

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, APRIL 8, 2010
TOWN HOUSE MEETING ROOM, 2nd fl.
MEETING MINUTES

 APPROVED

The Conservation Commission of the Town of Southborough held a meeting on Thursday, April 8, 2010 at 7:30 p.m. at the Southborough Town House, 2nd floor meeting room.

Members Present: Dick Upjohn, Russ Gregory, Chris Molinaro (arrived at 7:40 p.m.), Rhonda Russian, A.J. Purcell and John Leeds

Absent: Mark Possemato

Also Present: Ellen Chagnon, Conservation Scientist Consultant

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

CONTINUED REQUEST FOR DETERMINATION OF APPLICABILITY – CSX TRANSPORTATION, INC., CSX RIGHT-OF-WAY:

Ms. Russian opened the continued hearing at 7:30 p.m. Mr. Gregory recused himself as an abutter to the rail line. Representing the applicant and in place of Steve Herzog who had previously appeared before the Commission was Herb Colby of AMEC. Ms. Chagnon described her field visit of the No Spray zones along the rail lines with Mr. Herzog, and said they were all accurately marked with yellow and blue markers, except for the 3 locations on the East side of Route 85 along the commuter rail line where some of the blue and yellow markers at the No Spray zones had been knocked off the ties. Ms. Chagnon stated that Mr. Herzog added additional spray paint as needed to make the locations more visible. Ms. Chagnon pointed out a discrepancy from the 2005 Vegetation Management Plan and the plan currently being reviewed. Ms. Chagnon said there is one area that in 2005 was designated as limited spray zone with a two-year application rate, and is now shown on the current plan as a one-year limited spray zone. Ms. Chagnon has asked Mr. Herzog to check into this and verify what this area should accurately be designated. Ms. Chagnon recommended that the Commission can issue a Negative Determination of Applicability once confirmation of the area in question is resolved. Ms. Russian closed the hearing.

Upon motion by Mr. Upjohn, seconded by Mr. Leeds, the Commission voted (4-0) to issue a Negative Determination in conformance with Ms. Chagnon's observations and recommendations and with the proviso that Mr. Herzog provides the Commission with an answer regarding the discrepancy before the permit is issued. Mr. Gregory returned to the meeting.

REQUEST FOR DETERMINATION OF APPLICABILITY – KEVIN ZELNICK, 16 ORCHARD ROAD, ASSESSORS MAP 34, LOT 58:

Ms. Russian opened the hearing at 8:00 p.m. The permit was filed to verify whether the construction of a sunroom and fireplace is subject to the Wetlands Protection Act. Present for the hearing was representative Dave Wilkinson, the contractor for the proposed project. Mr. Wilkinson said he intended to use a bobcat with a backhoe attachment to dig the tubes for the piers for the fireplace, and gave an overview of the proposed work and project site. Mr. Upjohn stated that there is a stone wall at the rear of the property at the 20-foot No Disturb Area. Seeing no further comments from the Commission or the public, Ms. Russian closed the hearing.

Upon motion by Mr. Upjohn, seconded by Mr. Gregory, the Commission voted (6-0) to approve a Negative Determination of Applicability provided the plans as presented are carefully followed and the haybale barrier as shown is maintained as depicted. Mr. Upjohn amended his motion to include the

statement that the wetland delineation is not being approved or confirmed as part of this approval. Mr. Upjohn's amendment was seconded by Mr. Gregory and approved by the Commission (6-0).

CONTINUED REQUEST FOR DETERMINATION OF APPLICABILITY – SCOTT MALCOLM, 25 SOUTHWOOD DRIVE, ASSESSORS MAP 6, LOT 27:

Ms. Russian opened the continued hearing at 8:15 p.m. Present for the hearing was property owner Scott Malcolm. Mr. Malcolm stated that he had met with town engineer John Woodsmall who had reviewed the project and granted permission for the work being proposed on the town's right-of-way. Mr. Woodsmall also sent an email to the Conservation Administrator stating same. Mr. Upjohn asked the plan to be revised to show additional haybales. Mr. Malcolm drew the extended haybale line on the plans and signed and dated them. The Commission discussed the merits of alternative types of erosion controls and concluded that haybales are preferred. Ms. Russian closed the hearing.

Upon motion by Mr. Purcell, seconded by Mr. Molinaro, the Commission voted (6-0) to approve a Negative Determination of Applicability with the following conditions: the revised, modified plan is referenced on the permit approval; street sweeping of Southwood Drive as needed; and the Determination does not include confirmation of the wetland delineation.

OTHER BUSINESS:

1. **Meeting Minutes:**

- a. The Commission reviewed the minutes of 2/25/10. Upon motion by Mr. Purcell, seconded by Mr. Upjohn, the Commission approved the minutes as amended.
- b. The Commission reviewed the minutes of 3/18/10. Upon motion by Mr. Upjohn, seconded by Mr. Gregory, the Commission approved the minutes as amended.

2. **Request for Certificate of Compliance – 52 Sears Road:** The Commission considered the request for a Certificate of Compliance filed by John Parsons. Ms. Chagnon commented on the original wetland line shown on the approved plans, and how different it is now as the wetland has extended to the edge of lawn. The Commission agreed to notify the property owner that the wetland has expanded and the original delineation does not reflect current field conditions. Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (6-0) to grant a Certificate of Compliance with a notation re the wetland delineation as proposed by Ms. Chagnon.

3. **Vote and Write Order of Conditions for #4 and #7 William Colleary Lane:** Ms. Rosenblum informed the Commission that evidence regarding the recording of the subdivision at the Registry of Deeds had been received at the Commission office as requested at the previous hearing.

- a. #4 William Colleary Lane: Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (6-0) to approve a standard Order of Conditions (+38h) and the site plan being approved has a revision date of 2/26/10.
- b. #7 William Colleary Lane: Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (6-0) to approve a standard Order of Conditions (+38h).

4. **Community Garden Grant Opportunity:** Recreation Director Doreen Ferguson informed the Commission of a grant opportunity to teach children ages 12 – 16 about gardening and nutrition. The Stewardship Committee and the Garden Coordinator have voiced their approval for the grant, and Ms. Ferguson asked the Commission to support it as well. Upon motion by

Mr. Purcell, seconded by Mr. Molinaro, the Commission voted (6-0) to support the grant application.

5. **Updates on ongoing projects:** Ms. Rosenblum and Ms. Chagnon brought the Commission up to date on concerns related to ongoing projects at Fay School, 12 Latisquama, 134 Turnpike Road and 28 Newton Street.
6. **Conservation Scientist Update:** Ms. Chagnon informed the Commission that she is resigning effective 4/21/10 as she and her husband are retiring and moving out of state. The Commission unanimously expressed accolades regarding her job performance, and said the experience has been a rewarding one. The Commission said Ms. Chagnon brought expertise, intelligence, common sense and practicality and will be sorely missed. The Commission said it has been an honor and a privilege to have worked with her.

Upon motion by Mr. Purcell, seconded by Mr. Molinaro, the Commission voted (6-0) to adjourn the meeting at 9:00 p.m.

Respectfully submitted,



Beth Rosenblum
Conservation Administrator