



TOWN OF NORTHBOROUGH Conservation Commission

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**Conservation Commission
Town Hall, Conference Room B
Meeting Minutes
December 9, 2019**

**Approved
1/14/2020**

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

Members Absent: Tom Beals

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

The Chair opened the regular meeting at 7:00 p.m. and made an announcement to mute cell phones and that the meeting is being recorded for transcription purposes.

Ms. Guldner read into record the hearing notice for the Request for Determination of Applicability application for 125 Howard Street (tree removal and associated site work), and the Abbreviated Notice of Resource Area Delineation application for 75 Ridge Road (to confirm the wetland resource area boundaries).

Mr. Helwig made a motion to approve the November 4, 2019 Regular Meeting Minutes; Ms. Guldner seconded; voted 4-0-1; motion approved (Mr. Dufresne abstained).

Amendment to Order of Conditions DEP #247-1151 (continued) – 383 Whitney Street; Map 19, Parcel 59

Applicant: Julian Basha

Request: Installation of lawned area, restoration of 25-foot buffer to wetland resource area and associated site work.

Jurisdiction: Buffer zone to a bordering vegetated wetland.

Julian Basha, owner, was present. When Mr. Basha applied for the Certificate of Compliance for a septic installation, Ms. McDonald found that the forested areas in the 100-foot buffer that was previously there had been removed. She contacted Mr. Basha to inform him of the 25-foot no touch zone and asked him to amend the current Order to request the installation of a lawn within the buffer and the restoration of the 25-foot buffer. Mr. Basha agreed to restore it. He will cease mowing and maintain a 30-inch wide access path to the water. 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 Amended Order of Conditions for 383 Whitney Street; Ms. Marston seconded; all voted in favor; motion approved.

Request for Determination of Applicability – 125 Howard Street; Map 44, Parcel 50

Applicant: Margaret & Charles Frankian

Request: Proposed tree removal within the 15-foot buffer to wetland resource area and associated site work.

Jurisdiction: Buffer zone of a wetland resource area.

Margaret Frankian was present. Approximately 16-20 trees are planned to be removed; half of which are located in the 25-foot buffer. Ms. Frankian explained that a tree fell across the driveway last year; the top of the tree is cracked and she is concerned that the branches will fall and damage the house in the winter. The trees can be removed; stumps will remain; equipment is to be kept out of the wetlands; crane to be located in the driveway. Mr. Helwig made a motion to close the public hearing; Ms. Guldner

seconded; all voted in favor; motion approved. Mr. Helwig made a motion to issue a Negative Determination of Applicability for 125 Howard Street as proposed; Ms. Marston seconded; all voted in favor; motion approved.

Abbreviated Notice of Resource Area Delineation – 75 Ridge Road; Map 65, Parcels 88 & 89

Applicant: Downeast Building & Development, LLC
Request: To confirm the wetland boundaries as shown in the submitted plans.
Jurisdiction: Various wetland resource areas including, but not limited to: land under water, bank, bordering vegetated wetlands, isolated wetlands.

The applicant requested a continuance. Mr. Helwig made a motion to accept the request for continuance to the January meeting; Ms. Marston seconded; all voted in favor; motion approved.

Enforcement Order – (249 Green Street), Map 21, Parcel 2, DEP File #247-1126 – Mark Arnold (Goddard Consulting), Evgeniya Sokolova, Alex Kristman and C.J. Tibbets were present. Mr. Beals reported on November 24 that silt laden water was leaving the site, travelling down the road and entering the wetlands. Mr. Beals asked Ms. McDonald to issue an Enforcement Order, which was issued on 11/25 for violations on 11/24 and 11/25, and included a detailed list of requirements. The remaining requirement that was for tonight's meeting a stabilization plan, evaluation of the impacts to the resource areas, a restoration plan, and a monitoring plan for the future were to be submitted.

Mr. Arnold explained the assessed site conditions to the members. From his evaluation there was no adverse impact to the wetland systems, but the site needs significant erosion measures implemented and maintained to prevent future issues. He explained the slopes and the proposed erosion controls and silt fencing (which is approximately 40% complete). The driveway will be pitched towards the east so the water will not migrate down the length of the driveway.

Ms. McDonald recommended leaving the Enforcement Order open. Reports are required weekly. Mr. Helwig made a motion to ratify the issued enforcement order, keep the enforcement order open but include a reference to the plan submitted tonight which will be maintained until further notice; Mr. Dufresne seconded; all voted in favor; motion approved.

