



# TOWN OF NORTHBOROUGH Conservation Commission

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## Conservation Commission Meeting Minutes June 19, 2017

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

**Others Present:** Fred Litchfield, Town Engineer; Amy Poretsky, Planning Board

Chairman Young opened the meeting at 7:00 pm.

### **Approval of Minutes:**

The draft minutes of May 8, 2017 were reviewed. Mr. Baldelli motioned to approve the minutes as amended, Ms. Guldner seconded the motion and the vote was unanimously in favor of the motion.

### **Update on Eagle Scout Candidate, Kevin Tucker's Canoe Launch Project at Ellsworth-McAfee Park:**

Kevin Tucker, Troup 101 Northborough, is working on an Eagle Scout project to build a trail a canoe launch on the Assabet River. It would allow canoe access in the park, along with a great deal of recreational use. It is approximately 300 feet away from the river which appears to have a lot of water depth, is fairly large, and flowing at a good rate. He explained where it would be on a map; key vegetation where the trail would be was labeled. He measured out 15-30 feet from the vernal pool (according to Ms. Kalloch-Getman), but is more like a little pond/stream. Mr. Tucker will organize a group of scouts as well as adult leaders from his troop to help. Brush will be cleared and stone put down near the riverbank to limit erosion. The plan is to begin in July/August and be completed by October 2017. He explained where the path to the Assabet River will be (towards the middle of Westborough and Juniper Hill Golf Course). There is a damn before the Juniper Hill Golf Course property which would be a good place to launch a canoe or kayak. Meadow Road in Westborough, they are planning on creating a canoe access launch in the middle. He thought if one was built in the middle it would allow more access. He spoke with OARS (Organization of Assabet and Sudbury Rivers) and they liked the project. He spoke with Scott Charpentier, DPW Director, about building the trail and what supplies he could use. Mr. Charpentier said a bare ground trail with no mulch would be fine; it is ADA compliant. Mr. Tucker said he was told he would probably have to clear some stumps and vegetation to clear a path. The Police Chief also liked the idea and supports the project. Mr. Tucker was asked what type of stone would be used where the landing is going to be. Mr. Tucker was thinking of mostly using gravel near the river bank. They were going to replicate the launch site behind EMS in Marlborough where they used big crushed stone granite slabs and a stairway to get to the river. They also talked with Bob Mihalek (Northborough Trails Committee Chairman); he thought it was a great idea; One Commissioner suggested to put up some surveyor's ribbon and tie it to some bushes along the way to make the trail visible and was told that was already done with white stakes. There was concern about cutting trees out of the river and if it was feasible or against the regulations. The one tree that was blocking the river has already been cut at the bank. Some of the smaller branches could be cut to be able to get around it. They could contact OARS to see if they have someone who can handle the trees in the proper way. Mr. Tucker was asked if he has any leeway with the location of where the trail goes from the park down to the river. Mr. Tucker said they staked about approximately 35 feet from the pool. Mr. Litchfield said he would follow up with him in a few days, possibly next week. The

Commission will write a letter of support. Mr. Tougas made a motion to support the plan for constructing a path to the Assabet River at the Ellsworth-McAfee Park; Ms. Guldner seconded; all voted in favor; motion approved.

**Abbreviated Notice of Resource Area Delineation continuation, 1 Lyman Street, Map 66, Parcels 9, 10,11, DEP file# 247 – 1112**

- Representative: Scott Goddard, Goddard Consulting
- Applicant: Ian Gow, Mayfare Properties
- Request: Review Wetland Delineation
- Jurisdiction: Bordering Vegetated Wetland

Scott Goddard and Pat Garner were present and reviewed the revised site plan for 1 Lyman Street that shows the flags installed by Mr. Garner. Mr. Garner explained his review of the site was confined to an analysis of the wetland line only, and noted the wetlands on the site are Bordering Vegetated Wetlands. It is the latest approved survey. Mr. Tougas made a motion to approve an Abbreviated Notice of Resource Area Delineation; Mr. Baldelli seconded; all voted in favor; motion approved.

**Abbreviated Notice of Resource Area Delineation, continuation 39 and 43 King Street, Map 82, Parcels 30 and 31, DEP file# 247 – 1135**

- Representative: Scott Goddard, Goddard Consulting
- Applicant: Rashid Shaikh
- Request: Review Wetland Delineation
- Jurisdiction: Bordering Vegetated Wetland

Scott Goddard showed the comparison between the wetland line that was previously utilized for the development site and the revised line. The ANRAD was submitted in order to confirm the wetland line and hold it for three years regardless of what the project is. With the Commission being comfortable with the change and the wetland delineation that will be used for future filings for this property within the three-year period, Mr. Helwig made a motion to approve an Abbreviated Notice of Area Delineation for 39 and 43 King Street; Mr. Baldelli seconded; all voted in favor; motion approved.

