



TOWN OF NORTHBOROUGH

Conservation Commission

Monday, June 11, 2012

Conference Room B

Town Offices, 63 Main Street, Northborough, MA 01532

Conservation  
Commission  
Approved  
7-9-12

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

**Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; Tom Racca – 121 Indian Meadow Drive; Paul DeSimone – Colonial Engineering, Inc; Chris Edgren – 9 Indian Meadow Drive; Nitin Shah – 99 Indian Meadow Drive; Mark and Chris Macaulay – 79 Indian Meadow Drive; Rich Colleran – 90 Indian Meadow Drive; Bob Burke – 21 Tomahawk Drive; Mike Tascione – 19 Indian Meadow Drive; Wendy Morrison – 1 Mashpee Circle; Andrew Macdonald – 418 Davis Street; Judy Cradler – 78 Indian Meadow Drive; Kevin O’Connell – 91 Indian Meadow Drive; Glenn Krevosky – EBT, Inc.; David Henry – 134 Indian Meadow Drive; Rob Bradburg – G. Lopes Construction; Bob Retzke – Premier Design Build Group; Jason Houle – G. Lopes Construction, and John Horton – G. Lopes Construction; Matt Smith – Bohler Engineering, Inc., and Mr. Will Fergus – drilling contractor for Walmart; and Seth Lajoie – Lajoie Associates.

Mr. Baldelli opened the Conservation Commission meeting at 7:10 p.m.

**Informal Discussion with Bohler Engineering for Otis Street stream crossing for the sewer extension.**

Mr. Matt Smith, Bohler Engineering, and Will Fergus from Metro Equipment the drilling contractor, explained the plans for the directional drilling process for the sewer extension at the Otis Street stream crossing (letter and drawings dated June 1, 2012 show details and sequence of plans). Commissioners asked questions about the depth of drilling and stock piling (materials would be taken off site daily, no stock piling). Commissioners agreed that the proposed drilling would be less impact to the resource areas than pulling up the road and installing piping. Commissioners asked that proper groundwater protocol be followed in the event that groundwater is encountered; Mr. Smith explained that the groundwater procedures and erosion control would be followed if groundwater is found. Mr. Smith explained that the installation should complete within 2 weeks, planned to begin in July. Commissioners asked about traffic and detour plans on Otis Street and the effect on Berberian Farms’ business.

**Public Hearings:**

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

*Notice of Intent filed by Andrew MacDonald for 418 Davis Street for installation of 24’ round above ground pool within 200’ riverfront area.*

*Request for Determination of Applicability filed by Lisa Shaw for 31 Ball Street for replacement of septic system and associated grading within 100' buffer zone.*

**7:09 pm     Notice of Intent (continued), 65 Oak Avenue, Map 76, Parcel 25, DEP file # 247-1033**

Construction of a 12' x 18' addition to front of house, farmer's porch to front of house, and sun room on existing deck within 200' riverfront area

Applicant:         John Ols

Representative: Paul DeSimone, Colonial Engineering, Inc.

Mr. DeSimone, engineer from Colonial Engineering, gave the letter from the National Heritage and Endangered Species explaining that no adverse long term impact concerns exist to the resource areas and an Order of Conditions could be filed.

Commissioners discussed the property and the continuation of the public hearing to get the approval from National Heritage to move forward. Mr. Baldelli asked for abutters' comment; no one responded. Mr. Baldelli requested action.

*Mr. Helwig motioned, Ms. Guldner seconded, and it was unanimously voted, "To issue an Order of Conditions to John Ols for property at 65 Oak Avenue, Map 76, Parcel 25, DEP file # 247-1033 with the condition that straw wattles and silt fence or straw bales alone be installed for erosion control."*

**7:22 pm     Notice of Intent, 418 Davis Street, Map 101, Parcel 127, DEP# 247-1035**

Construction of an above ground pool within the 200' Riverfront area

Applicant:         Andrew Macdonald

Representative: Andrew Macdonald

Mr. Macdonald explained that the siltation devices are in place. Commissioners discussed the site visit and asked that trucks enter along the driveway side.

