

SOUTHBOROUGH CONSERVATION COMMISSION  
THURSDAY, MARCH 27, 2008  
TOWN HOUSE MEETING ROOM, 2<sup>nd</sup> fl.  
MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, March 27, 2008 at 7:30 p.m. at the Southborough Town House, 2<sup>nd</sup> floor meeting room.

Members Present: John Leeds, Rhonda Russian, Phil Bevins, Mark Possemato, John Maciolek and Richard Upjohn.

Absent: Ann Leavitt.

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

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**MAIN STREET RECONSTRUCTION PROJECT - OVERVIEW BY TOWN ENGINEER:**

John Woodsmall, Town Engineer, gave the Commission an overview of the history of the Main Street reconstruction project, the proposed alterations and upgrades of the drainage, catch basins and streetscapes, and the present status of the project with respect to the Board of Selectmen and Planning Board approvals. Mr. Woodsmall informed the Commission that Mass Highway requires letters of approval by relevant town boards and committees for a project of this scope, and asked the Commission to provide a letter of support. Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission agreed (6-0) to draft a letter of support for the overall concept of the Main Street reconstruction project.

**CONTINUED NOTICE OF INTENT – KRISTIN LUDWIG, 7 HICKORY ROAD, ASSESSORS MAP 42, LOT 21:**

Mr. Leeds opened the hearing at 8:05 p.m. Present was property owner Kristin Ludwig and engineer Tom Dipersio, Jr. Mr. Upjohn said a man-made pond on the property is not shown on the plans, and there is a large amount of water flowing across the site from above the pond that will continue to flow downward. Michael Poole of 6 Hickory Road asked whether water will flow more quickly and with greater volume once the vegetation is removed. Mr. Poole asked if more silt and water will flow into the pipe below Hickory Road and clog the culvert. Mr. Dipersio said the performance standard is to not increase the rate of flow to the wetlands, that roof runoff will be captured, and the calculations he has performed verify that the volume will increase, but the rate of flow will not. Mr. Bevins asked whether rain gardens or swales were considered. Mr. Dipersio said a proposed swale and grading will capture the runoff. Mr. Upjohn said the source of water comes from a shallow pond behind #23 Flagg Road.

Ms. Russian read John Woodsmall's most current comments into the record and explained the mitigations being proposed to slow the rate of runoff. Mr. Bevins inquired if roof drains were proposed all around the house and whether the swale is shown on the plans. Mr. Bevins said more details in the sump and dry well area should be shown. Mr. Dipersio distributed new plans to the Commission. The Commission informed Mr. Dipersio that in order for plans to be considered for approval, they must be received at least one week prior to the meeting.

The Commission asked about outflow design points, details of the swale and drywells, specifics of the replication area plantings and a cross section of the sump area. Mr. Dipersio asked if a rain garden was being required, and asked the Commission for direction so the proposal could be approved. The Commission said they want to see more details on the plans including volumes, cross section and rain gardens, and asked Mr. Dipersio to consider using more Low Impact Development (LID) techniques. Ms. Ludwig expressed frustration with the delays and said her house was on the market as she had not

expected this lengthy a process. Mr. Leeds stated the winter weather and snow cover had delayed their site visits, and continued the hearing to April 17, 2008.

**REQUEST FOR DETERMINATION OF APPLICABILITY – PRABHAT & NEENA SEHGAL, 9 RED GATE LANE, ASSESSORS MAP 42, LOT 23:**

Mr. Leeds opened the hearing at 8:50 p.m. The application is to determine whether the boundaries of the resource area(s) are adequately depicted and whether the work depicted on the plan is subject to jurisdiction under the Wetlands Protection Act. Present for the hearing was homeowner Neena Sehgal and house builder Azam Mohammed. Mr. Mohammed indicated he was filling in for engineer Mike Burke, who was unable to attend, and gave an overview of the proposed demolition of the existing house, and the construction of a new one. Mr. Mohammed explained the wetlands had been delineated in the field, the boundary was approximately 130' from the proposed house construction, haybales are being proposed in addition to a stone apron at the driveway edge. Mr. Upjohn suggested the haybale line be moved to the edge of driveway and thence to the edge of lawn. Upon motion by Mr. Bevins, seconded by Mr. Upjohn, the Commission voted (6-0) to issue a Negative Determination.

**CONTINUED NOTICE(S) OF INTENT – TRASK DEVELOPMENT CORPORATION, # 6, 7, 8, 9 & 10 METCALF LANE, MAP 96, LOT 1:**

Mr. Leeds read into the record a request by the applicant to continue the hearing(s) to May 8, 2008. The Commission agreed to grant the postponement request.

