

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

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

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

Absent: John Leeds

The meeting commenced at 7:30 p.m. with Rhonda Russian as acting chairperson in Mr. Leeds absence.

EXECUTIVE SESSION WITH TOWN COUNSEL TO DISCUSS PENDING LITIGATION:

By roll call vote, the Commission moved to enter into Executive Session with Town Counsel Aldo Cipriano at 7:30 p.m. By roll call vote, the Commission moved to exit Executive Session and re-enter into public session at 8:15 p.m.

REQUEST FOR DETERMINATION OF APPLICABILITY, AMY RICHMOND, 121 SOUTHVILLE ROAD, ASSESSORS MAP 3, LOT 29A:

Ms. Russian opened the public hearing at 8:20 p.m. Present for the hearing and representing the homeowner was contractor Mark Cutler. Mr. Cutler described the proposed project that consists of re-grading the driveway to eliminate the basement flooding through the garage doors, and installing a prefab bulkhead on the west side of the house. Mr. Cutler said the finished grade will pitch towards the street. The Commission discussed what type of erosion control would be most appropriate for the site conditions. Frederica Gillespie of 78 Southville Road spoke about invasive species being spread through haybales, and asked the Commission to consider other options. Mr. Bevins requested including the following Special Conditions: 1) the Conservation office must be notified prior to the start of construction for an inspection of the erosion controls; and 2) The haybales must be left in place until the grass is established sufficiently to hold the fill in place and prevent any erosion into the stream. The Commission concurred.

Upon motion by Mr. Upjohn, seconded by Mr. Gregory, the Commission voted (6-0) to issue a Negative Determination with the Special Conditions as detailed above.

REOPENING OF CONTINUED NOTICE OF INTENT, EMC CORPORATION, CRYSTAL POND ROAD AND COSLIN DRIVE, ASSESSORS MAPS 6, 11, 11, 11, 24, 24, 25, 26, LOTS 3, 1, 2, 3, 4, 1, 2, 4A, 9 RESPECTIVELY:

Ms. Russian opened the public hearing at 9:20 p.m. and made the disclosure that she is employed by MA DEP in the 21E division and that one of EMC's representatives present tonight appeared at a recent hearing that Ms. Russian was also in attendance at. Present for the hearing were Dan Feeney and Eric Las of Beals and Thomas, Lisa Fredenzi of EMC Corporation and Leigh Gilligan of McCarter & English.

Mr. Feeney presented an overview of the project and the revisions that have been made to the plans since the first time the project was shown to the Commission in February 2007. Mr. Feeney said the project consists of a north/south roadway (Route 9 to Flanders Road in Westboro) with an easement over private property connecting both parcels in the middle. Mr. Feeney said Washington Street will be relocated to intersect with Coslin Drive and its' egress onto Route 9 will be eliminated. Mr. Feeney said Crystal Pond Road is proposed to intersect with Coslin Drive at a roundabout and will extend to

Flanders Road. Mr. Feeney described the specific wetland buffer disturbances in Areas A, B, and C in Southborough and the waivers granted by the respective Planning Boards. Mr. Feeney said erosion controls will be placed on the 20' No Touch Zone; sidewalks will be installed on both sides of the roadway in Southborough, but only on one side in Westboro per zoning. Mr. Feeney said the detention basins have been revised, with Basin 3 expanded and those in Westboro have been altered and moved farther away from the resource areas. Mr. Feeney stated some impervious surface will be removed when the parking area along Washington Street is eliminated, and added that none of the new project will flow into Crystal Pond and some flows will end up in Westboro.

Ms. Russian asked if wetland filling was being proposed in Westboro. Mr. Feeney replied that a stream crossing would fill about 2,000 square feet. Mr. Las amended this by stating that no "real" fill was being proposed; the bank disturbance would be temporary for the installation of footings. Mr. Feeney said there was proposed replication of about 3,500 square feet in Westboro in an area close to Flanders Road, although not hydrologically connected. Mr. Feeney said this is subject to the settlement agreement remanded back to the Westboro Conservation Commission by MA DEP.

Mr. Feeney stated that vernal pools on the site have been identified and are shown on the revised plans as the Commission had requested, and he updated the members on the Shell Oil culvert replacement issues and easement status. The Commission asked whether the roadways would become public; Mr. Feeney replied that Washington Street is and will remain as will a section of Coslin from Route 9 to Washington St.; however the rest will remain private and continue to be maintained by EMC. The Commission asked if the catch basins were directed into stormceptors; Mr. Feeney replied they were and will be treated to 80% TSS removal. Commissioners commended EMC on the roadway reductions, and inquired about the retaining wall along the new road. Mr. Feeney said the wall will remain just outside the 20' No Touch Zone.

