



TOWN OF NORTHBOROUGH  
Conservation Commission  
Thursday, April 19, 2012  
Conference Room B  
Town Offices, 63 Main Street, Northborough, MA 01532

Conservation  
Commission  
Approved  
5/14/12

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**Present:** Wayne Baldelli, Greg Young, Diane Guldner, Chelsea Christenson, Todd Helwig and Tom Beals and Mo Tougas

**Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; James Tetreault – Thompson-Liston Associates; Brad Petrin – Metrowest Daily News; Mike Murray – Attorney for 431 Howard Street; Joann and John Sharp – 50 Cherry Street; and Mark Farrell – Green Hill Engineering.

Mr. Baldelli opened the Conservation Commission meeting at 7:05 p.m.

**Public Hearings:**

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

*Notice of Intent filed by Aaron Westley for Lot 2 Howard Street construction of single family house, septic system, and associated site work within the 100' buffer zone.*

*Notice of Intent filed by John & Joann Sharp for 51 Cherry Street repair of septic system within 100' buffer zone.*

*Request for Determination of Applicability for 25 Fernbrook Road to determine resource areas for yard grading.*

**Public Hearing:**

**7:06 pm Request for Determination of Applicability, 25 Fernbrook Road, Map 75, Parcel 158**

Determine the limits of the resource areas for yard grading

Applicant: William Wyskoczka

Mr. Wyskoczka, property owner, explained the plans for yard grading. Commissioners asked that the silt fencing be installed more securely (fencing dug down into the ground to prevent erosion) to protect the brook. Commissioners asked Mr. Wyskoczka to clean up the trash that has entered the brook area.

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

*Ms. Guldner motioned, Mr. Tougas seconded, and it was unanimously voted, "To issue a negative determination for William Wyskoczka for property at 25 Fernbrook Road, Map 75, Parcel 158 with the contingency that silt fencing is properly installed."*

**7:09 pm     Notice of Intent, 51 Cherry Street, map 57, Parcel 50, DEP# 247-1031**

Repair of septic system within 100' buffer zone

Applicant:            John and Joann Sharp

Representative: Mark Farrell, Green Hill Engineering

Mr. Farrell, representative from Green Hill Engineering, gave the abutter list and signature cards to Mr. Litchfield. Mr. Farrell explained the proposed plans including: perc test results, new location of leach field, better soils, 1,500 gallon septic tank, work in outer riparian zone.

Mr. Baldelli asked for better markings for the location of the septic tank and leach field. Commissioners asked about the mulch in the yard; Mr. Sharp explained that the mulch would be used to stabilize the slope. Mr. Farrell explained that the silt fencing has been installed to protect the resource areas. Mr. Baldelli asked for audience comment; no one responded.

*Mr. Tougas motioned, Ms. Guldner seconded, and it was unanimously voted, "To issue an Order of Conditions to John and Joann Sharp for property at 51 Cherry Street, Map 57, Parcel 50, DEP # 247-1031."*

**7:15 pm     Lot 2, Howard Street, Map8, Parcel 16, DEP # 247-1030**

Construction of single family house, septic system, and associated site work within the 100' buffer zone

Applicant:            Aaron Westley

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

Mr. Grenier, representative for applicant, gave the abutter list and signature cards to Mr. Litchfield. Mr. Grenier gave the details including: 25 acre parcel, subdivision piece to build a home and septic system, garage on site existing would stay, on-site septic system to be built, good soils, well to be installed more than 100' from wetlands and more than 100' from the septic system proposed, perc testing done, board of Health approved the septic plans, would import fill, 15' no disturb, 30' no structure bylaws not affected.

Commissioners discussed and asked for more flagging of the septic system and leach field areas, and the corner of the proposed house to be staked. Commissioners asked that the silt fencing be installed a bit more than 15' from the wetlands to allow for the disturbance when the fencing is removed, marking such as bushes to be planted along the 15' no disturb to outline the wetlands.

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

Commissioners agreed to vote with the contingency that the next site meeting scheduled on May 12<sup>th</sup> at 8:00 am that the proper markings and silt fencing would be installed.

*Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, "To issue an Order of Conditions for Aaron Westley for property at Lot 2, Howard Street, Map 8, Parcel 16, DEP # 247-1030 with the condition that the leach field, septic tank area, and silt fencing are properly installed and marked."*

**7:26 pm**     **Notice of Intent, 26 Johnson Avenue, Map 52, Parcel 13, DEP # 247-1026**

Construction of a subdivision and associated work within the 100' buffer zone for property

Applicant:         Erika Rozental

Representative: James Tetreault, Thompson-Liston Associates, Inc.

Mr. Tetreault, representative from Thompson-Liston, explained the plans including: creating one more lot, extending the water line, constructing a septic system in front of house, no wildlife on the site, and building a turn-around driveway area, and staking of the house and wetlands placed on the property.

Mr. Tetreault explained that the work disturbance is 48' from the wetlands, 75' disturbance from the proposed house, and the existing garage that is within the 30' no structure would stay in place; Commissioners agreed that the garage should just stay in place. Commissioners agreed to require permanent delineation of the 15' no disturb wetland area.

Mr. Baldelli asked for audience sharing. David Devries, abutter at 26 Omaha Avenue, asked questions about the Order of Condition process and length of issuance; Mr. Litchfield explained the details.