Requests for Certificate of Compliance:

383 Whitney Street, Map 19, Parcel 59, DEP File #247-1151 – No action.

116 Howard Street, Map 44, Parcel 94, (fka Lot 4 at 110 Howard Street, Map 44, Parcel 30,) DEP File #247-1125 – The wall on the plan was not approved; but it is located outside the resource area and has no adverse impacts; the slope is vegetated with creeping juniper shrubs of significant size. Ms. McDonald recommended approval. Mr. Helwig made a motion to issue a Certificate of Compliance; Ms. Guldner seconded; all voted in favor; motion approved.

124 Howard Street, Map 44, Parcel 93, (fka Lot 3 at 110 Howard Street, Map 44 Parcel 30,) DEP File #247-1124 – The wall on the plan was not approved; it is within the 15-foot buffer of the resource area. The drainage swale along the driveway should be directing flow to the driveway sump. Although the swale is directing the water, grading is preventing the flow from entering the sump. The swale will be re-trenched and will be directed to the sump to reduce the runoff into the street, natural plantings will be required between the walls; and all trash within the resource area and buffer is to be removed.

136 South St, Map 74, Parcel 132, DEP File #247-588 – Work was never started; it was superseded by DEP File #247-589. Ms. McDonald visited the site and confirmed it was built according to the approved plan (for 247-589) and no violations observed. Mr. Helwig made a motion to issue a Certificate of Compliance; Ms. Marston seconded; all voted in favor; motion approved.

267-281 Southwest Cutoff (Map/Parcels: 106/12, 109/8, 33 & 24) DEP File #247-1154 – Ms. McDonald visited the site, as well as as-built and statement on the drainage system has been received that the site was constructed as approved and there are no current violations. Mr. Helwig made a motion to issue a Certificate of Compliance; Ms. Marston seconded; all voted in favor; motion approved.

2D Little Pond Road (fka Lot 6 181 East Main Street,) Map 47, Parcel 213, (fka Parcel 65,) DEP File #247-1137 and **187 East Main Street** (fka Lot 1 181 East Main Street,) Map 47, Parcel 217, (fka Parcel 65,) DEP File #247-1136 – Ms. McDonald visited the site, as well as as-built and statement on the drainage system has been received that the site was constructed as approved and there are no current violations. Mr. Helwig made a motion to issue Certificates of Compliance; Mr. Dufresne seconded; all voted in favor; motion approved.

360 Church Street, Map 42, Parcel 17, Dep File #247-1121 – Ms. McDonald visited the site, as well as as-built and statement on the drainage system has been received that the site was constructed as approved and there are no current violations. Mr. Helwig made a motion issue a Certificate of Compliance; Mr. Dufresne seconded; all voted in favor; motion approved. Ms. McDonald will ask them to remove the silt fence before issuing the Certificate of Compliance.

Vote to Sign and Signature of Deed for 19.2 acres of backland at 615 Howard Street (Map 8, Parcel 15) – Mr. Helwig made a motion to accept the Deed for the 19.2 acres on 615 Howard Street; Ms. Marston seconded; all voted in favor; motion approved.

Vote to Accept Land Donation-0 Green Street (Map 20, Parcel 45) – The town is in the process of obtaining a title search.

Informal Discussions: Mr. Young asked the status of Bartlett Pond CPC and Solomon Pond; no action. There was discussion on the \$135K that Conservation is looking for to treat Bartlett Pond. Ms. McDonald explained that there is an option to put the money into the Conservation Fund where the Commission can determine how it is spent.

Correspondence was reviewed. The MACC dues for FY21 is \$696, not including staff fee and handbook. Mr. Helwig made a motion to approve the cost of the dues, staff and handbook fees; Ms. Marston seconded; all voted in favor; motion approved.

Mr. Dufresne announced that the Master Plan Presentation is Tuesday. Mr. Young thanked him for his involvement representing the Commission.

Ms. McDonald was asked to provide an updated contact list for the members.

Other Business As May Legally Come Before the Commission

The next meeting was scheduled for January 13, 2020.

Mr. Baldelli made a motion to adjourn; Ms. Marston seconded; all voted in favor; motion approved. The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Melanie Rich
Commission Secretary