

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, JANUARY 4, 2007
TOWN HOUSE 2nd FLOOR MEETING ROOM
MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, January 4, 2007 at 7:30 p.m. at the Town House 2nd floor meeting room.

Members present were: Rhonda Russian, Richard Upjohn, Mark Possemato, Louis Bartolini, Ann Leavitt and Phil Bevins.

Absent was: Chairman John Leeds.

The meeting commenced at 7:30 p.m. with Rhonda Russian acting as chairperson.

CONTINUED NOTICE OF INTENT – 5 PRENTISS STREET, ASSESSORS MAP 2, LOT 78:

Ms. Russian opened the hearing at 7:55 p.m. Representing applicants James and Cynthia Moore was Mark Farrell of Green Hill Engineering. Mr. Farrell described the proposal to repair an existing septic system. He stated there is a stream behind the house, and the septic system will be moved nearer to the street. Mr. Farrell is scheduled to appear before the Board of Health for approval on January 17, 2007. He stated the old system will be abandoned in place after being pumped out and drained. Since the driveway will be on top of the septic system, Mr. Farrell stated heavy duty pipe will be used to protect the system during paving and parking. The hearing was continued to 1/25/07 pending Board of Health approval.

CONTINUED NOTICE OF INTENT – 2 WOODLAND ROAD, ASSESSORS MAP 38, LOT 12:

Ms. Russian opened the hearing at 8:13 p.m. Present for the hearing was applicant Al Peel, property owner Robert Heavey, and engineer Joe Hanlon. Mr. Hanlon stated that two variances were being requested: 1) to place the drainage pipe within the 20' No Disturb Zone and 2) to seek relief from the 2:1 wetland replication requirement, and distributed a letter formally requesting these variances in addition to revised plans. Mr. Hanlon stated he felt the proposed improvements would be adequate to mitigate the stormwater concerns.

Ms. Russian referenced a letter written by Board of Health Agent Paul Pisinski regarding the status of the tight tank installation, and asked Mr. Heavey whether the new wetland delineation had been completed. Mr. Hanlon stated he had been in contact with Mr. Heavey's engineering firm (Connorstone) who informed him that the flagging was done but the report was not yet issued. The Commission inquired about erosion protection along Woodland Road, to which Mr. Hanlon replied that riprap will be installed to stabilize erosion, while haybales will be used only for the pipe/trench installation. He stated the existing haybales on the site are from previous Orders of Conditions, and are not for this proposal. The Commission asked when the new wetland delineation report would be available for distribution. Mr. Heavey said he expected to have it by now and will follow up with Sanford Ecological. Ms. Russian stated the Commission can not make a decision on the project until all of the information is before them.

Ed Estella of 21 Woodland Road expressed frustration at the ongoing septic delays and asked that the Commission set a deadline and not allow any further work. Mr. Estella also complained that machinery was still sitting in the buffer zone, stone has recently been spread and the tank was left open and exposed for three weeks. Mr. Heavey countered that a lot of progress has been made this year on the property, issues are now being addressed and the new wetland delineation has been done. Mr.

Heavey stated that Mr. Estella's comments were inaccurate and inflammatory. Ms. Russian stated the septic systems were virtually completed, and the Commission's primary interest is the wetlands; past enforcement orders are still on the table. The hearing was continued to 1/25/07.

CONTINUED NOTICE OF INTENT – 170 WOODLAND ROAD, ASSESSORS MAP 9, LOT 110:

The hearing was continued to 1/25/07 at the written request of the applicant.

CONTINUED NOTICE OF INTENT – 185-191 MILL STREET, MARLBORO, ASSESSORS MAP 91, LOT 6 (SOUTHBOROUGH) AND ASSESSORS MAP 104, LOT 31 (MARLBORO):

The hearing was continued to 1/25/07 at the written request of the applicant.

NOTICE OF INTENT – 20 LEARNED STREET, ASSESSORS MAP 47, LOT 54:

Ms. Russian opened the hearing at 8:40 p.m. Present for the hearing was applicant Matt Jackson and his environmental engineer, Robert Murphy. Mr. Murphy described the proposal to demolish the existing house, construct a new house, septic and driveway. The wetlands have been flagged. There are no wetlands on the site; they are across the street on private land with an intermittent stream flowing through. Mr. Murphy said the scope of work proposed within the 100' buffer zone includes the driveway, grading, landscaping and house construction. The entire septic system is outside of the buffer zone, and the existing cesspool will be removed completely. Mr. Murphy stated he does not foresee any erosion problems as Learned Street is crowned. Mr. Murphy suggests installing haybales along the property line. Ms. Russian read a statement from the Board of Health on the status of the septic application into the record. It has not yet been approved.

The Commission indicated that no stakes were visible on the site to indicate the house corners, septic system or center line of driveway. The Commission asked about the number of trees proposed for removal for the septic system and were informed by Mr. Jackson that about 3 trees (pines/spruce) will be removed. The Commission expressed concerns about the steep slope of the site, and the potential for mud to run into the stream and onto the street from construction vehicles. The Commission wants to see an erosion control plan developed that includes crushed stone pads, haybales placed on both sides of the street, etc. The Commission said that the entire site will be disturbed by the excavation and runoff will need to be controlled. Mr. Jackson stated he will ask the landowner across the street for permission to install haybales on their property. Ms. Russian informed the applicant to stake the site and prepare revised plans that include erosion control. Ed Estella of 21 Woodland Road suggested adding filter fabric underneath the crushed stone pads. The hearing was continued to 1/25/07.

