



TOWN OF NORTHBOROUGH Conservation Commission

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APPROVED
4/9/2018

Conservation Commission

Meeting Minutes

March 12, 2018

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

Members Absent: Tom Beals, Maurice Tougas

Others Present: Fred Litchfield (Town Engineer), see attached Sign-In Sheet

The Chair opened the meeting at 7:05 p.m. and made an announcement that the meeting is being recorded and also to mute cell phones.

Ms. Guldner read into record the hearing notices for the Notice of Intent application for 8 Winter Street (septic system replacement) and Request for Determination of Applicability application for 404 Howard Street (replace existing accessory structure).

Approval of Minutes – Mr. Baldelli made a motion to approve the Meeting Minutes dated February 12, 2018 with changes noted; Mr. Helwig seconded; all voted in favor; motion approved.

Continued Notice of Intent Application (39 & 43 King Street; Map 82, Parcels 30 & 31) – DEP #247-1141:

Applicant: Rashid Shaikh

Request: Proposed construction of a 66-bed assisted living facility

Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Mr. Shaikh was present to give the board an update from the ZBA meeting he attended. He said he spoke with structural engineers and landscapers to find how others handle a 1:1 slope and erosion control. He emailed Mr. Litchfield information about structural products, applications and companies. They guarantee no erosion; there are different products for different types of applications. He intends to hire a company that will custom design the structure. A curb cut on 38 King Street for better sight distance was discussed with the ZBA. Mr. Young asked about the septic system. Mr. Shaikh said the septic is similar to the plan that was approved by the Board of Health last year. Mr. Young noted the concerns from the last meeting were the (1) the roof drainage, (2) walking area inside the 30' no-build, and (3) the 1:1 slope. He could not find any 1:1 slopes that went into an active wetland. Mr. Litchfield said he would like to see what Mr. Shaikh plans to propose and he will do his research and make his recommendations to the Commission. In terms of the driveway, he would like to see the location of the building and how will it enter onto King Street. Information from a structural engineer will be required. Mr. Litchfield said it was his understanding from the ZBA meeting and his review of the plans, that there is still no room to move the building forward to obtain a 2:1 slope. Mr. Shaikh talked about abandoning a portion of the 38 King Street parcel; it would give them a wider entrance and exit. More discussion is needed. Mr. Litchfield said that any abandonment or discontinuance of 38 King Street would require action at the town meeting and it is too late for this year. Mr. Shaikh requested a continuance. Mr. Helwig made a motion to accept the request for continuance for 39 & 43 King Street; Ms. Guldner seconded; all voted in favor; motion approved. It was scheduled to April 9th.

Notice of Intent Application (8 Winter Street; Map 45, Parcel 22) – DEP #247-1143

Applicant: Eileen & Mary Fritsche
Request: Septic system replacement
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Vito Colonna (Connorstone Engineering) was present. He explained that it is a septic repair; the work proposed is all within the yard; they are 50+ feet from the wetlands; straw wattles and silt fencing will be installed around the tree line. He used an estimated benchmark for the elevation. Mr. Litchfield commented that the town has actual benchmark distance information on the GIS map and prefers to have the actual elevation shown on the plan. Mr. Colonna will provide a revised plan. Mr. Baldelli made a motion to issue an Order of Conditions for 8 Winter Street with the benchmark clarification based on the town's data; Mr. Helwig seconded; all voted in favor; motion approved.

Request for Determination of Applicability Application (404 Howard Street; Map 13, Parcel 22)

Applicant: David R. Maily
Request: Remove existing 29' x 31' structure and replace with 24' x 24' structure
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Dave and Penelope Maily were present. Mr. Maily said the barn is ready to collapse. It will be replaced with a 24'x24' structure. Trees and stumps will be removed so it can be moved further away from the intermittent stream. Erosion controls will be installed. Mr. Maily proposes to do the work in the summer. Having no concerns, Mr. Helwig made a motion to issue a Negative Determination of Applicability for 8 Winter Street; Mr. Defense seconded; all voted in favor; motion approved.

Old Business:

83 Maple Street – Mr. Litchfield will follow up when the weather permits.

Davidians – Mr. Litchfield said there were no recent updates.

429 & 432 Whitney Street – No change at 429 Whitney Street. Mr. Litchfield and Ms. Joubert had a discussion with Brian Lewis (Natural Landscape) about the purchase of 432 Whitney Street. Mr. Lewis said he was planning to buy it, build a nursery, and eventually build a house in the back. He had the plans that Mr. Anza had prepared showing the fill in the back. Mr. Litchfield said he should have a new plan prepared showing the existing conditions. Mr. Lewis said he is willing to remove the fill provided he could keep it on site to use later for the nursery.

Mr. Baldelli mentioned that Ms. Joubert said she would contact the DPW about getting a plan for the dam. Mr. Litchfield said there was a preliminary study done by a consultant for the DPW a few years ago and a discussion with the current DPW Director, but nothing has been done as yet. Mr. Baldelli said we are spending a large amount of money on weed treatment. It would be more to our advantage and more effective if we could lower the pond 3'-4' in the winter to work on it.

Ms. Guldner felt the topic of Executive Order 569 on Climate Change discussed at the MACC Conference will impact the Commission. The Assabet River, ponds and streams are under the Commission's jurisdiction. Towns are vulnerable to climate change problems. Steps need to be taken to protect public health and safety and the natural resources from the effects of climate change. Mr. Dufresne will check with his company's Sustainability Planner (who is helping communities develop plans and prepare) about the cost and how the state is financing it; there may be grants available. Mr. Litchfield said the town does have a local Emergency Planning Committee and will check with them. Mr. Baldelli said

removing dam structures that are no longer needed would reduce problems. Mr. Young said the dam overall process is long, but the actual removal is done quickly. It is expensive and needs community outreach long before doing anything. Drones are now being used for aerial work on ponds.

Mr. Young and Ms. Guldner are up for reappointment. They will both respond with their intent to remain on the Commission.

Mr. Dufresne said there will be an introductory meeting next Thursday, March 22nd regarding the Master Plan.

Request for Certificates of Compliance:

76 Lincoln Street, Map 75, Parcel 40, DEP file # 247-1078 – No recent update.

8 Smith Road, Map 10, Parcel 26, DEP file #247-976 – Still pending per Mr. Litchfield.

Other Business As May Legally Come Before the Commission:

Bob Mihalek, Trails Committee Chairman, discussed the hiking trails on West Main Street (Crawford & West Main Street). He noticed a spur trail by the one-mile loop trail parallel to Crawford Street behind residents' properties in the woods (300 yards from any house). It went up a bit and came to a dead end. There were some bridges that were put in to cross a swampy area. They may be able to clean and bring it to the existing Jubilee Trail loop with less than an additional quarter mile of trail with no tree cutting. It may divert traffic from the Cold Harbor Trail. He has not been able to identify the property owners. He will talk to David Kane (MIS/GIS Director) to help locate the property owners and come back to the April 9th meeting with more information.

The next meeting was confirmed for April 9, 2018.

Mr. Baldelli made a motion to adjourn; Ms. Guldner seconded; all voted in favor; motion approved. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Melanie Rich
Commission Secretary