



TOWN OF NORTHBOROUGH
Conservation Commission
Monday,
October 21, 2013
Conference Room B
Town Offices, 63 Main Street, Northborough, MA 01532

Conservation
Commission
Approved
11-18-13

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- Present:** Greg Young, Diane Guldner, Wayne Baldelli, Mo Tougas, and Chelsea Christenson
- Absent:** Todd Helwig and Tom Beals
- Others Present:** Mia McDonald – Conservation Agent; Eileen Dawson – Recording Secretary; Jody Stiles – 96 School Street; Janice Sestito – 145 Church Street; Eric Hoffert – 1465 Church Street; Dan Fenney – Beals and Thomas; Glenn Krevosky – EBT Inc; Tom Michallak – Beals and Thomas; and Jim Venincasa – Monogram.

Mr. Young opened the Conservation Commission meeting at 7:00 p.m. Mr. Young reminded all that the meeting was being audio recorded for transcription purposes.

Review Minutes of September 23, 2013:

Commissioners discussed the minutes and agreed to review at the next meeting.

Public Hearings:

Mr. Tougas read the legal advertisement including:

Request for Determination of Applicability for 145 Church Street, Map 55, Parcel 47 filed by Janice Sestito and Eric Hoffert for tree removal work within the Riverfront Area.

Request for Determination of Applicability for 96 School Street, Map 73, Parcel 74 filed by Jody Stiles for landscaping work within the 15-foot no disturb zone and bordering vegetated wetlands.

7:05pm Request for Determination of Applicability, 145 Church Street, Map 55, Parcel 47

Tree removal work within the Riverfront Area of Howard Brook.

Applicant: Janice Sestito and Eric Hoffert

Ms. Sestito and Mr. Hoffert, property owners, commented the proposed tree removal, concerns with the tree falling on the house, soft soils, and the brook rising up. Commission discussed and requested that the stumps remain in the ground, no grinding of the stumps, and to leave the ground natural. Mr. Hoffert explained that a professional landscape company would be removing the trees in December 2013 or January 2014 when the ground is frozen.

Mr. Young asked for abutter' comment; no one responded. Mr. Young requested action.

Mr. Baldelli motioned, Mr. Tougas seconded, and it was unanimously voted, “To issue a Negative Determination of Applicability to Ms. Sestito and Mr. Hoffert for property at 145 Church Street with the conditions that stumps are left in place and not grounded down.”

7:15 pm Request for Determination of Applicability, 96 School Street, Map 73, Parcel 74

Landscaping work within the 15-foot no disturb and bordering vegetated wetland areas.

Applicant: Jody Stiles

Mr. Stiles, property owner, explained the site status, work done, siltation devices installed, and grass in the wetland area being mowed for years. Commissioners discussed the property, wetland disturbance that was done years ago, and best strategies for the wetlands. Commissioners requested that tree stumps stay in place, owner should plant bushes in the mulched area, a plumber could install a waterline and hookup, and silt fence and straw wattles need to be kept stabilized.

Mr. Young asked for abutter’ comment; no one responded. Mr. Young requested action.

Mr. Tougas motioned, Ms. Guldner seconded, and it was unanimously voted, “To issue a Negative Determination of Applicability to Mr. Stiles for property at 96 School Street, Map 73, Parcel 74 with stumps remaining in place, bushes added within the mulched area, and silt fence/straw wattles installed.”

New Business:

- Proposed residential gas line at 17 Howe Avenue – Property owner explained that she has oil heat right now and wants to switch to natural gas which would require a gas line installed. Commissioners discussed the 25’ long pipe needed and distance to the Solomon Pond (75’); commissioners agreed that a NOI would not be needed, the gas line is a shallow dig, the property is flat, and they have no concern for erosion into the pond. Ms. McDonald agreed to send a letter of approval to the property owner.
- Enforcement Order: 394 Davis Street, DEP File #247-1053 for work within the 15-foot no disturb area and work within 100-foot buffer zone prior to the installation and inspection of erosion control barriers. Mr. Venincasa, project leader, and Commissioners discussed the backhoe use within 15’ no disturb area, a request from Ms. McDonald and Mr. Litchfield to cease operations, but continued work, sensitivity of the site, need for double line of siltation devices to be located out of the 15’ area, and the Enforcement Order issued and in place until Ms. McDonald inspects and approves the erosion control barrier installation. Commissioners discussed a \$100 fine as stipulated in the Order (not ceasing and desisting work when requested) and agreed to issue a 1 day fine.

Mr. Young requested action.

Mr. Tougas motioned, Mr. Baldelli seconded, and it was unanimously voted, “To ratify the Enforcement Order for 394 Davis Street to allow siltation devices to be properly installed outside the 15’ buffer zone and inspected.”

Mr. Baldelli motioned, Ms. Guldner seconded, and it was unanimously voted, “To issue a 1 day fine of \$100 for not ceasing and desisting when requested by a town official.”

Commissioners agreed that Ms. McDonald would have approval to lift the Enforcement Order once the property has been inspected and in compliance.

- Earthwork Board member Appointment – Commissioners discussed Mr. Tony Pini being selected for the Earthwork Board as a member. Mr. Young requested action.