NOTICE OF INTENT – 244 BOSTON ROAD (LOT A), ASSESSORS MAP 48, LOT 18:

Ms. Russian opened the hearing at 8:55 p.m. Present for the hearing was applicant Matt Jackson and his environmental engineer, Robert Murphy. Mr. Murphy described the wetlands on the site, stating that several resource areas are present: intermittent stream, bordering vegetated wetland, 100 year flood plain. Mr. Murphy stated that he is proposing to use a new type of septic system design called Presby, which consists of a large (12") pipe with a polymer fabric. Ms. Russian read a statement from the Board of Health on the status of the septic application into the record. The applicant is seeking a variance from the Title V code and is scheduled to appear before the Board of Health on January 17, 2007.

Mr. Murphy said the house and driveway are proposed to be constructed within the buffer zone, no work is proposed in the flood zone, and a minimum 25' setback to the limit of work will be provided. He also stated the stream on the property is tributary to the Sudbury and Foss Reservoirs, and he prepared a report for the Board of Health showing a large amount of industrial pollutants going into the reservoir. Mr. Upjohn said that except for the wetland flags, there were no stakes on the site for the

proposed house, septic or driveway, and the haybale line needs to be moved to at least the 20' No Touch Zone. Mr. Upjohn indicated that his impression of the site was it was nearly all wet and may be all flood plain, and questioned the stream delineation and if the lot was even buildable. The Commission expressed trouble in reading the grading elevations on the plans, and that the site is so compressed it will be difficult to work on. Mr. Murphy replied that USGS and StreamStats were reviewed, and by observation, the stream does not display riverine characteristics as it is not supporting aquatic life. He said there is a lot of drainage from roads, parking lots, rooftops, storm drains all draining into the stream and the quality of water is poor. Mr. Murphy has been observing the stream and its characteristics for 2 years. The Commission asked Mr. Murphy to substantiate his claims in writing, and to share the report he wrote for the Board of Health. The Commission asked for revised plans with the haybale line moved as discussed, and to include the amount of fill to be brought onto the site. The hearing was continued to 1/25/07.

Other Business:

1. **Update on 88 & 90 Turnpike Road Septic Installations:** JoAnn Teachout of Connorstone Engineering was unable to attend.
2. **16 & 18 Mount Vickery Road:** A discussion was held with abutter John Gulbankian of 15 Mount Vickery Road, property owner Donald Croatti, and excavator Casey Collins to respond to allegations by Mr. Gulbankian of wetland violations on the work site. Mr. Gulbankian showed photos he had taken and described his concerns about runoff, lack of sufficient haybales, damaged haybales, and water and mud on roadway. Mr. Gulbankian asked the Commission to take action to prevent further violations.

The Commission agreed there was a lot of water and mud entering onto the roadway, and vehicles were carrying mud from the site and from puddles in front of the site onto the roadway. The Commission agreed that water must be removed from the roadway to stop this from occurring. Mr. Collins said he was in discussions with the Department of Public Works to find a solution to the street issues and on using crushed stone to alleviate the problem. The Commission asked that haybales be installed at the entrances before leaving the work site on a daily basis to prevent water coming through the driveway cuts, and that a second layer of haybales on top of the first layer needs to be added prior to grading the front yard to prevent additional erosion since the dirt is higher than the haybales. The Commission asked whether the silt bags in the storm drains were being changed, and were informed they are checked every few days and have not been filled yet. Commissioners stated they witnessed no signs of silt entering the wetlands on Mr. Gulbankian's side of the street.

Mr. Croatti explained that the Order of Conditions is being followed and he has rapidly complied with the Commission's requests to install the silt bags in the drains and the additional stones at the driveways. He stated the unseasonable weather has created some of the site problems - freezing then thawing has caused unexpected runoff. He agreed to move the dumpsters so his workers can park off of the street. Ms. Collins stated that the final grading should be done in the next day or so. The Commission commended the property owner on responding to the initial concerns, and explained that sometimes as development progresses, unanticipated situations, not included in the engineering plans, arise that need to be addressed. This is one of those situations.

The Commission asked Mr. Collins to follow up with Ms. Rosenblum next week on the status of the issues discussed, and requested a written statement be submitted on same. A site visit

was scheduled for the following day with Mr. Collins, Mr. Gulbankian and Commissioner Bartolini to review the issues in the field.

3. **Meeting Minutes:**

- a. The minutes of 11/2/06 were reviewed. Upon motion by Mr. Upjohn and seconded by Ms. Russian, the Commission voted (4-0-2 with Mr. Bartolini and Ms. Leavitt abstaining) to accept the minutes as amended.
- b. The minutes of 11/30/06 were reviewed. Upon motion by Mr. Upjohn and seconded by Ms. Russian, the Commission voted (4-0-2 with Mr. Bartolini and Ms. Leavitt abstaining) to accept the minutes as amended.

4. **Wetland Fines:** Ms. Rosenblum informed the Commission that the wetland fine imposed on 122 Southville Road had been paid in full by A & M Realty.

5. **136 Marlboro Road:** The Commission agreed to send a letter to the property owner inquiring why work had not been started on the site, and setting a one week deadline for work to begin before forwarding the matter to Town Counsel.

Upon motion by Mr. Upjohn, seconded by Ms. Leavitt, the Commission voted (6-0) to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

Beth Rosenblum
Conservation Administrator