Mr. Baldelli asked for audience comment; 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 Andrew Macdonald for property at 418 Davis Street, Map 101, Parcel 127, DEP # 247-1035."*

**7:25 pm     Notice of Intent (continued), Lyman Street fisherman's access, Map 86, Parcel 1, DEP # 247-1034**

Maintenance on driveway consisting of filling a large depression in the unpaved driveway with gravel within the floodplain

Applicant:         Fred Litchfield

Representative: Fred Litchfield, Town of Northborough Engineering Department

Mr. Litchfield, Town Engineer, explained the continuation of the public hearing due to the approval needed from the National Heritage and Endangered Species; this project was not exempt from their review. Mr. Litchfield explained that he received National Heritage and Endangered Species' letter citing that no long term adverse impacts exist to the resource areas and an Order of Conditions could be issued.

Mr. Litchfield reviewed with Commissioners the plans to fill the large depression with gravel and add 2' – 3' boulders on each side of the 160 foot driveway. Mr. Litchfield commented that work would begin after July 1<sup>st</sup>, possibly the beginning of August.

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

*Mr. Helwig motioned, Ms. Guldner seconded, and it was unanimously voted, "To issue an Order of Conditions to Mr. Fred Litchfield for property at Lyman Street fisherman's access, Map 86, Parcel 1, DEP # 247-1034."*

Mr. Baldelli asked about the town possibly cleaning up and composting the water chestnuts once pulled from the lake. Mr. Litchfield agreed to ask the Northborough DPW for help while they are working in the area on the fisherman's access.

**7:32 pm Request for Determination of Applicability, 31 Ball Street, Map 39, Parcel 40**

Determine the limits of the resource areas for replacement of septic system

Applicant: Lisa Shaw

Representative: Seth L. Lajoie, Seth L. Lajoie and Associates, Inc.

Mr. Lajoie, representative for applicant, explained the plans to replace the septic system. Mr. Lajoie commented that the Board of Health has required a new well to be drilled that would move the septic system placement. Commissioners and Mr. Litchfield discussed the issues with viewing the site last Saturday including: difficulty accessing the site due to stone fence, need to verify flagging, an intermittent stream found but not located on the plan, and the need to tie into the town GIS vertical datum.

*Ms. Guldner motioned, Mr. Young seconded, and it was unanimously voted, "To continue the public hearing for Lisa Shaw for the Request for Determination of Applicability, 31 Ball Street, Map 39, Parcel 40 until July 9, 2012 at 7:15 pm."*

**New Business:**

- The next meeting is scheduled for Monday, July 9, 2012; all agreed to meet.

- Indian Meadow Golf Course – purchase and sale subject to MGL Chapter 61B. Mr. Litchfield explained the property as being protected under the Chapter 61B giving the town the first right of refusal before the property could be sold to another buyer. Mr. Litchfield explained that a baseball organization expressed interest in purchasing the property to add 4 fields and the associated lighting, benches, parking, sound systems, etc. Mr. Litchfield explained that wetlands are found throughout the 60 acre property in Northborough (6 acres exist in Westborough including parking and clubhouse). Mr. Litchfield explained that the cost of the property would be 1.9 million dollars, and Westborough does not have first right to refusal of their portion of the property.

Mr. Baldelli asked for audience comment; several residents expressed concerns with the fields, 80’ high lights (27 proposed), stands, traffic, noise, proximity to residents’ homes, and the property being in a residentially zoned area.

Commissioners discussed the CPC and restriction that would be placed on the property if purchased, high cost of the property, and lack of access to property in Northborough (Westborough has access to Route 9 from their portion). Mr. Tougas suggested the residents contact the Sudbury Valley Trustees for advice and commented on their expertise with wetlands and wildlife.

Mr. Baldelli asked for action.

***Mr. Helwig motioned, Ms. Guldner seconded, and it was voted 5 in favor, 2 with Mr. Young and Ms. Christensen opposing, 0 abstaining, “To recommend that the Board of Selectmen not exercise the right of first refusal.”***

- NRCS meeting on June 28<sup>th</sup> to review Hop Brook Dam Rehabilitation Plan. Mr. Litchfield invited all to attend the meeting scheduled.
- Election of Officers - Commissioners agreed to elect officers.

