



# TOWN OF NORTHBOROUGH Conservation Commission

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## Conservation Commission

### Meeting Minutes

August 13, 2018

APPROVED  
9/10/2018

**Members Present:** Greg Young (Chairman), Wayne Baldelli, Diane Guldner, Tom Beals, Justin Dufresne, Todd Helwig

**Members Absent:** None

**Others Present:** Mia McDonald (Conservation Agent), see attached Sign-In Sheet

The Chair opened the meeting at 7:02 p.m. and made an announcement that the meeting is being recorded and to mute cell phones.

Ms. Guldner read into record the hearing notice for the Abbreviated Notice of Resource Area Delineation application for 85 & 95 West Street (confirmation of resource areas only), Request for Determination of Applicability application for 34 Dennis Circle (septic repair), and Notice of Intent applications for Cedar Hill Street & Bartlett Street Right-of-Way (road widening and intersection improvements) and 383 Whitney Street (septic repair).

Approval of Minutes – Mr. Baldelli made a motion to approve the Meeting Minutes dated July 9, 2018; Mr. Dufresne seconded; Mr. Young, Mr. Baldelli, Ms. Guldner, Mr. Beals & Mr. Dufresne voted in favor; Mr. Helwig abstained; motion approved.

Mia McDonald was welcomed back as the full-time Conservation Agent.

#### Notice of Intent (continued) – 0 Bartlett Street; Map 51, Parcel 3 (DEP #247-1144)

Applicant: Northborough Land Realty Trust  
Request: Proposed 167,400 s.f. warehouse/distribution center  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

The applicant has not yet received a response from the Natural Heritage Endangered Species Program. Mr. Helwig made a motion to continue the hearing to September 10, 2018; Mr. Dufresne seconded; all voted in favor; motion approved.

#### Notice of Intent (continued) – 156 Pleasant Street; Map 56, Parcel 65 (DEP #247-1149)

Applicant: 156 Pleasant Street, LLC  
Request: Construct two single-family homes  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Andrew Liston (Thompson-Liston Associates) was in attendance representing Mr. Venincasa, who was also in attendance. A revised plan was presented with the only change to the plan was moving wetland flag #15 out five feet which was recommended by the Conservation Agent (Mia McDonald). As requested at the last meeting: the flag numbering was corrected, the 1 ½:1 slope is now a 2:1 slope, the location of the house was staked, and the driveway was pulled back. Damage to the roadway is a Planning Board issue.

Karen Feeley (136 Pleasant Street) asked why the Commission is allowing work within the 100' buffer zone. Mr. Young explained that from the wetland boundary to 15', no work can take place; 15'-30' is a no-build area; and 30'-100' is what is jurisdictional to the Commission (activities are allowed with conditions). Ms. Feeley asked about the wildlife habitat. Ms. McDonald explained that there are no endangered species according to the NHESP maps. NHESP's mapping of Northborough is believed to be as recent as 2016.

John McKinley (141 Pleasant Street) asked if the Commission could deny the construction. Mr. Baldelli said the developers are aware of the regulations before they apply for a project. He further commented that Northborough's regulations are stricter than the state's regulations. Mr. McKinley said the neighbors are concerned with the farm house being torn down. Mr. Venincasa said he is working with the Historical Commission.

Ms. Feeley asked if there was any concern about runoff going into the pond from fertilizers, pesticides, etc. The closest house to the pond is approximately 45'. Ms. Guldner said there is an Order of Conditions for each project stating what can and cannot be done. The Commission can caution the use of fertilizers and pesticides on their property but cannot stop them; there are rules and regulations that builders must follow. Mr. Young said that when the slope is stabilized, the water will sink down in a natural filter process, not run directly into the pond. Mr. Young further stated that the Commission's challenge is to strike a balance between the environmental concerns vs. someone's right to develop a piece of property and find a mitigation in the middle. Mr. Dufresne feels that has been done by having them pull the driveway further away from the wetlands and changing the slope. Kelley Marston (159 Pleasant Street) asked what the plan is for snow and ice because the deicer and sand will run towards the wetlands; she asked about possibly installing a berm. Mr. Liston said the driveways are graded toward the street; the Commission could condition the slight increase in the grade on the wetland side of the driveway. He further said the houses both have two drywells and roof runoff which is a direct injection as opposed to percolating; as designed, post development runoff shall be less than pre-development conditions, i.e.: will be a reduced amount of water flowing across the lawns.