*Mr. Beals motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Erika Rozental for property at 26 Johnson Avenue, Map 52, Parcel 13, DEP # 247-1026 contingent on the wetland delineation of A-9 to A-12 flags."*

**7:40 pm**     **431 Howard Street (continued), Map , Parcel , DEP # 247-1029**

Planting of grass within the 100' buffer zone

Applicant:         Matthew Coutu

Representative: Mike Murray, PC

Mr. Todd Helwig, Conservation Commissioner, recused himself from this public hearing from 7:40 pm to 7:53 pm.

Mr. Murray, applicant's attorney, gave the abutter list and signature cards to Mr. Litchfield. Mr. Baldelli explained that the applicant should have come before the Commission before disturbing the buffer zone and planting grass.

Mr. Murray apologized on behalf of Mr. Coutu for not coming before the Commission for approval of any disturbance in the resource area. Mr. Murray commented on the 90'x 66' area disturbed, small stone driveway pre-existing, and small tree damaged from the ice storm. Commissioners discussed the grass growing, seeds planted, but grading not started yet. Commissioners discussed the property and commented that any further work interests would require that the applicant come before the Commission for determination of resource areas.

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

*Ms. Guldner motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Matthew Coutu for property at 431 Howard Street, Map , Parcel , DEP # 247-1029."*

**7:53 pm**     **Notice of Intent, 432 Whitney Street, Map , Parcel DEP # 247-1028**  
Construction of an access driveway and regrading within the 100' buffer zone  
Applicant:        S.A.Farms, LLC  
Representative: Andrew Liston, Thompson-Liston Associates, Inc.

Mr. Litchfield explained that Mr. Liston, representative from Thompson-Liston, called and emailed asking for a continuation of the public hearing due to a scheduling conflict.

Commissioners and Mr. Litchfield discussed last month's requests to stake the detention and retention areas, mark the center of the driveway, clearly communicate agricultural use in filing, and the exact amount of fill proposed in the buffer zone.

Mr. Baldelli asked for a motion to continue the public hearing on May 14<sup>th</sup>.

***Ms. Guldner motioned, Mr. Young seconded, and it was voted, 6, 0, 1 with Mr. Helwig abstaining, "To continue the public hearing for SA Farms, LLC for property at 432 Whitney Street on May 14, 2012 at 7:15 pm."***

**New Business:**

- The next meeting is scheduled for Monday, May 14, 2012; all agreed to meet.

**Old Business:**

- 40 Ridge Road – Mr. Litchfield explained that Mr. Cheng has been working to clean up the brush and logs in the wetland buffer zone.
- 10 Chapin Road – Mr. Litchfield explained that an enforcement letter has been sent to the applicant requiring his presence at this meeting. Mr. Baldelli asked that a second letter be sent certified mail with the possibility of involving the DEP if the owner does not respond to the Commission's request.
- 8 Moore Lane – Mr. Litchfield explained that a letter has been sent to the owner and no response has occurred. Commissioners discussed sending a certified letter with the GIS maps and DEP involvement and enforcement is necessary. Commissioners discussed the concern with the 2 truckloads of loam that could wash out into the pond with a heavy rain event.
- Coolidge Brook – Commissioners discussed the need for erosion control for some of the work that Verizon trucks are creating in the earth.
- Laurence Place – Commissioners and Mr. Litchfield discussed the work completed in the wetland area and just waiting for the footbridge to be installed.
- Unibank – Commissioners discussed the bank and property.
- Harvey – Commissioners discussed the violations and clean up, silt fence, and new planting progress.
- Route 20 – Commissioners discussed the milling and repaving on Route 20 from Tomblin Hill Road to Shrewsbury.

- Bartlett Well – Mr. Baldelli asked about the e-coli issues, discussions with Board of Health Director Jamie Terry, and his concerns with the sources of the bacteria.
- Town Meeting on April 23<sup>rd</sup> - Mr. Litchfield reminded all of the upcoming town meeting next week and encouraged all to attend.
- 6 Farmhouse Road – Mr. Litchfield explained the attorney’s request for a Certificate of Compliance for DEP #247-290 (Orders of Conditions for 3 lots on the property were never recorded) and DEP # 247-244 (Order of Conditions was recorded but does not indicate that 6 Farmhouse Road was included). Commissioners discussed and suggested putting a letter in 6 Farmhouse Road file indicating that the Order was never recorded and the DEP # 247-244 does not apply to this property. Commissioners and Mr. Litchfield agreed that the attorney should receive a copy of this letter.
- 270 School Street – Commissioners and Mr. Litchfield discussed sending a letter to remove the brush off the river bank.
- 163 Rice Avenue – Mr. Litchfield explained that he asked the owner to install silt fencing, plant grass seeds, and install mesh on the property to prevent erosion.

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

**Review Minutes of March 12, 2012:**

Commissioners discussed the minutes; Ms. Guldner commented on the change in spelling of chlorine on the first page.

Mr. Baldelli requested action.

*Ms. Guldner motioned, Mr. Young seconded, and it was unanimously voted, “To approve the amended March 12, 2012 minutes of the Conservation Commission.”*

**Adjourn:**

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

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

The Conservation Commission meeting ended at 8:45 p.m.

Respectfully submitted,

Eileen Dawson

Commission Secretary