



**Conservation Commission
Meeting Minutes
July 13, 2015**

Members Present: Greg Young, Diane Guldner, Maurice Tougas, Todd Helwig, Tom Beals, Justin Dufresne, Wayne Baldelli

Others Present: Kale Kalloch-Getman, Conservation Agent; Ziad Ramadan, John Grenier, JM Grenier Associates; Andre Tougas, Tougas Farm; Andrew Collins, New England Baseball Enterprises; Paula Thompson, Waterman Design, Inc., Mark Farrell, Green Hill Engineering; William Howard; Ed Scioli, The Gutierrez Company

Chairman Young opened the meeting at 7pm.

Ms. Guldner read the public hearing notices into the record, as follows:

- *Request for a Determination of Applicability, CSX Railroad Right-of-Way*
- *Request for an Extension of Order of Conditions, 301 Bartlett Street, #247-859*
- *Notice of Intent, 315 Church Street, #247-1096, Repair of Septic System*
- *Notice of Intent, 6 Mohican Avenue, #247-1095, Repair of Septic System*

Request for a Determination of Applicability, CSX Railroad Right-of-Way

- Applicant: CSX Transportation, Inc.
- Representative: Sarah Benoit, Amec Foster Wheeler Environment & Infrastructure, Inc.
- Request: Conformation of boundaries of wetland resource areas adjacent to CSX railroad right-of-way in Northborough for preparation of new 5-year Vegetation Management Plan
- Jurisdiction: No work is proposed within wetland resource areas

No person associated with this Request for Determination of Applicability was present. Ms. Kalloch-Getman will contact the Applicant.

Request for an Extension of Order of Conditions, 301 Bartlett Street, #247-859

- Applicant: The Gutierrez Company
- Representative: Mr. Ed Scioli
- Request: Extension of the Order of Conditions issued on July 15, 2005 and extended in 2008

Ed Scioli, representing the Applicant, The Gutierrez Company, was present. He stated the Order of Conditions is going to expire this year and they are requesting a 3-year extension. The site was originally permitted in 2005 and the first extension was issued in 2008.

Mr. Scioli reviewed the approved site plan, and identified an area protected by a conservation restriction, which was granted to the Town to be administrated by the Conservation Commission. There will be no change in the plans approved under the Order of Conditions. They will stick to the original footprint and will not extend any further due to wetland restraints on both sides.

Mr. Helwig motioned to grant a 3-year extension of the Order of Conditions issued for 301 Bartlett Street, DEP #247-859. Mr. Tougas seconded the motion and the vote was unanimously in favor of the motion.

Notice of Intent, 315 Church Street, #247-1096

- Applicant: Garry Gazzaniga
- Representative: Mark Farrell, Greenhill Engineering
- Request: Repair of a septic system
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mark Farrell, Greenhill Engineering, presented the project for the repair of a septic system at 315 Church Street. He stated the existing cesspool on the property did not pass Title 5 and will be emptied and filled in. It will be replaced with a 1,500 gallon, 2-compartment septic tank; a 1,000 gallon pump chamber and a leach bed. It is a raised system due to the low water table. Part of the conservation tract that Northborough owns, along with a trail, abuts the rear of the lot. A shed located outside the rear property line was moved into the rear of the property. He noted there is evidence that the wetland areas on the property have been mowed, as well as the area past the rear property line.

Ms. Guldner stated she had a hard time finding the wetland flags. She also noted the pathway to the trail head is wet and mushy. Ms. Kalloch-Getman stated the flags are too far apart to be able to walk the wetland line. In addition, it looks very likely that the wetlands themselves are not correctly flagged.

Mr. Young stated it looks like the closest point of the project to the wetland line is 70 – 80 feet away. Mr. Farrell explained the closest point is 30 feet from the edge of stone to the leach field, and 60+ feet from the edge of the grading. He noted the actual system is the furthest away from the wetland buffer that it can be.

Mr. Beals asked Mr. Farrell if the owners are selling the house. Mr. Farrell stated they are in the process of selling it. There has been a person leasing it for the last couple of years, but they haven't advertised it as being for sale due to the cesspool, which did not pass Title 5. Mr. Beals stated this would be a good time to let them know they have been working past the rear property line and have been mowing in the wetlands. Mr. Farrell noted they have only been mowing and there are some blueberry bushes back there. He suggested they could just let the mowed area go back to its natural state. Mr. Young reiterated they are cutting outside their property line and this is the time to tell them they can't do it. It's not their land.

Ms. Kalloch-Getman asked Mr. Farrell if he checked the soils, and he replied he did some and will give the data to her in writing.

Ms. Guldner suggested they require boundary markers to be placed and that they use the Northborough Conservation Land signs for markers. Mr. Farrell suggested locations at which he would put them and that he would use 4 of the signs to denote the property line.

Mr. Baldelli motioned to grant an Order of Conditions for 315 Church Street, DEP #247-1096, with the conditions that the location of the wetland line be confirmed and the property line is denoted using 4 Northborough Conservation Land signs. Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

Notice of Intent, 6 Mohican Avenue, #247-1095

- Applicant: Christos Mihopoulos
- Representative: Mark Farrell, Greenhill Engineering
- Request: Repair of a septic system
- Jurisdiction: Buffer Zone of a Bordering Vegetated Wetland

Mark Farrell, Greenhill Engineering, presented the project for the repair of a septic system at 6 Mohican Avenue. He explained the Applicant purchased the home in the fall and when the snow melted in the spring, the water table rose and the septic system started backing up into the house. The Applicant bought the home last fall and it had a passing Title 5. The project includes a proposed 1,500 gallon 2-compartment septic tank; a 1,000 gallon

pump chamber and a leach field. The existing septic tank will be emptied, punctured and filled with sand. The project is outside the 50-foot buffer zone and is 60 feet from the wetlands across the street. One tree in the middle of the property has to be removed.

