



**Conservation Commission  
Meeting Minutes  
March 13, 2017**

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

**Others Present:** Kale Kalloch-Getman, Conservation Agent; John Grenier, JM Grenier Associates; Mike Sullivan, Connorstone Engineering; Riley Lund, Goddard Consulting; Michael Ramon, 13 Saddle Hill Road; Todd and Kerrie Yellick, 238 Hudson Street

Chairman Young opened the meeting at 7pm, and Ms. Guldner read the public hearing notices, as follows:

***Notice of Intent 46 Oak Avenue, Map 61, Parcel 2 , DEP file# 247- 1130***

- *Representative: Vito Colonna, Connorstone Engineering*
- *Applicant: John Mshooshian*
- *Request: Installation of Proposed Sewage Disposal System*
- *Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland*

***Notice of Intent 238 Hudson Street, Map 46 , Parcel 21 , DEP file# 247-1131***

- *Representative: Goddard Consulting*
- *Applicant: Todd Yellick*
- *Request: Re-construction of a Single Family Home*
- *Jurisdiction: Riverfront Area, Bordering Land Subject to Flooding*

**Approval of Minutes, January 9, 2017:** Mr. Baldelli motioned to approve the minutes of January 9, 2017. Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

## **Notice of Intent 46 Oak Avenue, Map 61, Parcel 2 , DEP file# 247- 1130**

- Representative: Vito Colonna, Connorstone Engineering
- Applicant: John Mshooshian
- Request: Installation of Proposed Sewage Disposal System
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mike Sullivan, Connorstone Engineering, representing the Applicant, John Mshooshian, presented the project and the proposed plan. He explained there is a three-bedroom home on the site that is serviced by an on-site septic system and a private well. The septic system is in failure and needs to be replaced; and the existing well is also proposed to be replaced. The home on the site will be demolished and a new house will be constructed, along with a new driveway, well, utilities and landscaping. The proposed house and driveway will be located generally in the same location as the existing house and driveway; and the proposed house will be limited to three bedrooms.

The proposed septic system will be located in the front of the property and is not considered new construction by Title 5 regulations. The existing well will be abandoned and a new one will be constructed. Requirements for location of a well are 100 feet from a septic leach field; 50 feet from a roadway; and 100 feet from wetlands. This limits the available location of the new well to the rear of the property, as shown on the plan. The site is in Groundwater Protection Overlay District Areas 2 and 3; and the floodplain follows the bordering vegetated wetland (BVW) line. The 30-foot no-build zone to BVW is located in the middle of Oak Avenue. All of the abutting properties have septic systems and wells.

Mr. Sullivan stated the replacement system has been located in the only practical location on the site that can meet the applicable setbacks to drinking water wells both on-site and on abutting lots. The leach field has maintained a 50-foot separation from the limit of the wetlands. The proposed plan would provide an improvement over the existing conditions by replacing a failing septic system within the buffer zone; and existing impervious surface on the site will be decreased by 400 square-feet. The overall limit of work will disturb approximately 16,000 square feet, with 6,075 square feet within the buffer zone. There will be expansion to the lawn area to the rear of the house, outside the buffer zone. All disturbed surface areas will be stabilized with loam and seed; and temporary erosion controls consisting of straw wattles and silt fence have been placed along the perimeter of work to protect down-gradient resource areas. A silt sack has also been shown within the existing catch basin in Oak Avenue.

Mr. Baldelli asked if flow from a sump pump would be directed to the catch basin, if a sump pump is ever needed. Ms. Kalloch-Getman will check on this.

Mr. Baldelli and Ms. Guldner stated a roof drain would be required in an aquifer zone and drains would help with recharge. Mr. Sullivan replied he will add a roof drain and noted the driveway will be decreased. Mr. Helwig asked where the roof runoff would go and Mr. Baldelli stated it depends on the flow path.

Ms. Guldner asked for conditions to limit fertilizer and to clean up the road nightly. Mr. Sullivan stated Ms. Kalloch-Getman had asked that bales be placed at the base of the stockpiles. Mr. Baldelli asked for a tracking pad.

***Mr. Helwig motioned to issue an Order of Conditions for 46 Oak Street, DEP File #247-1130, for the installation of a proposed new septic system; Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.***

**Notice of Intent 238 Hudson Street, Map 46 , Parcel 21 , DEP file# 247-1131**

- Representative: Goddard Consulting
- Applicant: Todd Yellick
- Request: Re-construction of a Single Family Home
- Jurisdiction: Riverfront Area, Bordering Land Subject to Flooding

Applicants Todd and Kerrie Yellick, and Riley Lund, Goddard Consulting, representing the Applicants, presented the project. Mr. Lund stated there is a temporary green house on the subject property at 238 Hudson Street. The back of the house caught fire. He discussed the removal of the structure along with several trees at the top of the wall along the river.

Mr. Lund stated the Applicants are proposing to raise the shed by 2 feet and possibly move it closer to the road and out of the Bordering Land Subject to Flooding. The greenhouse is temporary; it has flood flaps and they can cut more flaps if necessary. Mr. Lund stated he doesn't know how long it will be there.

