



TOWN OF NORTHBOROUGH Conservation Commission

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5015

Approved
4/8/2019

Conservation Commission

Meeting Minutes

March 26, 2019

Members Present: Greg Young (Chairman), Diane Guldner, Kelley Marston, Wayne Baldelli, Tom Beals

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

Time : 6:30 pm

Location: Town Hall, Conference Room C

Northborough Wetlands Regulations Update

Informal Discussion:

1. Definition of isolated vegetative wetlands throughout regulations

The group discussed and decided the definition in the Arlington Regulations is complete and useful:

Definition, critical characteristics and boundary.

(1) Vegetated Wetlands are freshwater wetlands, including both bordering vegetated wetlands (i.e., bordering on freshwater bodies such as on creeks, rivers, streams, ponds and lakes), and isolated vegetated wetlands which do not border on any permanent water body. The types of freshwater wetlands are wet meadows, marshes, swamps, bogs and vernal pools. Vegetated Wetlands are areas where soils are saturated and/or inundated such that they support a predominance of wetland indicator plants. The ground water and surface water hydrological regime, soils and the vegetational community which occur in each type of freshwater wetlands, including both bordering and isolated vegetated wetlands, are defined under the Bylaw based on G.L. c. 131, § 40.

(2) The boundary of Vegetated Wetland, whether Bordering or Isolated, is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated or inundated conditions exist. Wetland indicator plants shall include but not necessarily be limited to those plant species identified in the Act.

(3) The boundary shall be defined or delineated by the following:

(a) Areas containing a predominance of wetland indicator plants are presumed to indicate the presence of saturated or inundated conditions. Therefore, the boundary as determined by 50% or more wetland indicator plants shall be presumed accurate when:

1. all dominant species have an indicator status or of obligate, facultative wetland+, facultative wetland, or facultative wetland- and the slope is distinct or abrupt between the upland plant community and the wetland plant community; or
2. the Conservation Commission determines that sole reliance on wetland indicator plants will yield an accurate delineation.

(b) When the boundary is not presumed accurate as described in (3)(a)(1.-2.) or to overcome the presumption, credible evidence shall be submitted by a competent source demonstrating that the boundary of Vegetated Wetlands is the line within which 50% or more of the vegetational community consists of wetland indicator plants and saturated

or inundated conditions exist. The Conservation Commission must evaluate vegetation and indicators of saturated or inundated conditions if submitted by a credible source, or may require credible evidence of saturated or inundated conditions sufficient to support wetland indicator plants, which shall include one or more of the following:

1. groundwater, including the capillary fringe, within a major portion of the root zone;
2. observation of prolonged or frequent flowing or standing surface water;
3. characteristics of hydric soils.

(c) Where an area has been disturbed (e.g., by cutting, filling, or cultivation), the boundary is the line within which there are indicators of saturated or inundated conditions sufficient to support a predominance of wetland indicator plants, a predominance of wetland indicator plants, or credible evidence from a competent source that the area supported, or would support under undisturbed conditions, a predominance of wetland indicator plants prior to the disturbance or characteristic of hydric soils.

2. **Setbacks**

The group discussed possible setbacks and decided to increase the 15' and 30' buffers to 25' and 35'.

3. **Fees** – review fee study

The group reviewed the draft fee study and decided upon the following fee structure:

Category	Current Fee	Proposed Fee
RDA	\$75	\$50 Residential \$100 Non-Residential
NOI (Cat 1)	\$40	\$75
NOI (Cat 2)	\$50	\$500
NOI (Cat 3)	\$100	= State Fee
NOI (Cat 4)	\$150	= State Fee
NOI (Cat 5)	\$50-\$1000	\$50-\$1000
NOI (Cat 6)	\$100-\$1,000	\$100-\$1,000
AOC/EXT	\$50	\$50 Residential \$100 Non-Residential
COC	\$0	\$0, \$150 if expired >1year
Legal Ad Fee	None	None
Re-Inspection for COC	\$25-\$75	\$75
Re-Inspection for ECB	\$0	\$75

4. **Any other changes to be considered for update**

The group did not have any additional changes for consideration.

5. **Formulate recommendations for April 8 meeting of the Commission**

It was requested that staff summarize the findings in the minutes and include them in the pre-meeting memo for discussion at the April 8 meeting.