



TOWN OF NORTHBOROUGH  
Conservation Commission  
Monday, July 11, 2011  
Conference Room B

Conservation  
Commission  
Approved on  
8-8-11

**Present:** Wayne Baldelli, Todd Helwig, Diane Guldner, Greg Young, and Tom Beals

**Absent:** Mo Tougas

**Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; Vito Colonna - Connorstone Engineering; Brian Ferris – 44 Lincoln Street; Igor Mereminskiy – 76 Little Pond Road; Stephen Gersh – 450 Green Street; Brad Petrishen – MetroWest Daily News; and Larry Gavini – 21 Fernbrook Road.

At 7:15 pm, Mr. Baldelli opened the Conservation Commission meeting.

**Requests for Commissioners' Approval:**

- Copley Woods Deed – Mr. Litchfield explained the Copley Woods details related to street acceptance and the need for Commissioners to sign the appropriate paperwork related to the parcel near the small pond that would be deeded to the town for conservation.
- Schunder Property – Mr. Litchfield explained that the town has applied for a \$500K land grant to purchase the Schunder Property (purchase amount to be approximately \$1,000,000) and he needs the Commission to sign a letter of support.

**Public Hearings:**

Ms. Guldner read the legal advertisement for the following public hearings:

*Notice of Intent filed by Thomas Ferris of 44 Lincoln Street for the installation of a gas main within the 100' buffer zone.*

*Notice of Intent filed by Igor Mereminskiy of 76 Little Pond Road for the construction of a deck extension within the 100' buffer zone.*

*Notice of Intent filed by Kendall Homes, Inc. for 269-273 West Main Street for demolition of 2 single family dwellings and construction of 4 buildings with associated utilities, parking, and landscaping within 100' buffer zone.*

*Notice of Intent filed by Stephen Gersh for 450 Green Street for construction of a deck within 100' buffer zone.*

*Notice of Intent filed by SA Farms, LLC for 432 Whitney Street for construction of access driveway, filling portions of site for meadow and pastures for livestock, and construction of a single family house within the 100' buffer zone.*

7:25 PM **Notice of Intent, 44 Lincoln Street, Map 75, Parcel 46, DEP # 247-1012**

Installation of a gas main within the 100' buffer zone.

Applicant: Thomas Ferris

Representative: Brian Ferris

Mr. Ferris, property owner's son, gave the abutter list and signature cards to Mr. Litchfield. Mr. Ferris explained the details including: silt fence for erosion control, marking area for gas line installation, and need to dig a 30' deep trench for the gas

line. Commissioners discussed the need for silt fence along the edge of the yard to protect the wetlands.”

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

*Mr. Helwig motioned, Mr. Beals seconded, and it was unanimously voted, “To issue an Order of Conditions to Thomas Ferris for property at 44 Lincoln Street for the installation of a sewer line within 100’ buffer zone, DEP # 247- 1012 and the special condition that silt fencing would be installed along the wetlands.”*

7:29 pm

**Notice of Intent, 76 Little Pond Road, Map 47, Parcel 69, DEP # 247-1015**

Construction of a deck extension within the 100’ buffer zone.

Applicant: Igor Mereminskiy

Mr. Mereminskiy, property owner, gave the abutter list and signature cards to Mr. Litchfield. Mr. Mereminskiy explained the plans including: building a deck extension, installing 6 sonar tubes (4’ deep to be hand dug), sand bringing construction materials to the front of the shed to store.

Commissioners discussed and requested that silt fencing be installed around the deck extension to the southwesterly corner of the house. Mr. Baldelli asked for audience comment; no one responded.