**Notice of Intent 160 Rice Avenue, continuation, Map 35, Parcel 53, DEP file# 247 – 1134**

- Representative: Vito Colonna, Connorstone Engineering
- Applicant: James Venincasa, Whitney Street Home Builders, LLC
- Request: Construction of a new single family home and septic system
- Jurisdiction: Riverfront Area, Buffer Zone to a Bordering Vegetated Wetland

Mr. Colonna presented the plans for the project, stating the application is for work associated with a proposed single-family home, driveway and septic system, to be located on a vacant undeveloped 20,281 square-foot lot created in 1974. Portions of the lot were previously cleared and disturbed, however there are no existing structures or impervious surfaces on the site. The proposed limit of work will disturb approximately 19,420 square feet, with 6,900 square feet within the riverfront area, or 89% of the total riverfront area on the site. He noted the disturbances have been kept to the minimum practical required for the construction of a house, septic system and driveway. Across the street is a perennial stream and a bordering vegetated wetland. The house was pushed back to keep it out of riverfront area. They will use the foundation to help with the elevation of the garage. There is high groundwater there. The septic will be pulled back as far as possible. There will be a retaining wall around it. Hay bales and silt fencing will be used along with a barrier across the street per Ms. Kalloch-Getman's comment. Hay bales will be put across the driveway during non-construction hours. Constructing check dams was recommended during construction. There was concern about continuously shedding water onto Rice Ave after the pavement is down. Ms. Guldner suggested possibly putting a berm on the other side so it could be directed towards the pond. If there is a low point at the end of the

driveway and a pooling area in front of the septic system, it might slow down the amount of water coming off onto the street. The septic system is raised but has a retaining wall around it. There is room between the driveway and the wall. The recommendation is to try and get some type of low point at the end of the driveway and a bowl a little lower than that (1'-2') for water to dissipate and it be added to the plan.

Mr. Colonna explained alternatives to the plan included relocation of the septic system to the east side of the property outside the riverfront area. However, parts of these areas contain shallow ledge that would not support the installation of a septic system. Therefore, the only suitable soils found on the site are in the proposed location on the plans. In addition, any alternative alignment for the driveway would increase the disturbance areas within the riverfront area. He noted the driveway alignment shown provides the shortest and most direct route to the house and is located through the narrowest section of the riverfront area. The plans as shown have preserved vegetation to the extent feasible with the limit of work shown. Disturbed areas will be stabilized with loam and seed for final stabilization after construction and an erosion barrier consisting of straw bales and silt fence will be placed along the downgradient limit of work during construction. In addition, silt fence has also been shown on the opposite side of Rice Avenue.

The Conservation Commission asked for the following:

- Raise Retaining Wall 2'
- Install low point in drive
- Install settling pool @ street
- Revised plan to Fred by 6/26/17

Mr. Beals motioned to issue an Order of Conditions for 160 Rice Avenue pending Mr. Litchfield's approval of the final design with the driveway; Mr. Baldelli seconded; all voted in favor; motion approved.

#### **Old Business:**

Lincoln Street School – The signs are permanently affixed to the fencing. Retention Pond 1 seems to be functioning perfectly. Retention Pond 2 is half grown in and still full of water; the plants in the middle are dead; the outside plants are up. Retention Pond 3 looks good but not drained down. They are looking for a Certificate of Compliance. A report was received and reviewed by Mr. Young; it deals with everything required in the Order. Does the Commission feel comfortable with the ponds the way they are? Two years of monitoring a replication area is required and believed to be part of the contract. The Town Administrator is trying to close out the project. The walk-thru has been done. Once the Certificate of Compliance is issued, the funds would be released. Mr. Litchfield will follow up.

Bartlett Pond – One response was received from the RFP. The proposal will be reviewed.

432 Whitney Street – No feedback has been received from Town Counsel or the Town Administrator. Mr. Anza visited the office with another gentlemen who is interested in purchasing the property (who wants to run a landscaping business but keep it in agricultural) looking for the plan Mr. Anza submitted for the driveway. Mr. Litchfield told him to file an NOI. Ms. Guldner said they cleaned up on the opposite side of the street where the ducks, etc. were; it looks like they fixed the fencing. Mr. Anza had indicated to Mr. Litchfield he is interested in selling both sides of the road. He was given a Cease & Desist in December. Mr. Helwig asked why are there trucks going in there regularly then. Ms. Guldner

said trucks are not going in 432 Whitney Street. Mr. Litchfield will follow-up with the Town Administrator.

0 Green Street – No Commission action; it is being handled by the attorneys.

**Request for Certificates of Compliance:**

- 49 Maple Lane, Map 65, Parcel 37, DEP file # 247-1007
- 268 Whitney Street, Map 28, Parcel 53, DEP file # 247-507
- 120 West Main Street, Map 62, Parcel 54, DEP file # 247-1011
- 218 Green Street, Map 21, Parcel 23, DEP file # 247- 726 – Partial Certificate
- 79 Lincoln Street, Map 75, Parcel 40, DEP file # 247-1078 – hold on that one
- 269-273 West Main Street, Map 82, Parcel 17, DEP file # 247-1013

Mr. Litchfield said there was an Order of Conditions issued in 2012 the project at 116 to 142 Ridge Road was never recorded. In order to issue a Certificate of Compliance , the Order needs to be recorded; the original is nowhere to be found. He had a redraft of the Order of Conditions for 116 to 142 Ridge Road. He has an Order of Communications for the Commission to sign as well as the Certificate of Compliance so it can be issued as soon as the recorded Order is returned from the registry of deeds.

Mr. Baldelli said there is a site across from Ridge Road on Maple Street at the intersection. The house that was rebuilt years ago is right on the brook. He contacted the homeowner and asked him to contact the Commission if he hasn't filed for the work. There was equipment in there, the yard was graded and it was filled in right up to the edge of the brook. Mr. Litchfield will follow up with a site visit. A plan will need to be reviewed to see if mitigation is required.

The next meeting will be held July 10, 2017 with Site Visits tentatively scheduled for July 8, 2017.

Mr. Helwig made a motion to adjourn; Mr. Baldelli seconded; all voted in favor; motion approved. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Melanie Rich  
Commission Secretary