Conservation Commission Clerk:

***Mr. Tougas brought forth Mo Tougas as nominee for Town of Northborough Conservation Commission Clerk (only nomination brought forth), Mr. Helwig seconded, and it was unanimously voted, “To elect Mr. Mo Tougas as the Town of Northborough Conservation Commission Clerk.”***

Mr. Tougas accepted the nomination.

Vice-Chairperson:

***Mr. Baldelli brought forth Diane Guldner as nominee for Town of Northborough Conservation Commission Vice Chairperson (only nomination brought forth), Mr. Tougas seconded, and it was unanimously voted, “To elect Ms. Diane Guldner as the Town of Northborough Conservation Commission Vice Chairperson.”***

Ms. Guldner accepted the nomination.

Chairperson:

***Ms. Guldner brought forth Greg Young as nominee for Town of Northborough Conservation Commission Chairperson (only nomination brought forth), Mr.***

*Tougas seconded, and it was unanimously voted, “To elect Mr. Greg Young as the Town of Northborough Conservation Commission Chairperson.*

Mr. Young accepted the nomination.

#### **Old Business:**

- 300 Bartlett Street – erosion control update. Mr. Krevosky, EBT, Inc, and Mr. Houle, G. Lopes Construction, explained the erosion control efforts over the past month. Mr. Baldelli commented on the water running off the site from the stone box location and his frustration with erosion issues down Bartlett. Commissioners expressed concerns with the loam, hydro seeding, and matting planned for this week; the rain expected; and the site washing out into the street. Commissioners discussed the issues with the water station, suggested adding stone boxes with floc logs, and doing more frequent inspections of the stone boxes. Mr. Houle commented that he would be sending the daily reports to Mr. Litchfield. Commissioners commented that if the site washes out this week, the site will be shut down again.
- Discuss Eager’s offer to donate property near Berlin Town Line – Mr. Litchfield explained the meeting details from last June and the Commissioner’s openness to accept the property. Mr. Litchfield asked for discussion, explained that he didn’t feel the land was of use to the town, and suggested not accepting it. Commissioners discussed researching the property in more detail including if the abutting Berlin property is conservation land.
- 8 Moore Lane – Mr. Litchfield and Commissioners discussed the wetlands and the work needed to restore.
- 21 Fernbrook Road – Mr. Litchfield gave an update on Mr. Gavini and DEP’s involvement and enforcement hearing scheduled for last week. Mr. Litchfield commented that he would follow up with Joe Bellino at DEP for an update.
- New England Forestry Foundation – Mr. Litchfield gave an update on the Board of Selectmen’s signing of the Mass Department of Agriculture documents this evening and the Agricultural Preservation Restriction that will be placed on the property and then the agricultural rights that will be purchased by the Tougas Family Farm.

#### **Certificates of Compliance:**

- Request for Certificate of Compliance, 17 Fay Lane, Map 44, Parcel 2, DEP file # 247-512
- Request for Certificate of Compliance, 27 Allen Street, Map 46, Parcel 141, DEP file # 247-1019
- Request for Certificate of Compliance, 382 Crawford Street, Map 42, Parcel 47, DEP file # 247-892

Mr. Litchfield explained that each of the properties have been stabilized and ready for Certificates of Compliance to be issued. Mr. Baldelli requested action.

*Ms. Guldner motioned, Mr. Beals seconded, and it was unanimously voted, “To issue a Certificate of Compliance for each of the following: 17 Fay Lane, Map 44, Parcel 2, DEP*

*file # 247-512; 27 Allen Street, Map 46, Parcel 141, DEP file # 247-1019; and 382 Crawford Street, Map 42, Parcel 47, DEP file # 247-892.”*

**Review Minutes of May 14, 2012:**

Commissioners discussed the minutes; Ms. Guldner commented on spelling changes and sentence clarification. Mr. Baldelli requested action.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, “To approve the amended May 14, 2012 minutes of the Conservation Commission.”*

**Adjourn:**

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

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

The Conservation Commission meeting ended at 9:45 p.m.

Respectfully submitted,

Eileen Dawson

Commission Secretary