The house sits on a corner lot. A culvert discharges into the back and is listed as a drainage easement on their plans. The drainage easement limits the location in which they could put the septic system. The proposed system is an appropriate size for the 4-bedroom home. The soils are not great, the perc rate is not great, and the property has soils that do not drain well in the spring. Those situations led to the problem the owners had in the spring. Mr. Farrell reviewed the plan with those present, identifying the wetland areas. He noted everything is out of the 100-foot buffer on the property but across the street, it is within the 100-foot buffer.

Ms. Kalloch-Getman stated she had the same problem with this site as she did with the Church Street site. It is a similar situation where the wetlands may have been mowed, and she is not sure the delineation is correct. Mr. Farrell responded there is a nasty overgrowth of white pines and it is hard to move in that area. Ms. Kalloch-Getman stated she would like Mr. Farrell to verify the wetland lines, provide a DEP Bordering Vegetated Wetland Delineation Data Form and she will go to the site and confirm the lines are correct.

Ms. Guldner asked if there are drains in the road and if so, they may need to be covered during construction. Mr. Farrell stated there could be some drains.

Mr. Dufresne stated the erosion controls need to come down around the tanks. Mr. Farrell stated that area is really thick with juniper bushes. Mr. Dufresne asked about the area where the juniper bushes stop. He stated that, on the top, the erosion control barriers go over the property line, and work should not be done on property that is not owned by the Applicants.

Mr. Beals motioned to approve the Order of Conditions for 6 Mohican Avenue, DEP #247-1095, with the conditions that the wetland lines shall be verified and the plan shall reflect the change in the erosion control details. Mr. Baldelli seconded the motion and the vote was unanimously in favor of the motion.

Ms. Kalloch-Getman asked Mr. Farrell to send her a draft PDF of the plans showing the revised locations of the erosion control barriers.

17 Coolidge Circle - Certificate of Compliance

Ms. Kalloch-Getman stated Fred Litchfield, Town Engineer, visited the site while she was on vacation (about 2 weeks ago). He told her his concern was that the grass was not thick enough to stabilize the site. He said it was tall enough, but not thick enough. It was noted that the property owner is responsible for anything done on the property, no matter who does the work. The Applicant will come back to the board in September.

Old/New Business

Mail: A Forestry Cutting Plan for 242 Green Street was received and reviewed. Ms. Kalloch-Getman noted that Forest Cutting Plans do not require the filing of a Notice of Intent or Request for Determination of Applicability. A discussion was held on the Forestry Foundation in relation to cutting trees in wetland areas.

Northborough Wetlands Signs: Ms. Kalloch-Getman will see if she needs to order more signs.

394 Davis Street: Ms. Kalloch-Getman stated Randy Boyle is officially the new owner of the property. She will meet with him next week to walk the site. He is doing some grading and has not stabilized the slope or done any grading in the wetland area.

370 Southwest Cutoff: Ms. Kalloch-Getman stated she has not been contacted by the Applicant to review the erosion control barriers. She will call them tomorrow.

333 SW Cutoff: Ms. Kalloch-Getman stated the site is stable and the building is almost done. They have done as much on the wall as they can up to now. There have been no significant changes in the last 7 weeks.

Newton Street: Ms. Kalloch-Getman explained there was a multi-departmental visit to the site last week at which she was present, as well as the Town Planner, Town Engineer, DPW Director and the Water/Sewer Supervisor. They walked the site with Mr. Ramadan, Developer, and Mr. Colonna, Connorstone Engineering. Most of the discussion was about the stone walls, which is not an issue for the Commission. Ms. Kalloch-Getman stated there was an indication of a small amount of sediment going down the roadway, but no indication of impact to their jurisdictional areas at this point. The erosion controls put down are inadequate in some places. Placing them properly and maintaining them is going to be addressed.. Mr. Ramadan will meet with Ms. Kalloch-Getman Mr. Colonna and Glenn Krevosky next week. They will go through all the orders and the Stormwater Pollution Prevention Plans (SWPPP).

Ms. Guldner stated she does not like the erosion controls. Ms. Kalloch-Getman responded they are not installed correctly. She stated if Mr. Ramadan does not keep the site tight, he will have to hire someone to do it. If there are impacts to areas under their jurisdiction in the process of constructing the road, it's likely to be a mess. It's required under the SWPPP that they receive monitoring reports. Mr. Ramadan will have to put in check dams and is waiting for direction from Mr. Krevosky on that. Mr. Young stated that, with all the documentation involved in the project, there's not a lot left to interpretation.

Church Street Bridge: Ms. Kalloch-Getman stated that a meeting to discuss plans for the Church Street Bridge repair was held. In attendance were herself, the Planning Director, Town Engineer, DPW Director, Fire Chief, Police Chief and representatives of the engineering firm were in attendance.

Otis Street Bridge: Ms. Kalloch-Getman stated work on the bridge is expected to be finished by Labor Day.

The meeting adjourned at 8:45pm

Respectively submitted,

Debbie Grampietro
Administrative Assistant
Planning Department