Ryan Edmonds (155 Pleasant Street) asked how the water runoff from the public roadway would be handled. Ms. McDonald said the applicant's responsibility is the existing flow pattern has to be maintained and post-development has to be equal to or lesser than pre-development. They have done that. They have gone above and beyond with the additional infiltration adding the roof run off and drywells. Ms. Marston asked if there will be permanent signage. The Commission can condition it. Mr. Liston recommended signage be required within the limits of work along the 15-foot buffer, with approximately four signs needed.

All issues having been addressed, Mr. Beals made a motion to close the public hearing; Ms. Guldner seconded; all voted in favor; motion approved. Mr. Beals made a motion to issue an Order of Conditions for 156 Pleasant Street, Map 56, Parcel 65 with conditions restricting the use of fertilizers and pesticides, the driveway is pitched away from the wetlands as drawn on the plan, and permanent markers are along the 15' no-disturb on the developed portion of the site; Ms. Guldner seconded; Mr. Young, Mr. Baldelli, Ms. Guldner, Mr. Beals & Mr. Dufrense voted in favor; Mr. Helwig abstained; motion approved.

Abbreviated Notice of Resource Area Delineation – 85 & 95 West Street; Map 57, Parcels 34 & 35 (DEP #247-1150)

Applicant: Michael Casaceli  
Request: Confirmation of resource areas only  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Brian Waterman (Waterman Design Group) was present. The site is at the corner of Cherry Street with frontage on West Street; there is a total of 17 acres. 85 West Street has an existing two-story dwelling with a shed; 95 West Street is undeveloped with woods in the back. Three different resource areas were delineated. The first was located at the wet meadow at the corner of West Street/Cherry Street. It has a culvert connection under Cherry Street and flows off to the southwest. There is a small isolated pocket at the corner of the driveway that is jurisdictional. There is a large wetlands system associated with the pond off to the north. The pond is approximately 16,000 square feet surface area. There is an outlet control structure that will flow through the culvert under West Street and off to the northwest. He explained the 100-year flood elevations. Mr. Waterman said they are looking for confirmation for future planning. Mr. Baldelli asked when the pond empties out under onto West Street if it connected with any other wetland. Mr. Waterman said it goes to a wetland on the other side and eventually flows down to Cold Harbor (250' NW of the road). The Commission agreed the delineation was precise. Mr. Dufresne asked if the flood zone had an elevation associated with it. Mr. Waterman said around the pond the elevation is 321.3-321.4; around the meadow area is 318.7-318.8. Mr. Baldelli made a motion to close the public hearing and issue an Order of Resource Area Delineation for 85 & 95 West Street; Mr. Helwig seconded; all voted in favor; motion approved.

Request for Determination of Applicability – 34 Dennis Circle; Map 56, Parcel 26

Applicant: Michael Miles  
Request: Repair of septic system  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Mike Sullivan (Connorstone Engineering) was present. The property is one-half acre, level in the front, slopes to the BVW in the rear. The existing grade in the front will be maintained. Erosion controls are proposed on the side of the house. It is the only opening to get to the wetlands. The property in its entirety is in the 100' buffer; they will maintain a 77' offset to BVW. It has received approval from the Board of Health. Mr. Baldelli asked how the construction vehicles will enter the site. Mr. Sullivan thought it would be from the street. Mr. Baldelli would like to maintain one construction entrance. The street must be swept daily. Mr. Helwig made a motion to close the public hearing; Mr. Dufresne seconded; all voted in favor; motion approved. Mr. Helwig made a motion to issue a Negative Determination with the condition that the street be swept daily; Ms. Guldner seconded; all voted in favor; motion approved.

