

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, DECEMBER 3, 2009
TOWN HOUSE MEETING ROOM, 2nd fl.
MEETING MINUTES

 APPROVED

The Conservation Commission of the Town of Southborough held a meeting on Thursday, December 3, 2009 at 7:30 p.m. at the Southborough Town House, 2nd floor meeting room.

Members Present: John Leeds, Dick Upjohn (arrived at 7:35 p.m.), A.J. Purcell, Russ Gregory, Mark Possemato (arrived at 7:40 p.m.) and Rhonda Russian.

Also Present: Ellen Chagnon, Conservation Scientist Consultant

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

**STORMWATER MANAGEMENT PERMIT AND CONTINUED NOTICE OF INTENT:
NEVIO CASTELLI, 5 BURNETT ROAD, ASSESSORS MAP 40, LOT 47:**

Mr. Leeds opened the public hearings concurrently for the Stormwater Management Permit and for the continued Notice of Intent at 7:30 p.m. Present was Michael Sullivan and Rich Mainville of Connorstone Engineering and property owner, Nick Castelli. Mr. Mainville provided details of the recent plan revisions and the construction sequence, stated the plans meet the 2 and 10 year storm standards, and that in order to meet the 100 year storm standards, a new detention system has been added at the rear of the property. Mr. Mainville stated the water rate is the same but the volume is greater, and asked the Commission to consider granting a waiver of the volume standard for the increase. Mr. Mainville confirmed the 2:1 slope of the site, said the detention systems will be used a temporary sedimentation basins during construction, and showed the proposed stockpile areas on the plans. Given that the plan revisions were not received in the Conservation office within the one-week prior to meeting requirement, the plans had not been reviewed in advance by the Commission or by Ms. Chagnon and Mr. Woodsmall, and will therefore be considered at the follow up meeting.

Mr. Sullivan said the proposed detention basin may not be needed based on engineering calculations, and offered to present 2 different plans for the next meeting; one showing the basin and one without the basin. Mr. Upjohn commented that he had fought for keeping the rear slope as intact with trees as possible. At 7:48 p.m., Mr. Leeds continued the hearings to 12/17/09.

CONTINUED STORMWATER MANAGEMENT PERMIT AND CONTINUED NOTICE OF INTENT – NU-YANKEE, LLC, 0 NORTHBOROUGH ROAD, ASSESSORS MAP 70, LOT 2:

Mr. Leeds opened the hearings concurrently at 7:50 p.m. Present for the hearing was Mike Sullivan of Connorstone Engineering. Mr. Sullivan said that plan revisions are being completed and will be distributed shortly. Mr. Sullivan asked for a continuance to the next meeting. At 7:52 p.m., Mr. Leeds continued the hearings to 12/17/09.

STORMWATER MANAGEMENT PERMIT AND NOTICE OF INTENT – WILLIAM DEPIETRI, CAPITAL GROUP PROPERTIES, 0 OREGON ROAD (STONEBROOK VILLAGE), ASSESSORS MAP 15, LOT 16:

Mr. Leeds opened the hearings concurrently at 8:07 p.m. Present for the hearings were Bill Depietri and Marty Loiselle of Capital Group Properties, and Tim Paris, Mike Sullivan and Rich Mainville representing Connorstone Engineering. Mr. Sullivan provided an overview of the proposal to construct 15 residential units (7 duplexes and 1 single) with a single roadway; drainage will include 7 bio-retention areas, infiltration basins and a constructed wetland; a common septic system (approx.

4,000 gallons/day and elevated due to the high groundwater table with a pressure distribution system); public water and 3 hydrants. Mr. Sullivan said added that haybales will be used for erosion control, the temporary sedimentation basins will become permanent infiltration basins, there are 5 proposed soil stockpile areas, and numerous small snow storage areas.

Mr. Upjohn asked about why a retaining wall was needed, and whether there would be fill brought in behind units 1 thru 6. Mr. Sullivan replied the retaining wall is needed since there is a 4 foot separation in that area, and units 1 thru 6 will be built at grade. Mr. Upjohn asked for flags and stakes to be installed showing the roadway, house corners, septic and constructed wetland areas. Mr. Depietri offered as an alternative to stake back corners instead. Mr. Purcell said many of the units are being proposed right at the 20' No Disturb Area with no backyards, and questioned where children living in the units will play. Mr. Possemato mentioned the denseness of the proposal and asked if any area on the site would be left undisturbed? Mr. Possemato inquired about the plans for sanding and salting the roadway. Mr. Depietri stated the Commission can restrict the use of sand and salt as a Special Condition. Mr. Possemato asked what the construction sequence will be? Mr. Depietri replied they would work from the back of the site to the front. Mr. Possemato asked the applicant to submit very specific construction details. Ms. Russian asked whether any waivers were being requested of the Commission, and whether the Applicant had filed with ZBA yet? Mr. Depietri replied he wanted one meeting with the Commission before filing with ZBA. Ms. Russian made reference to the comments submitted by John Woodsmall and Ellen Chagnon, and asked the Applicant to respond to the numerous issues raised in the comment letters. Ms. Russian also asked about the maintenance of the septic system since it is surrounded by wetlands.

