

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, OCTOBER 29, 2009
TOWN HOUSE MEETING ROOM, 2nd fl.
MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, October 29, 2009 at 7:30 p.m. at the Southborough Town House, 2nd floor meeting room.

Members Present: John Leeds, Dick Upjohn, Mark Possemato, A.J. Purcell, Russ Gregory and Rhonda Russian.

Also Present: Ellen Chagnon, Conservation Scientist Consultant

The meeting commenced at 7:30 p.m. with Mr. Leeds as chairperson.

CONTINUED NOTICE OF INTENT – CUMBERLAND FARMS, 344 TURNPIKE ROAD, ASSESSORS MAP 25, LOT 1:

Mr. Leeds opened the public hearing at 7:40 p.m. Present was Manny Paiva of Cumberland Farms, and Michael Perrault, engineer. Mr. Paiva reassured the Commission that the grass clippings will be removed from the wetlands as previously requested. Mr. Paiva said the Planning Board would be receiving their application for Minor Site Plan Review the following day. The Commission asked about the replacement of lighting bases at the site. Mr. Perrault explained the broken one would be replaced, one new one is being proposed, and two existing ones were also being replaced. Mr. Leeds closed the hearing.

Upon motion by Mr. Upjohn, seconded by Ms. Russian, the Commission voted (6-0) to approve an Order of Conditions (-38h) with the following additional Special Conditions: 1) daily sweeping of the parking lot and the exits onto Route 9; 2) covering of any soil stockpiles; 3) disposal of excess soil materials in a proper and legal manner; and 4) backfilling of trenches at the end of each workday or as soon as is possible.

CONTINUED REQUEST FOR DETERMINATION OF APPLICABILITY – CSX TRANSPORTATION, INC., CSX RIGHT-OF-WAY (FITCHBURG LINE AND BOSTON LINE):

Applicant was a no-show. Hearing was continued to 11/19/09.

NOTICE OF INTENT: GARY HENRICH, 11 BROOK LANE, ASSESSORS MAP 39, LOT 48:

Mr. Leeds opened the public hearing at 8:00 p.m. Present for the hearing was engineer Tom Dipersio, Jr. for an application to replace a failed cesspool with a new septic system in the buffer zone. Mr. Dipersio stated he found 4-feet of fill in the area where proposed system is located, the leach field will be about 40-feet from the edge of the wetland and sited on existing lawn. Mr. Dipersio said the grade will change since a raised system is being proposed and the grading will start about 20-feet from the edge of wetland. Mr. Dipersio said the shed will remain; a permit from the Board of Health has not been issued yet; and asked the Commission to consider whether the haybales could be replaced by silt fencing. The Commission denied Mr. Dipersio's erosion control request, and added that all of the debris presently within the wetland and buffer zone must be removed. The Commission agreed to vote on an Order of Conditions tonight but to hold it until the septic permit is issued by the Board of Health.

Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (6-0) to approve an Order of Conditions (-38h) with Special Conditions as recommended by Ms. Chagnon; removal of all debris within wetlands and buffer zones and street sweeping as needed during construction.

NOTICE OF INTENT: NEVIO CASTELLI, 5 BURNETT ROAD, ASSESSORS MAP 40, LOT 47:

Mr. Leeds opened the public hearing at 8:15 p.m. Present was engineer Michael Sullivan of Connorstone Engineering representing the property owner. Mr. Sullivan stated the Order of Conditions issued in 2006 has expired. Mr. Sullivan said the proposal is for the construction of a 4-bedroom single family home, grading and a septic system with poly barrier due to high ground water, a 4-foot retaining wall at the rear of the site, infiltration roof drains and Cultec system, and an extensive haybale line for erosion controls.

Mr. Upjohn asked if any lawn area was being proposed. Mr. Sullivan replied that although it is not shown on the plans, the presumption is that a lawn area will be included. Ms. Russian asked how the lot would be stabilized if a lawn was not included. Mr. Sullivan replied the area would be loamed and seeded, and may not end up being manicured lawn. Mr. Purcell asked why trees are being cut if not being used for a lawn area. Mr. Sullivan replied that 12-feet of fill was being brought in and would need the "great wall of china" to hold it back. Mr. Possemato asked how the slope would be maintained, and suggested using a double wall of haybales in addition to silt fence. Ms. Chagnon asked how runoff from the slope during the course of construction would be diverted, and asked for confirmation that the road does not drain onto the site. Mr. Sullivan suggested a temporary sedimentation basin. The Commission asked whether the Board of Health had approved the septic permit. Ms. Rosenblum stated she had received a copy of it today. Ms. Russian suggested that a tiered approach (i.e. 3 retaining walls) be considered; indicated that the project triggers the Stormwater Management Permit applicability requirements; and expressed concerns about the ability to stabilize the rear slope. Mr. Sullivan said the cost for tiering is much greater. Ms. Chagnon asked for additional information to be supplied: the detail of the proposed retaining wall; fill specs; construction sequence; erosion control plan; pre and post development watershed maps; stormwater O&M Plan; dewatering plan; and plan Note correction. Mr. Possemato said retaining walls could be problematic (freezing temperatures and water could get inside/behind). He added that he does not want to see any dirt in the wetlands. Ms. Russian said the Commission can request regular monitoring reports during construction.

Ms. Russian explained to the abutters in the audience about the process they were witnessing, the Stormwater Management Permit requirements, the implications of the proposed project and the Commission's jurisdiction over it. Judy Quinlan of 11 Granuaile asked if the site can be pointed out to her on a map in relation to her own house. Bess Hartley of 3 Granuaile asked about the amount of trees being proposed to be removed. Mr. Upjohn answered that a lot of trees will be removed for the project, but some will remain as a buffer at the property edge. Mr. Leeds continued the hearing to 11/19/09.