Notice of Intent – Cedar Hill Street & Bartlett Street Right-of-Way (DEP #247-1152)

Applicant: The Gutierrez Company  
Request: Road widening and intersection improvements  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Tori Brown and Margot Schoenfelder (VHB) were present. Mr. Dufresne recused himself from the matter. Ms. Brown said the road widening and intersection improvements will include 750 linear feet of Bartlett Street and approximately 250 linear feet of Cedar Hill Street. She explained the six resource areas that were delineated on the plan. The roadway widening will increase 1,540 square feet of impervious cover. The intersection improvements will be approximately 1,050 square feet of impervious area. The project includes an additional lane, concrete islands, and striping plans. Ms. Schoenfelder (VHB Transportation Engineer) said there will be two stop signs and a "stop ahead" in advance. Mr. Baldelli asked if there would be any accommodations for pedestrian and bicycle use since it is a heavily used area at noon time. Ms. Schoenfelder said considering there were no existing accommodations, the town engineer did not request it, and given that the truck traffic in the area is increasing, they did not want to promote pedestrian travel. Mr. Baldelli said pedestrian traffic exists anyway with the aqueduct

trail there. Ms. Schoenfelder said they are upgrading the existing crosswalk to ADA standards regarding the width and traffic signage alerting people of the upcoming crosswalk.

Regarding stormwater, she explained the area where they are widening the pavement. The existing ground is a hill which drains into the roadway. There is a headwall that is close to the edge of the proposed edge of pavement (10'). They are proposing a manhole so that it can intercept the pipe without affecting the headwall. They are also proposing a stone filter trench on the side of the right turn lane. Mr. Baldelli asked what facilitated the project. She said the Guterrez Company developed the Fed-Ex site which increased the truck traffic and the town requested intersection improvements. Mr. Baldelli felt they should go up Cedar Hill Street where there is a real problem with drainage; the drainage is very poor and the project should extend up further and do it right. Ms. Schoenfelder said those were the improvements the town engineer requested and what their client agreed to. Mr. Helwig said making the world safe for truck traffic seemed like bad planning and did not sit well with him.

Ms. McDonald said the improvements are required by the Planning Board and the applicants are only held to the Planning Board's Decision. Mr. Litchfield told her he and the DPW Director reviewed it and had no comments. They will review it fully for the town's specifications as part of the road opening permit application process. The initial plan met with what the Planning Board is seeking. Mr. Baldelli said that there is a safety issue because people walk there at noon time and there is no place to walk, and it is compounded with puddling in the roadway and the destroyed pavement issue because of the puddling in the roadway. If they were requested to make the upgrades for the street, let's get it upgraded.

Ms. Guldner asked what the next step would be to take to alleviate the problems. Mr. Beals said it is not a Conservation issue. Mr. Baldelli said it is a drainage issue. It may not be a conservation issue, but they are not utilizing the detention pond because it's puddling up in the street and not making its way to the detention pond.

Ms. McDonald read the requirements of the Planning Board's Site Plan Approval Decision, which does not require any improvements along Cedar Hill Street. Mr. Young said the Commission's options tonight are to vote to either pass it or not or vote to continue it (but need some substance as to why).

Mr. Baldelli said it does meet the criteria as far as Commission issues, but he was concerned as to why it wasn't extended properly to do the roadway improvements (which are not jurisdictional to the Commission). He said we need to bring the concerns up with the Planning Board. Mr. Helwig said they don't want to encourage non-truck traffic in a place where there is clearly non-truck traffic. It is reminiscent of Newton Street where they tore up street for the sake of vehicle traffic at the expense of everything else. Ms. McDonald asked if the members felt that the proposed work met the Planning Board's decision and would alter the wetlands in any way. Mr. Young asked about the erosion control measures. Ms. Brown said they propose erosion controls (silt sacks) on the south side of the road. They did receive comments from the DEP today that additional erosion controls be added on the northern side; they will add compost filter tubes.

Mr. Beals asked why there is no catch basin to keep sediment from the wetlands with the new lane being added. The new lane is proposed to be riprap infiltration along the whole side; there are two resource areas along the road. Ms. Schoenfelder said currently it is sheet flowing; they chose to keep the country drainage. Mr. Beals said when it is full, there is no way to clean it; if there are catch basins, they will be cleaned. The street is being put right at the edge of the wetland and nothing being done to protect it; it is the lowest point in the area. Gene Crouch (VHB) said right now it is country drainage. If they put in catch basins it would need an outlet, creating a new point source discharge. He said the

ground on the north side is higher than the south side and it may be too low to outlet, and a new point source could cause erosion and channelization at the bottom of the slope. The stone swale would function like a level spreader even though it fills up with sand, it will be spread out more to avoid causing erosion control issues. Mr. Beals said if we are making those improvements, should we be considering something else. Mr. Baldelli would like to see it continued and looked into further to see if they could tie in across the street, whether the elevations are amenable to that. There is an existing system that all the water from the street goes to right now. The Commission has concerns that the proposed drainage may still alter the resource area and are looking for additional measures to protect the resources area post-construction long term. Mr. Helwig made a motion continue the hearing to September 10<sup>th</sup>; Mr. Baldelli seconded; all voted in favor; Mr. Dufresne abstained; motion approved.