Ms. Kalloch-Getman showed an aerial slide of the site. Mr. Lund stated they would put a net underneath the existing structure to catch any material that falls into the river during demolition. Mr. Baldelli asked for a detail and Mr. Lund stated he doesn't have one yet. Mr. Baldelli stated the net should be supported outside of the river. Mr. Dufresne and Mr. Baldelli asked for more information regarding the net. Mr. Young requested that any debris be placed in a dumpster that is kept covered. Mr. Baldelli suggested there be an evaluation of the condition of the wall, prior to construction. Anything that has trees coming out of it may have its integrity compromised. He stated that he doesn't want to hold up the project but wants to know how they would handle the problem. Mr. Lund stated he feels the wall is sturdy enough, but there has been no further review. Mr. Baldelli stated he wants a written evaluation of the wall and a plan for what will happen if there is a problem with it. Mr. Helwig asked if it would be a separate structure and if a structural engineer should look at the wall. Mr. Baldelli suggested the building inspector look at the load-bearing capacity of the wall. Mr. Young suggested a report be submitted, prior to approval of the project, that states the wall won't be a problem.

Mike Roman, 220 Hudson Street, stated he thought the sewer line is behind the property along the river. Mr. Dufresne confirmed it is not located there.

Mr. Young stated the commission needs a drawing of the netting and an evaluation of the wall. Ms. Guldner noted a lot of material has been placed in the 15-foot no disturb area and they should keep it back.

***Mr. Baldelli motioned to continue the public hearing to the meeting on April 8, 2017. Mr. Helwig seconded the motion and the vote was unanimously in favor of the motion.***

Ms. Kalloch-Getman brought up the agricultural activity in the Riverfront Area. Mr. Baldelli stated fertilizer in the river could be a problem. Mr. Tougas stated some fertilizers cannot be used, but some can. Mr. Young stated commercial agriculture within the Riverfront Area is

regulated. Mr. Tougas suggested a Request for Determination of Applicability be filed to review the agriculture. Mr. Lund stated he will submit one.

**Request for Certificate of Compliance, 15 Thayer Street, Map 105 Parcel 38, DEP file# 247-1069**

- Applicant: Timothy Dorian
- Work completed: Removal of tree
- Jurisdiction: Bordering Vegetated Wetland

***Mr. Helwig motioned to issue a Certificate of Compliance for 15 Thayer Street, DEP File 247-1069, as the work has been completed. Mr. Tougas seconded the motion and the vote was unanimously in favor of the motion.***

**Notice of Intent Continued, 111 Otis Street, Map 105 Parcel 49 , DEP file# 247- 1129**

- Applicant: Bob Gleeson, PAMJAM Realty, LLC
- Representative: John Grenier, J.M. Grenier Associates, Inc.
- Request: Install a stormwater management system associated with a parking lot expansion and addition to a commercial/industrial building
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mr. Grenier was present for this continued public hearing. Mr. Young reminded the commission that there was a question of pesticide disposal and Mr. Grenier had stated they are proposing a 1500-gallon oil and water separator to capture any spill. He noted that Mr. Grenier also stated the pesticide storage area inside the building will have its own tight tank.

Mr. Grenier stated the liquid pesticides are in metal containers. Other than that, the plan is the same.

***Mr. Helwig motioned to issue an Order of Conditions for 111 Otis Street, DEP #247-1129. Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.***

**Project Updates**

**1 Lyman Street:** Ms. Kalloch-Getman stated she had received estimates for peer review from Fisk and Garner. After a brief discussion, the members voted unanimously to hire Mr. Garner. It was noted that Mr. Garner shall be allowed to do his work without Scott Goddard's presence. Mr. Young stated Mr. Gow (the Applicant) had sent a letter to Kathy Joubert, who replied to him stating all procedures and policies have been followed properly.

**432 Whitney Street:** Ms. Kalloch-Getman stated Mr. Tougas received a phone call from Santo Anza asking if he had to remove his cows from the property. Mr. Tougas asked Mr. Anza to come to a commission meeting, and Mr. Anza stated he would submit a Notice of Intent once he knows what he is doing.

**0 Green Street:** Mr. Young stated not much is happening with this site. The defendant cannot have anyone on the property, per his attorney. Ms. Kalloch-Getman discussed the DEP's meeting request and Town Council's suggestion that the Commission decline the meeting request.

**20 Allen Street:** Mr. Record stated he wants to do the project and he is going to clean everything up. Mr. Young responded it is more of an eyesore than anything else.

**Discussion of Gypsy Moth and Tick Outreach:** Ms. Kalloch-Getman stated the trees are weakened and it's a good time for outreach. Ms. Guldner stated the Garden Club will have someone coming to talk about tick-borne disease.

**MACC Conference:** Mr. Young stated he learned at the conference that the commission does not need to keep recordings once minutes are approved. Mr. Baldelli stated that in another workshop, it was stated that a member cannot use minutes to review a project, and that an audio tape should be used. He stated that an attorney said that. Mr. Young stated that the commission request an Administrative Warrant to go onto property without consent; and the MACC website has an Administrative Warrant form.

Ms. Guldner noted she went to the Urban Design workshop and stated that Northborough is on a good track with a balance of conservation, agriculture and development.

**Adjournment:** Ms. Guldner motioned to adjourn the meeting, Mr. Baldelli seconded the motion and the vote was unanimously in favor of the motion.

The meeting adjourned at 8:45pm.

Respectfully submitted,

Kale Kalloch-Getman  
Conservation Agent

Debbie Grampietro  
Administrative Assistant  
Conservation/Planning/ZBA