*Mr. Helwig motioned, Ms. Guldner seconded, and it was unanimously voted, “To issue an Order of Conditions to Igor Mereminskiy for property at 76 Little Pond Road, DEP # 247-1015 to for the construction of a deck extension with the special conditions that sonar tubes be hand dug and silt fencing be installed around the deck to the corner of the southwesterly side of the house.”*

7:38 pm

**Notice of Intent, 269-273 West Main Street, Map 82, Parcel 17 & 18, DEP # 247-1013**

**Demolition of 2 single-family dwellings and construction of 4 buildings with associated utilities, parking, and landscaping within 100’ buffer zone.**

Applicant: Kendall Homes, Inc.

Representative: Connorstone Engineering, Inc.

Mr. Colonna, representative from Connorstone Engineering, gave the abutter list and signature cards to Mr. Litchfield. Mr. Colonna explained the plans including: demolition of 2 single family homes, construction of 4 buildings, town water and sewer hookup plans, stormwater management plans and recharge, and 15’ no disturb issues, and driveway/parking within 30’ (variance needed to meet 30’ no structure town bylaw). Commissioners and Mr. Colonna discussed changes that could be made to the 4<sup>th</sup> most southerly building proposed to prevent the need for a variance. Mr. Colonna explained that parking issues with the other designs reviewed. Commissioners discussed decreasing the size of this building in the 30’ no structure area.

Mr. Colonna explained that he would be going before the ZBA later this month for site plan approval. Commissioners requested Mr. Colonna work to get the plans to meet the bylaw requirement of 30’ no structure. Commissioners asked about the timeframe; Mr. Colonna commented the fall of this year or spring of next.

Commissioners discussed that rip rap and detention basins are not a structure but parking and driveways are considered structures in the bylaw. Mr. Baldelli asked for audience sharing; no one responded. Mr. Baldelli requested action.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To continue the Public Hearing for Kendall Homes, Inc. for property at 269-273 West Main Street, Map 82, Parcel 17 & 18, DEP # 247-1013 on August 8, 2011 at 7:15 pm."*

7:55 pm

**Notice of Intent, 450 Green Street, Map 10, Parcel 34, DEP # 247-1017**

Construction of a deck within 100' buffer zone Construction of a deck within 100' buffer zone.

Applicant: Stephen Gersh

Mr. Gersh, property owner, gave the abutter list and signature cards to Mr. Litchfield. Mr. Gersh explained his plans to building a 6' x 35' deck on the back of his property. Mr. Gersh and Commissioners discussed 6 footings for the sonar tubes would need to be hand dug and silt fence would need to be installed around the side of porch and wrap around to the corner of the westerly side of the house. Commissioners discussed the flat yard and need for just silt fencing to be installed 5-8' off the edge of where the sonar tubes will be placed. Mr. Litchfield asked Mr. Gersh to stake out where he plans to install the sonar tubes so Mr. Litchfield can inspect the property before work begins. Mr. Litchfield explained that the DEP must issue a file # as well before work could begin.

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

*Mr. Helwig motioned, Mr. Beals seconded, and it was unanimously voted, "To issue an Order of Conditions to Stephen Gersh for property at 450 Green Street for the construction of a deck with the special conditions that sonar tubes are hand dug and silt fencing be installed around the deck to the corner of the southwesterly side of the house."*

8:04 pm

**Notice of Intent, 432 Whitney Street, Map 15, parcel 22, DEP # 247-1014**

Construction of access driveway, filling portions of site for meadow and pastures for livestock, and construction of a single family house within the 100' buffer zone.

Applicant: SA Farms, LLC

Representative: Thompson-Liston Associates, Inc.

Mr. Litchfield explained that Mr. Anza, Manager of SA Farms, LLC, requested that the Commission not hold a Public Hearing until adequate advertising notice (5 days not including holidays, i.e. July 4<sup>th</sup>) could be done. Mr. Litchfield distributed the July 11, 2011 letter from Mr. Anza's attorney requesting a special hearing or that the hearing occur at next month's meeting. Commissioners discussed and agreed to re-advertise and hold the public hearing on August 8, 2011 at 7:15 pm for 432 Whitney Street. Mr. Litchfield explained that abutters have been notified and the property has been flagged already.