Ms. Christenson motioned, Mr. Baldelli seconded, and it was unanimously voted, “To appoint Tony Pini as a member of the Earthwork Board for the partial three year term to expire on April 30, 2016.”

Old Business:

- Informal Discussion: site conditions at 300 Bartlett Street – Commissioners discussed the site, Mr. Michalak explained the progress including: run off discharging as designed, sod added, swale along Bartlett Street added, jute netting, berm, temporary basin, plunge pool, and as-built submitted last week. Commissioner and Ms. McDonald discussed Mr. Litchfield’s satisfaction of the site stabilization, Jones’s desire for a release of the Earthwork Board bond, and the successful measures to control erosion. Mr. Young requested action.

Mr. Tougas motioned, Ms. Christenson seconded, and it was unanimously voted, “To recommend that the Planning board release the Earthwork Board permit for 300 Bartlett Street in the bond amount of \$100,000.”

Ms. McDonald agreed to call DCR and Scott Weiss to inform them of the Commission’s decision and to request letters confirming their approval of work completed on their property.

- Informal Discussion: site conditions at 8 Moore Lane – Commissioners and Ms. McDonald discussed the site visit and cooperation of Mr. Chapin in restoring the property and wetland area. Ms. McDonald commented on the proposed placement of rye grass for slope stabilization.
- Little Chauncy access– Mr. Baldelli commented on the outstanding need for ramp access to Little Chauncy. Ms. McDonald agreed to contact the Town of Westborough.
- Shady Lane – Ms. McDonald and Commissioners discussed that no application has been made for a Certificate of Compliance, the site is stable, units occupied. If problems on the site are observed by Commissioners, then a site visit will be scheduled at the request of the Commission.

Certificates of Compliance:

- Request for Certificate of Compliance, 96-100 Lincoln Street, Map 62, Parcel 43, DEP File #247-847 and Request for Certificate of Compliance, Lydia's Way, Map 62, Parcel 44, DEP File #247-1023. Ms. McDonald explained that information on the subsurface treatment units on the as-built is still needed, 33 signs will be added and placed on the as-builts, and contact information for the Homeowners Association is still needed. Commissioners discussed buying and selling at cost wetland signs to residents; Ms. McDonald agreed to research.
- Request for Certificate of Compliance, 1 Lancaster Drive, Map 28, Parcel 12, DEP File #247-1060. Ms. McDonald explained that the septic system has been replaced, grass is growing, and the property has been stabilized.

Mr. Tougas motioned, Mr. Baldelli seconded and it was unanimously voted, "To issue a Certificate of Compliance to 1 Lancaster Drive, Map 28, Parcel 12, DEP File #247-1060."

- Request for Certificate of Compliance, 314 Church Street, Map 43, Parcel 17, DEP File #247-440. Ms. McDonald commented that the septic system was replaced years ago and the grass is growing and stable. Commissioners discussed; Mr. Young requested action.

Mr. Tougas motioned, Ms. Guldner seconded and it was unanimously voted, "To issue a Certificate of Compliance to 314 Church Street, Map 43, Parcel 17, DEP File #247-440."

- Request for Certificate of Compliance, 42 Whitney Street, Map 54, Parcel 32, DEP File #247-780
- Request for Certificate of Compliance, 42 Whitney Street, Map 54, Parcel 32, DEP File #247-0978.
- Request for Certificate of Compliance, 42 Whitney Street, Map 54, Parcel 32, DEP File #247-978 (amended Order of Conditions).

Ms. McDonald explained that Certificates of Compliance have been requested, 95% of the as-built have been received, the site has been stabilized, and the property is ready for the Certificates. Ms. McDonald explained that she would hold all the certificates until the wetland signs have been property installed. Mr. Young requested a motion on the property.

Mr. Tougas motioned, Mr. Baldelli seconded and it was unanimously voted, "To issue all Certificates of Compliance for 42 Whitney Street, Map 54, Parcel 32, DEP file # 247-780 for OOC, DEP file # 247-780 amended OOC, DEP file # 247-0978 for OOC, and DEP file # 247-978 amended OOC."

- Request for Certificate of Compliance (continued), 5 Davis Avenue, Map 101, Parcel 120, DEP File #247-1045. Ms. McDonald explained that she has not heard from the property owner regarding the Certificate request.

Correspondence:

- Recognition of receipt of Violation Notice – Mr. Todd Chapin, 8 Moore Lane.
- Zoning Board of Appeals Agenda, October 23 – Special Permit Application Indian Meadows Golf Course – Commissioners and Ms. McDonald discussed the non-

conforming use, converting part of property to a driving range, part to a Par 3 hole golf course, and changes in Westborough (batting cages and mini golf).

- Lincoln Street School – Ms. McDonald gave an update on the October 17th development meeting and proposal to pull all work out of the buffer zone.

Next Meeting:

November 18th at 7pm and site visits: Saturday, November 16th at 8am; Commissioners discussed and agreed to meet on both days.

Adjourn:

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

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

The Conservation Commission meeting ended at 8:48 p.m.

Respectfully submitted,

Eileen Dawson

Commission Secretary