, Map 27, Lot 70, DEP # 247-0996 until October 18th, 2010 at 7:15 pm."

8:37 pm Request for Amended Order of Conditions, 56 Hudson Street, Map 54, Parcel 84, DEP # 247-0973

Changes to redevelopment area (building construction), parking, and work within the 200' riverfront area.

Applicant: Kenneth Bishop, Matec Instrument Companies

Representative: Michael Scott, Waterman Design Associates, Inc.

Mr. Scott, representative from Waterman Design Associates, gave the abutter list and signature cards to Mr. Litchfield. Mr. Scott explained the plan changes and updates including: 10,500 square feet building construction (was 11,000 square feet), building 3-4' lower, front left corner has some disturbance of lawn for parking plans, ZBA approved variances, fire department requested change from 18 ½' to 22' driveway width, Design Review Committee approved plans, and the building inspector has approved plans. Commissioners discussed the 900 square feet of increased

impervious cover (rooftop area), less parking spaces than previously proposed, flood plain and abutters not being negatively affected, no tree cutting proposed near Cold Harbor Brook, and storm water management system remaining the same as the previous plans. Mr. Scott explained the applicant's desire to begin in mid-October and hope for foundation work to begin in November. Commissioners discussed the increase in impervious material, the groundwater being high in the area, infiltration system and drainage improvements, reserved parking being moved to across the street (20 spaces, not in wetland areas), and plan changes of roof water runoff replacing parking lot runoff (the impervious cover calculation remains the same).

Mr. Baldelli asked for audience sharing; no abutters were present.

Mr. Helwig motioned, Mr. Tougas seconded, and it was unanimously voted, "To issue an Amended Order of Conditions to Kenneth Bishop at Matec Instrument Companies for property located at 56 Hudson Street Map 54, Parcel 84, DEP # 247-0973."

Mr. Litchfield reminded Mr. Scott that the Amended Order does not extend the original Order of Conditions; this amended order expires three years from the issue date of the original Order of Conditions (issued in October 2009).

Old Business:

- Barlett Pond – Commissioners discussed the weed inventory. Mr. Litchfield agreed to touch base with Gerry Smith from Aquatic Control Technologies to get cost figures and then add the financials into the Conservation budget.
- Discuss the project at 73-85 West Main Street. – Mr. Poole explained the progress on the site including: catch basins (4) have been cleaned on West Main Street, detention area on property has been extended, infiltration will be done at end of this week, hydro-seeding has been done, foundations are under way in construction, berms are in place, slope has been stabilized, water has been retained in the back of property, and the water is contained on site. Mr. Litchfield and Mr. Poole discussed the water line to be installed in the next week or two. Mr. Litchfield stated that he needs the as built and drainage for the street plans by the end of next week. Mr. Poole agreed to send as discussed.
- 354 Green Street – Commissioners and Mr. Litchfield discussed the fill from 73-85 West Main Street that Mr. Manor, owner of property, has added to his back property. Commissioners discussed the tree cutting on the property as well. Commissioners agreed that the yard needs to be stabilized, disturbance needs to be 100' from the wetlands, and the bog bridge and wetlands locations to be built need to be flagged accurately.
- Avalon Bay – Commissioners and Mr. Litchfield discussed posting signs regarding conservation restriction areas. Commissioners agreed to the signs reading "Wetland Resource Area beyond this point". Mr. Litchfield and Mr. Beals set up a time for September 21st to inspect the site and review the silt fencing improvements.
- 432 Whitney Street (Anza property) – Mr. Litchfield informed the Commission that Howard Stone has filed an RDA on Mr. Anza's property that is across the street from 429 Whitney Street. Mr. Litchfield explained that Mr. Anza is working with the town counsel and town administration related to his agricultural use of that property. Commissioners discussed the taking down of the guardrail, installation of a fence that

house some cows, stonewall rebuilding, and potential wetland issues. Mr. Stone has to properly notify abutters and process the correct paperwork to attend next month's meeting. Mr. Litchfield explained his review of the GIS map and his site inspection details of his September 19th visit. Mr. Litchfield commented that the fill dumped on Mr. Anza's property at 432 Whitney Street is at least 1,000' from the wetlands (not a conservation issue).

Commissioners discussed that there are stone issues on Mr. Stone's property that should be discussed when he comes before the Commission next month.

- St. Mary's Credit Union – Mr. Litchfield explained that the property owner would like to remove some dead elm trees that have been breaking branches off into the credit union's parking lot. Commissioners discussed that the trees are at the edge of the wetlands, but if the stumps remain, then it would be fine to remove the trees.
- 209 Pleasant Street – Mr. Litchfield and Commissioners discussed the little brook in the back of the property and some type of building construction occurring in that area. Mr. Litchfield and Mr. Beals agreed to review the site tomorrow after visiting Avalon Bay.

New Business:

- The next meeting has been tentatively scheduled for Monday, October 18th, 2010. Discuss November and December meeting dates. Commissioners discussed and agreed to meet on October 18th due to the holiday on October 11th.

Review Minutes of August 9, 2010 Meeting:

Commissioners discussed the minutes and made a correction on page two to read "Mr. Reynolds" (previously read "the Reynolds").

Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To approve the amended August 9, 2010 minutes."

Certificates of Compliance: (none at this time)

Adjourn:

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

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

The Conservation Commission meeting ended at 9:36 pm.

Respectfully submitted,

Eileen Dawson
Commission Secretary