Brad Petrishen, Writer from the MetroWest Daily News, asked questions about the public hearing notice details, appeal possibilities, and this property's being controversial and heavy with abutters' involvement.

## **New Business:**

- The next meeting has been tentatively scheduled for Monday, August 8, 2011. Commissioners agreed to meet on August 8, 2011.

## **Old Business:**

- Bartlett Pond Treatment – Mr. Litchfield explained the details of Aquatic Control's pond treatment, booster application, and possible need for another treatment in the fall.
- Possible new member for Conservation Commission – Mr. Litchfield explained Chelsea Christenson's (Nitsch Consulting engineer) interest in serving on the Commission. Commissioners agreed to meet with Chelsea to discuss.
- Update on 21 Fernbrook Road – Mr. Gavini explained the error in properly filing a Notice of Intent for tonight's meeting and agreed to attend in August or September (J.M. Grenier and Associates would be representing Mr. Gavini). Mr. Litchfield explained the NOI filing request, enforcement letter, and history of the property and wetland filling in 2010. Mr. Gavini explained that John Grenier from J.M. Grenier and Associates has been hired to assist with the property restoration (wetland areas). Mr. Gavini and Mr. Litchfield discussed that the NOI would need to be filed for August 29<sup>th</sup> for public hearing on September 12<sup>th</sup> and July 25<sup>th</sup> for public hearing for August 8<sup>th</sup>.
- 27 Allen Street – Mr. Litchfield explained the tree cutting by Garth Sharp, tree removal service, the request to stop any more work, and the need to file a Notice of Intent or an Request for Determination of Applicability. Mr. Litchfield explained that several trees have died and have been cut, silt fence has been installed to protect the area, and that the applicant would like to remove the stumps, re-build the stone wall to a fieldstone wall, and plant a flower bed. Commissioners discussed and agreed that the applicant should file an RDA for next month's meeting. Commissioners discussed that no digging should occur until after next month's meeting.
- Hudson Street – Commissioners discussed the parking area at Residence of the Falls and the need for the management company (has ripped up the parking area) to file a Notice of Intent for next month, install silt fence immediately, and clear the manhole that is full of debris. Commissioners and Mr. Litchfield discussed the desire for an upgraded drainage system, and a base coat and binder on the parking lot.
- 2 Adams Road – Mr. Litchfield explained that the resident wants to fill in an unused drainage ditch and pipe near Madison Avenue that is attracting many mosquitoes.
- Watson Park – Mr. Litchfield and Commissioners discussed the need for the garden area of flowers to be maintained. Mr. Litchfield explained that Betty Tetreault was responsible for the area before her passing. Mr. Litchfield agreed to find out who would be responsible for the maintenance now.
- Railroad Track – Commissioners discussed that the hole in the railroad track on Route 20 has been repaired.
- Senior Center – Commissioners discussed the tree cutting at the Senior Center approved by the Town Administrator and the need for a Notice of Intent filing (wetland protection). Mr. Litchfield agreed to discuss with the Town Administrator.

- Senior Center Remediation – Mr. Litchfield gave an update on the remediation project and discussions with Art Allen, Ecotec engineer, and the request to take some of the erosion control near the railroad tracks. Mr. Litchfield and Ms. Guldner agreed to visit the site on Wednesday 7/13 at 11 am and ask Mr. Allen to join them.

**Certificates of Compliance:** (none at this time)

**Review Minutes of June 13, 2011 Meeting** – Commissioners reviewed the minutes and had no changes. Mr. Baldelli requested action.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, “To accept the June 13, 2011 minutes of the Conservation Commission.”*

**Adjourn:**

Commissioners had no further business to discuss. Mr. Baldelli requested action.

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

The Conservation Commission meeting ended at 9:00 pm.

Respectfully submitted,

Eileen Dawson

Commission Secretary