Seeing no immediate additional questions from the Commission, Mr. Leeds opened up the hearing to the audience for questions. Lisa Braccio of 13 Oregon Road stated she is a direct abutter, and acknowledged the environmental sensitivity of the property and its environs. Ms. Braccio pointed out the adjacent Southborough Open Lane Foundation (SOLF) property and its proximity to the proposed septic system, and asked the Commission to have the Applicant identify the wetlands on the SOLF property on the site plans. Ms. Braccio said that density is a concern for herself and the neighbors, and agreed that since there was no place for kids to play on the site, they will likely play in the wetlands. Ms. Braccio expressed concern over the snow storage area proposed adjacent to her home and does not want her existing basement flooding problem exacerbated. Ms. Braccio asked for permission to submit a letter with comments about the proposal. The Commission responded that would be appreciated. Jason Bourret of 5 Brookside Road asked about the stream and whether it will be impacted by the development. Mr. Paris replied the stream is 150-feet away from any of the proposed buildings. Pamela Saitta of 2 Brookside Road and a SOLF Board member asked whether the hydrology of the SOLF property will be impacted by the development proposal. Mr. Sullivan replied the proposed development is more than 50-feet away from any wetlands on the SOLF property. Paul Barlow of 33 Edgewood Road and Cindy Lu Fitch of 27 Edgewood Road asked if all stormwater impacts down slope from the property have been considered. Mr. Sullivan replied that all roof runoff will drain into subsurface infiltration basins, and road runoff into bio-retention systems. Mr. Barlow said there is a great deal of standing water in the area at least 6-7 months of the year and that he has a certified vernal pool on his property. Mr. Barlow asked if the gray water from the proposed common septic system would add additional water to the aquifer. Mr. Sullivan replied he does not feel it is an appreciable amount of water to alter the hydrology in the area.

Ms. Russian explained the review done by Town Engineer John Woodsmall of the engineering documentation and hydrological calculations, and the need for the Applicant to respond to those comments, as well as to submit the septic design to the Board of Health for approval. Leo Buck of 7 Oregon Road asked about the septic expansion area. Mr. Sullivan showed on the plans that it is

located in between the proposed system. Mr. Possemato asked about the poly barriers around a portion of the septic system and why it ends where it does, and indicated he would like to see the area protected from a possible breach. Mr. Sullivan said the slope does not require the system to be surrounded by a poly barrier. Mr. Depietri stated he wants to get Board of Health approval before agreeing to any revisions of the septic design. Given the amount of issues requiring consideration, the Applicant asked for a continuance to the first meeting in January. At 8:53 p.m., Mr. Leeds continued the hearings to 1/14/10.

NOTICE OF INTENT – JOHN HENNESSEY, ONE HARVEST LANE, ASSESSORS MAP 48, LOT 1:

Mr. Leeds opened the hearing at 8:55 p.m. Present for the hearing was Mike Sullivan of Connorstone Engineering. Mr. Sullivan summarized the outstanding issues from the previous meeting and distributed plan revisions showing haybales only, a revised NOI form with the applicant's signature and a letter to DEP addressing their comments. Seeing no comments from the Commission, Mr. Leeds closed the hearing.

Upon motion by Mr. Upjohn, seconded by Ms. Russian, the Commission voted (6-0) to approve a standard Order of Conditions (-38h) with the (3) three Special Conditions as proposed by Ms. Chagnon in her comments dated 11/18/09, and one additional as proposed by Mr. Gregory; the Applicant will remove the damaged portion of corrugated culvert pipe to prevent future entrapment of debris.

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

Applicant has requested a continuance to address the commission's earlier requests. Hearing was continued to 12/17/09.

OTHER BUSINESS:

1. The Commission welcomed new member Chris Molinaro. Chris was appointed by the Board of Selectmen on 12/1/09 to complete the term remaining by the resignation of Phil Bevins. Chris abstained from all voting until being sworn in by the Town Clerk.
2. **Request for Certificate of Compliance, 154 Main Street:** Present for the discussion was Peter Bemis of Engineering Design Consultants. Ms. Rosenblum informed the Commission that the Request had been received in the office on Monday, 11/30/09 and that she and Ms. Chagnon had performed a site visit on Wednesday, 12/2/09 to inspect the site for compliance with the approved Order of Conditions. Following the site inspection and upon comparison of the approved plan with the As-Built plan, Ms. Chagnon noticed the conditions on the site deviated from the approved plan: 1) boulders had not been installed at the 20' No Disturb Area but instead at the wetland line, 2) grass had been seeded up to the wetland line, 3) the septic tank was partially within the 20' No Disturb Area. Mr. Bemis explained the history of the property as a grassy soccer field and added that the temporary wetland disturbance permitted by the Commission for the septic line installation was not needed since directional drilling underneath the wetlands was done instead. Mr. Bemis proposed some possible options for the Commission to consider as mitigation; planting of shrubs with the 20' No Disturb Area and the installation of a fence at the 20' No Disturb Area. Mr. Upjohn said he wants the 20' No Disturb Area adhered to. Ms. Russian said there will be no Certificate of Compliance issued at this point. Mr. Bemis said he will submit plans showing the proposed mitigation and the Commission agreed they wished to visit the site.

3. **Meeting Minutes**: Minutes from the 11/19/09 meeting were reviewed. Upon motion by Mr. Upjohn, seconded by Ms. Russian the Commission voted (5-0-1 with Mr. Possemato abstaining) 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 9:45 p.m.

Respectfully submitted,



Beth Rosenblum
Conservation Administrator