NOTICE OF INTENT: WILLIAM AND JANET DEWOLF, 12 LATISQUAMA ROAD, ASSESSORS MAP 54, LOT 75:

Mr. Leeds opened the public hearing at 8:45 p.m. Present were property owners William and Janet Dewolf and engineer Mike Sullivan of Connorstone Engineering for an application for a septic system replacement. Mr. Sullivan presented an overview of the site and the septic system installation.

Mr. Upjohn asked where the edge of lawn is on the plan. Mr. Sullivan replied it is at the 500' elevation. Mr. Upjohn asked if the slope is to be clear cut and the large tree removed, then how much

will the slope be built up? Mr. Sullivan replied it would be built up about 3-feet. Mr. Upjohn suggested that haybales and silt fence be used for erosion controls. Mr. Possemato asked for specifics on the materials used for the septic lines and the distribution system. The Commission pointed out that none of the applications submitted by Connorstone included wetland delineation data sheets, and that these are needed. Ms. Chagnon wants an additional row of haybales below the existing cesspool so that when the equipment is brought in to decommission it, the wetlands below are protected. Ms. Chagnon also wants the intermittent stream shown on the plans. Mr. Sullivan asked the Commission to close the hearing and vote on the Order of Conditions. The Commission agreed that a revised plan is required that shows the additional requested information before they can close the public hearing so that what is recorded at the Registry shows the most recently revised plan reference and not a prior plan set. Mr. Leeds continued the hearing to 11/19/09.

NOTICE OF INTENT: ANTHONY MAFFEI, 6 MITCHELL STREET, ASSESSORS MAP 47, LOT 17:

Mr. Leeds opened the public hearing at 9:05 p.m. Present was applicant Tony Maffei and engineer Mike Sullivan of Connorstone Engineering for an application to replace a septic system. Mr. Sullivan described the site and the Presby system with poly barrier being proposed. Mr. Sullivan said a silt fence would be added, and the septic permit needs 3 variances from the Board of Health.

Mr. Upjohn asked which trees will remain and how the fill will be contained within the property line. Mr. Purcell asked where the fill will be stored during construction. Mr. Sullivan and Mr. Maffei said most of it will get trucked off the site and will not be stored on site. Ms. Russian said a wetland data sheet is needed for this application. Ms. Chagnon asked what the distance from the pond to slope is, and whether a retaining wall could be used. Mr. Maffei said there is no room on the site to get equipment in and around for the construction of a wall. Ms. Chagnon suggested a double row of haybales and erosion control fabric for the slope. Mr. Leeds continued the hearing to 11/19/09.

OTHER BUSINESS:

- 1. Informal Discussion with Fay School:** Present were Gary Reed of Fay and David LaPointe of Beals and Thomas. Both Mr. Upjohn and Mr. Purcell recused themselves from the discussion as they are employed by Fay School. The Commission had invited Fay School in to discuss some work that had occurred at the school within jurisdictional areas without prior notification to the Commission. Mr. Reed apologized for the temporary path construction, and said it will be restored over the next 2 days. Ms. Chagnon stated that the site contractor, Erland Construction, had installed erosion controls as was requested following a site inspection. Ms. Chagnon said a second concern is the path adjacent to Middle Road where woodchips were added, the path was widened, and vegetation was removed. The Commission agreed the path should be no broader than 12 feet, and asked for markers to be installed along the path at the 12 foot width so that it will no longer be maintained and the vegetation can re-grow and regenerate. The Commission agreed there was no need for an Amended Order of Conditions, and accepted the revisions as an Administrative Update.
- 2. Tree Removal Request at 22 Richards Road:** The Commission reviewed the written request from Mary and John Lyons to remove 2 pine trees that are leaning towards the house posing a safety concern to the homeowners. After discussion, the Commission agreed to the request, and upon motion by Ms. Russian, seconded by Mr. Purcell, voted (6-0) to include the following conditions: 1) trees must be flush cut close to the ground; 2) stumps must be left in place; 3) all debris (lawn waste and construction materials) along the slope adjacent to the wetland must be removed; 4) refrain from any continued depositing of materials near the wetlands; 5) trees must

not be felled into or near the wetlands; and 6) notification must be made to the Commission once the work is complete so an inspection can occur.

3. **Chestnut Hill Farm Conservation Restriction Annual Monitoring Contract:** Ms. Rosenblum distributed the proposal from Sudbury Valley Trustees to renew their contract for an additional three (3) years at the current rate. Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (6-0) to extend the contract for the Annual and Reserved Rights Monitoring of the Chestnut Hill Farms Conservation Restriction for 3 additional years.
4. **Review Amendments to Plans from Town Engineer for Approval:**
 - a. Fisher Road Sidewalk Extension: Add a catch basin at Andrews Way and Fisher Road to capture water ponding on road. Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (6-0) to accept as an Administrative Update.
 - b. White Bagley Road Culvert: Add a second culvert pipe. Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (6-0) to accept as an Administrative Update.
5. **Meeting Minutes:**
 - a. Minutes from the 10/8/09 meeting were reviewed. Upon motion by Mr. Upjohn, seconded by Ms. Russian, the Commission voted (6-0) to approve the minutes as amended.

Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (6-0) to adjourn the meeting at 9:35 p.m.

Respectfully submitted,

Beth Rosenblum
Conservation Administrator