Notice of Intent – 383 Whitney Street; Map 19, Parcel 59 (DEP #247-1151)

Applicant: Cristina Singer  
Request: Repair of septic system  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Angela Panaccione (Conservation Agent for the Town of Palmer and on the Board of Directors MSMCP) filled in for Mark Farrell (Greenhill Engineering) who was unable to attend. The project is a proposed septic system replacement. Work will be in the same location. Stockpiling will be on the lawn area between the system and driveway. The wetlands were flagged approximately three weeks ago. They have the 50' no-disturb; no trees will be removed. There is an inlet with a drain from the driveway that was crushed during the perc tests that will be replaced. The limit of work is 88' away from the BVW; the septic system is exactly 100' away. Erosion and sediment controls (straw wattles) and excavating will occur within the 100' buffer zone. Silt fence will be required in addition to the straw wattles. Mr. Young said the erosion and sediment controls need to be secured (put in tight) because of the slope in the back. Mr. Helwig made a motion to close the public hearing; Mr. Dufresne seconded; all voted in favor; motion approved. Mr. Helwig made a motion to issue an Order of Conditions for 383 Whitney Street pending Board of Health approval; Mr. Beals seconded; all voted in favor; motion approved.

**Other Business**

**Request for Certificates of Compliance:**

76 Lincoln Street; Map 75, Parcel 40; DEP File # 247-1078 (hold) – Ms. McDonald said it is draining well. Possibly wait another growing season before issuing a Certificate of Compliance. A new statement from the engineer will be required as to what they did between the old statement and now.

376 Crawford Street; Map 42, Parcel 28; DEP File #247-860 – Pool constructed as proposed; no violations. Mr. Helwig made a motion to issue a Certificate of Compliance for 376 Crawford Street; Mr. Beals seconded; all voted in favor; motion approved.

5 Cyrus Way; Map 82, Parcel 117; DEP File #247-971 (Partial) – There was a request to continue (issues with the maintenance of the detention basins).

**Request for Extension:** 261 Main Street; Map 47, Parcel 2; DEP File #247-1094 – Work has not yet begun; waiting for tenant. Mr. Helwig made a motion to grant a one-year extension; Mr. Baldelli seconded; all voted in favor; motion approved.

**Other Business As May Legally Come Before the Commission**

Board Calendar: October and November Meeting Dates – The members agreed to change the October meeting to October 15<sup>th</sup> and the November meeting to November 19<sup>th</sup>.

Mr. Dufresne reported that the Master Plan Committee held an internal meeting and discussed how to approach more residents. Suggestions made included outreach at the Applefest and various clubs in town. Another internal meeting will be held the 2<sup>nd</sup> week of September followed by a public meeting the 3<sup>rd</sup> week. It is progressing well.

Mr. Baldelli asked about Ridge Road, Maple Street, Arthur Butt (83 Maple Street). Ms. McDonald will follow-up.

Mr. Young will be interviewing potential candidates for the Conservation vacancy.

Conservation Agent Report – Ms. McDonald asked the Commission to authorize her as Agent of the Commission to sign emergency certifications, issue fines, etc. Mr. Helwig made a motion to authorize Mia McDonald to act as the Conservation; Mr. Baldelli seconded; all voted in favor; motion approved.

Fred Litchfield and Scott Charpentier will be attending next month to discuss stormwater to meet Phase 2 of the Town's Stormwater Permit.

Ms. McDonald is working on website updates, specifically the NOI Checklist. If members have any changes they would like incorporated, they were asked to forward them to her.

Ms. McDonald questioned whether the bylaws support isolated wetlands; they do not. Mr. Young said the bylaws should be addressed and updated. He, along with Mr. Baldelli and Ms. Guldner will work on them.

Ms. McDonald discussed the points of order for the meeting.

The next meeting was confirmed for September 10, 2018.

Ms. Guldner made a motion to adjourn; Mr. Dufresne seconded; all voted in favor; motion approved. The meeting was adjourned at 9:06 p.m.

Respectfully submitted,

Melanie Rich  
Commission Secretary