

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
April 17, 2014 (Thursday)  
Marlborough City Hall - 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

**Present: Members Present:** John Skarin- Acting Chairman, Lawrence Roy, David Williams, and Dennis Demers.

Also present was: Priscilla Ryder-Conservation Officer

**Absent:** Edward Clancy-Chairman and Allan White

**Approval of Minutes:** The Minutes of April 3, 2014 were reviewed and unanimously approved.

**Public Hearings:**

Request for Determination of Applicability

734 Pleasant St. - Kimberly Pippin

Kimberly Pippin was present. She explained that she wants to install a shed which will be 35' from the edge of the wetlands. The shed will be approximately 10 x14 in size and will be located next to the lawn in an area that is clear. The Commission reviewed the plans and there being no further discussion voted unanimously-4-0 to issue a negative determination with no conditions as the site is flat and not much earth moving is needed.

Request for Determination of Applicability

82 Littlefield Ln. – Darren Rose owner

Robert Parente P.E. for the project was present and represented the owner. He explained that the house was built in the 1980's and is 75' from the adjacent wetlands. They would like to build a deck on the back of the house which is near an existing drainage swale that drains to the wetland. After some discussion about erosion controls and the future need to repair the driveway, the Commission closed the hearing and voted unanimously 4-0 to issue a negative determination with standard conditions

Request for Determination of Applicability

11 Bouffard Dr. - Diane Dudek

Stephen Detwiller, the contractor, was present and represented the owner, Diane Dudek. He proposed to install 180 sq. ft. of patio pavers in the existing back yard of this house which is next to a wetland. The closest point is 35' from the wetland. No clearing or work outside the existing yard is proposed. They will need to bring in 7-8" of fill to level out the yard. The pavers will be as pervious as the grass is so the infiltration will be the same. They will strip the loam and use it to grade and level the rest of the yard. All disturbed areas not covered with pavers will be loamed and seeded. After some discussion about the adjacent vernal pool and the construction methods to be used, the

Commission closed the hearing and voted unanimously 4-0 to issue a negative determination with standard conditions.

#### Request for Determination of Applicability

173 Lakeshore Dr. - William Brady, Jr.

William Brady, Jr. was present and explained that they want to replace the deck and stairs at this property. They will need to add some additional supports and will be digging holes for sonotubes. The deck will be flush with the room below. He showed the Commission some structural plans and the supports needed. He has been working with the building department to make sure it meets code and is safe. The Commission asked that all excess soil be removed from the site. The hearing was closed. The Commission voted unanimously 4-0 to issue a negative determination with standard conditions.

#### Notice of Intent

64 Western view Dr. – Patrick Dunn

Patrick Dunn was present and explained that he wants to replace an existing house, deck and stairs to the water's edge next to Ft. Meadow Reservoir. The house has already been demolished and he will be reinforcing the existing foundation before he rebuilds the house. Some excavation around the foundation will be needed to make some repairs. He will be adding a large deck and replacing the stairs that lead to the water and a small landing next to the water's edge. He also noted that he would like to install a removable dock in the future. The dock will be 20' from the wetland at the closest point and is located on the back slope and will be installed on sonotubes. The dock will be 4'x20' and will be removable.

An abutter Laura Davis said she was eager to see some improvements to this property, but has been concerned about the management of the site. After some discussion about the lot and steep slopes and care needed to protect the wetlands, the Commission closed the hearing and voted unanimously 4-0 to issue an Order of Conditions with standard conditions.

#### Notice of Resource Area Delineation

Hudson St. (Map 30, Parcel 20 and Map 43, Parcel 86C) - Christopher of Sage Investors, Inc Atty. Sandra Austin, Tom Dipersio – Engineer, and Dave Crossman, wetland consultant were all present.

Mr. Dipersio explained that Dave Crossman flagged the wetland associated with the intermittent stream that runs through this property which are shown on the plans. Ms. Ryder indicated that she had checked the fags and recommended the following changes. Move flags #8 & 9 upland 10 feet, remove flag #14 and connect flag #13 with #15. There were a few other flags missing, but their approximate location in the field look correct. Mr. John Lally of 281 Hudson St. asked how different this was from the

previous plans. Mr. Dipersio indicated it was almost the same. After some discussion, the Commission voted unanimously 4-0 to accept the delineation as amended above.

**Notice of Intent (Continuation)**

397 Bolton Street - The Marlborough Community Development Authority

At the applicants' request, this item was continued to the May 1, 2014 meeting.

**Draft Order of Conditions:**

- 93 Framingham Rd. – Draft Order of Conditions - the Commission reviewed a set of draft conditions and discussed some minor changes to the conditions. The Commission voted unanimously 4-0 to accept the conditions as written and amended.

**Certificates of Compliance:**

- 212-860 & 212-979 929 Boston Post Rd East – Full Certificate. The Commission reviewed both these orders and Ms. Ryder acknowledged that all conditions had been met. The Commission voted unanimously 4-0 to issue a full Certificate of Compliance for both DEP 212-860 and DEP 212-979.
- DEP 212-787 615 Berlin Rd. subdivision drainage - This project has been completed for some time, but the detention basin is across the street on Berlin Rd. and was never released. As-built plan and all conditions have been met per Ms. Ryder's site visit. The Commission voted 4-0 unanimously to issue a full Certificate of Compliance.

**Discussion:**

Project updates: Ms. Ryder noted the following update:

- Avalon Bay Ratify – Violation letters to Avalon Bay Communities, Inc., dated April 7, 2014 and April 11, 2014 RE: Joint violation notice – Avalon Marlborough - Simarano Dr. Wetland Violations DEP 212-1115; Storm Water Ordinance violations – Fines \$200.

The Commission reviewed the violation notices and voted unanimously to ratify the violation notices.

- Mauro Farm on Cook Lane seems to be under control, but worth monitoring if it rains hard.
- Ames St. – the replication area for the wetland violation will be constructed next week. Ms. Ryder will be away, but several members asked to be called to do the inspection when it is being installed.

**Correspondence/Other Business:** The following correspondence was reviewed and the Commission voted to accept and place on file:

- Letter from AMEC Environmental and Infrastructure, Inc., dated March 27, 2014 RE: 2014 Yearly Operational Plan for Right of Way Management, CSX Transportation, Inc.

- Letter from MassDOT, dated March 28, 2014 RE: Proposed herbicide applications along the state's highway right of ways.

**Meetings:** Next Conservation Commission meetings: May 1<sup>st</sup> and May 15<sup>th</sup>, 2014 (Thursdays).

**Adjournment:** There being no further business, the meeting was adjourned at 8:12 PM

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Priscilla Ryder", with a long horizontal flourish extending to the right.

Priscilla Ryder  
Conservation Officer