The Fuss & O'Neill scope of work was discussed and compared with Westboro's peer review, and some items were agreed to be removed or reduced (follow-up review, meeting attendance, site visit). The Commission agreed to remove the review by a Wetland Scientist since it was agreed that having the vernal pools certified can be conditioned in the Order of Conditions. Upon motion by Mr. Possemato, seconded by Mr. Upjohn, the Commission voted (6-0) to amend the Fuss & O'Neill scope of work as discussed. Ms. Russian continued the hearing to 2/19/09.

OTHER BUSINESS:

1. **Potential Eagle Scout Project:** Boy Scout Scott DiStephano reappeared before the Commission with his revised proposal that displayed drafts of the proposed signage and kiosk designs. Mr. Upjohn suggested keeping the signage simple. Mr. Bevins reminded Scott that he would need to talk to the homeowners at 75 Woodland Road for formal permission for the trail to cross a small rear section of their property and to have them sign the Trail Permission form. Mr. Bevins also asked Scott to list the material he would be using to construct the signs, and suggested using similar designs and materials to that used by the New England Wildflower Society at Garden in the Woods. Frederica Gillespie of the Southborough Stewardship Committee asked for consistency with existing signs and with the type of signage to be used by Scott and with the name designation of Breakneck Hill Conservation Land, which is often referred to by other names such as the "conservation orchard". Ms. Gillespie asked Scott to touch base with the Stewardship Committee since they oversee the property on behalf of the Commission. Mr. DiStephano (Scott's father), asked for clarification of the timeline and the permissions needed. Upon motion by Mr. Possemato, seconded by Mr. Purcell, the Commission voted (6-0) to approve the Eagle Scout project as proposed on the condition that approval by the homeowners of 75 Woodland Road to cross their property is granted.

2. **Wildlife Habitat Improvement Plan for Beals Preserve:** Representing the Southborough Open Land Foundation (SOLF), Frederica Gillespie gave the Commission an overview of Mass Wildlife's Landowner Incentive Program (LIP). SOLF has applied for a grant to reintroduce and create wildlife habitat at their Beals Preserve property off of Red Gate Lane. Ms. Gillespie distributed maps showing the 2 parcels and discussed the scope of the proposed work. Approximately 3.5 acres of trees will be clear cut to create habitat for woodcock, warbler, other birds and turtles and to reintroduce early successional forest. Ms. Gillespie said a forester would mark the significant trees, most of those cut will be taken off site and all of the work will be done within 1 year. She also gave a short history of Stoney Brook and the creation and damming of the Sudbury Reservoir. Mr. Bevins asked if a land management plan will be developed to prevent the repopulation of invasives. Ms. Gillespie said that herbicides would be used, with hand labor to pull them out. Mr. Upjohn asked how equipment would access the site. Ms. Gillespie replied they would enter through the power lines or thru the land at the end of Red Gate Lane. Mr. Bevins asked who would be overseeing the project. Ms. Gillespie answered that SOLF would manage it. The Commission asked if the LIP grant included buckthorn clearing, and informed Ms. Gillespie that a Notice of Intent would need to be filed before proceeding, with engineer stamped plans with full wetland delineation and showing the entire project, how stormwater would be managed and where erosion controls would be placed. Ms. Gillespie thanked the Commission for their time and advice.
3. **Conservation Scientist Interviews:** The Commission submitted their choices among the applicants, and agreed to hold a special meeting on February 26, 2009 in order to interview the 4 candidates chosen.
4. **Breakneck Hill Cow Fund License Agreement:** Upon motion by Mr. Possemato, seconded by Mr. Upjohn, the Commission voted (6-0) to renew the license for another year.
5. **Local Wetlands Permit Filing Fees:** Upon motion by Ms. Russian, seconded by Mr. Purcell, the Commission voted (4-2) to move forward with the imposition of local filing fees, and will schedule a public hearing in order to amend the local Regulations and create a filing fee schedule.
6. Mr. Bevins stated he would not be in attendance at the next meeting.

Upon motion by Mr. Purcell, seconded by Mr. Upjohn, the Commission voted (6-0) to adjourn the meeting at 10:35 p.m.

Respectfully submitted,

Beth Rosenblum
Conservation Administrator