

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, APRIL 29, 2010
TOWN HOUSE MEETING ROOM, 2nd fl.
MEETING MINUTES

A diagonal stamp with a checkmark in a box followed by the word "APPROVED" in a bold, sans-serif font.

The Conservation Commission of the Town of Southborough held a meeting on Thursday, April 29, 2010 at 7:00 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, Mark Possemato and John Leeds

The meeting commenced at 7:00 p.m. with Mr. Leeds as chairperson.

Mr. Leeds opened the public meeting at 7:00 p.m. and upon motion by Ms. Russian and seconded by Mr. Upjohn, the Commission voted (7-0) to enter into Executive Session with Town Counsel Aldo Cipriano by roll call vote for the purpose of discussing pending litigation and the value of real property. By roll call vote, the Commission exited Executive Session and re-entered into public session at 7:45 p.m.

OTHER BUSINESS:

1. **Chestnut Hill Farm Conservation Restriction: Estoppel and Waiver Certificate:**

Upon motion by Mr. Purcell, seconded by Mr. Upjohn, the Commission voted (7-0) to sign the Estoppel and Waiver Certificate as requested by the law firm of Ropes and Gray approving the purchase of the fee interest from the Philip Beals Trust to The Trustees of Reservations and waiving the requested time limits.

2. **Meeting Minutes:**

The Commission reviewed the minutes of 4/8/10. Upon motion by Mr. Purcell, seconded by Mr. Upjohn, the Commission voted (6-0 with Mr. Possemato abstaining) to approve the minutes as written.

3. **Fay School Informal Discussion:**

The Commission received David LaPointe of Beals and Thomas for an informal discussion on additional work being proposed at the school property. As employees of the Fay School, Mr. Upjohn and Mr. Purcell recused themselves from the discussion. Mr. LaPointe described plans to connect 2 houses owned by Fay (74 and 76 Main Street) to the wastewater treatment plant located at the school within a 5 year period as per the permit issued by the state. Mr. LaPointe confirmed that the locations of the proposed pipe and pump are either within the 100 year flood plain as shown on the newly revised FIRM maps, or within the 100-foot buffer zone to flood plain per the local wetlands bylaw and regulations. Mr. LaPointe asked the Commission for their advice on the appropriate permit type to be filed for this situation. The Commissioners agreed that a Request for Determination of Applicability would be appropriate.

4. **Request for Tree Removal at 32 Liberty:**

Ms. Rosenblum informed the Commission of the discussion and email request she had received from the property owner to remove trees and limbs around the property. After reviewing GIS maps and consulting with the Assessors office and the Planning office, it was determined that there is deeded protected open space on 2 sides of the property and it is unclear if the trees to be removed are within this area. The Commission agreed the property owner needs to closely

review his deed and may choose to have a survey performed to confirm the restricted open space portion of the lot before proceeding any further.

5. **Request to Extend an Expiring Order of Conditions at 97 Mount Vickery Road:**

The Commission reviewed the request to approve an additional one-year Extension for the Order of Conditions that is set to expire on July 21, 2010. Based on the Southborough Wetlands Regulations, Section 6.9 which states that a permit may be renewed once for an additional one year period, in addition to the Wetlands Protection Act Regulations, which allows a denial of an extension request in circumstances where no work has begun on the project, the Commission voted (6-1 with Mr. Upjohn voting Nay) to deny the extension request as moved by Ms. Russian and seconded by Mr. Purcell.

6. **Updates on other Conservation issues:**

Ms. Rosenblum informed the Commission that: 1) erosion control inspections have been performed at 344 Turnpike Road and 9 Red Gate Lane; 2) the new owner of 5 Burnett Road is considering making some changes to the approved driveway and house design; 3) a phone call complaint was received from a Vine Street property regarding ongoing flooding and tree issues; 4) a written complaint was received about a possible wetland violation on a Woodland Road property; 5) the Community Gardens now has a second volunteer to work with Coordinator Joyce Greenleaf, was recently plowed and will be roto-tilled shortly as per gardener requests; 6) new plans were submitted for the Sudbury River bridge replacement at Route 85.

7. **Conservation Scientist Replacement Discussion:**

The Commission agreed to follow the same protocols for advertising and posting the on-call consultant position.

8. **Zoning Board of Appeals Comments:**

The Commission agreed to submit comments drafted by Ms. Chagnon on the updated Woodland Meadows proposal as requested by the ZBA. The Commission asked Ms. Rosenblum to also send copies of prior meeting minutes and Ms. Chagnon's comments regarding the proposed Stonebrook Village comprehensive permit subdivision on Oregon Road so that the ZBA has a clear understanding where the Conservation Commission is within the permit approval process.

Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (7-0) to adjourn the meeting at 8:25 p.m.

Respectfully submitted,



Beth Rosenblum
Conservation Administrator