**CONTINUED NOTICE OF INTENT – ROBERT HEAVEY, 84 TURNPIKE ROAD (WOODLAND MEADOWS), MAP 38, LOT 10:**

Mr. Leeds opened the hearing at 9:05 p.m. Present for the hearing was property owner Robert Heavey and George Connors of Connorstone Engineering. Mr. Bevins recused himself from the hearing as an abutter to the project. Mr. Connors distributed an analysis performed on the sites' culverts which included information about flood elevations. Ms. Russian gave the Commission an overview of the ZBA hearing on the project the prior night, which included the requirement that the applicant must apply for 401 Water Quality Certification from the state; the local SMP permitting process needs to be complied with per legal opinion from Town Counsel; and that the stream on the site is perennial. Ms. Russian reviewed the new DEP stormwater regulations and standards regarding discharges within a Zone A of a Class A public water supply. Town Engineer John Woodsmall confirmed that all tributaries to a Zone A have a 200' setback, and Standard #6 states "stormwater discharges to a public water supply are prohibited." Mr. Woodsmall stated that all stormwater discharges proposed on the site need to comply with the new regulations and the 200' setback; the new stormwater Checklist needs to be submitted; a WM-09 Form must be submitted to DEP as well as the requirement for a NPDES General Permit and a SWPPP.

Mr. Upjohn asked about the height of the retaining wall and the proposed leach field on the slope. Mr. Upjohn said he noticed water overflowing into the wetlands from a ditch dug at the bottom of the slope, and asked whether the proposed retaining wall will start below the frost line. Ms. Russian inquired about the specific revisions to the plan, and asked for more details about the underground garage and the building height. Mr. Connors said 4' of fill will be used, and the westerly building wall will be a retaining wall. Mr. Connors discussed the parking area grading changes, and showed the areas of soil disturbance. The Commission asked Mr. Connors to give an overview of the conservation-related issues for new member John Maciolek. The Commission asked what the total wetland filling number was. Mr. Connors replied he did not know. The Commission asked about the wetland crossing width. Mr. Connors said the headwalls will be approximately 35' apart which is roughly double the current width. The Commission said the site must be staked in the field. Mr. Connors said the building, roadway and wetlands will be staked the following day. The Commission asked about the status of the septic submittal with the Board of Health. Mr. Connors replied the final plans were not yet completed. Mr. Heavey said the proposed area for the septic has been inspected and

tested. Mr. Connor said the grading for the building and parking had to be factored in for the septic system. The Commission asked if having a parking area above the septic is standard practice. Mr. Connors replied that the preference is generally not to, but it is acceptable.

Mr. Leeds opened questioning to the audience. Roger Challen of 29 Oak Hill Road asked about the back up septic system and on what occasions will it need to be used. Mr. Connors explained the Presby system and how it is maintained and repaired, and said the secondary expansion system should never need to be used and must be properly sized. Mr. Challen asked how the property would be altered by grading if it was necessary to utilize the expansion system. Mr. Connors replied that was a Board of Health issue, and if the system needed to be activated, those plans would need approval by Board of Health. Peter Bemis of 9 Wolfpen Lane addressed the bank replication at the crossing, and asked how the drainage will be mitigated using a 12' wide culvert at the confluence. Mr. Woodsmall gave details about the bank flow and culvert width, said stream crossing standards have changed and the new crossing will be much wider than the existing and will change the flow. Phil Bevins of 29 Woodland Road said the dynamics of the stream will be altered below the culvert. The Commission said if parties agree that a Stormwater Management Permit is required, the applicant would need to submit a permit application and notification to abutters. Mr. Leeds continued the hearing to April 17, 2008.

### **OTHER BUSINESS:**

1. The Commission welcomed new member John Maciolek.
2. **Resource Area Markers:** Frederica Gillespie of 78 Southville Road asked the Commission to approve the use of boundary markers stamped with the Southborough Conservation Commission name to be used along resource areas to prevent encroachment at the 40 Southville Road site. Ms. Gillespie showed the Commission a sample of the marker, and explained that the design is similar to that used by the Conservation Commission in Hopkinton. Ms. Gillespie said the developer of the 40 Southville Road site, Bill Depietri, has agreed to purchase and install them. The Commission expressed their satisfaction with the marker design. Upon motion by Ms. Russian, seconded by Mr. Maciolek, the Commission voted (6-0) to accept the use of the resource area markers using the Southborough Conservation Commission name for the 40 Southville Road site.
3. **Meeting Minutes:** Minutes of the March 4, 2008 meeting were reviewed. Upon motion by Mr. Upjohn, seconded by Ms. Russian, the Commission voted (5-0-1 with Mr. Maciolek abstaining) to accept the minutes as written.
4. **Beechwood Lane – possible wetlands violation:** The Conservation Administrator informed the Commission of a complaint received from a resident that 38 trees had been cut down near the detention pond on the Wedgewood Condominium complex and this had been verified by a site visit and photos. The Commission agreed to send a letter to the Condo Trust asking for them to appear at the next meeting, as enforcement action may be required.
5. **Community Garden Coordinator:** The Administrator informed the Commission that an application had been received from Joyce Greenleaf, who is a member of the Stewardship Committee and the Cow Fund, and an active community gardener. The Commission agreed to send a letter to the Board of Selectmen endorsing Joyce's appointment to the position.

6. **Request for Extension of Order of Conditions – 2 East Main Street:** Mr. Bemis asked the Commission to grant a 3 year extension. Upon motion by Mr. Upjohn, seconded by Mr. Maciolek, the Commission voted (6-0) to grant a 3 year extension of the Order of Conditions.
7. **67 Turnpike Road:** The Conservator Administrator informed the Commission about the work occurring on the site and the Commission expressed concerns about slope stabilization and drainage and whether the work triggered the requirements for a Stormwater Management Permit. The Commission agreed to send a letter to the property owner asking for further details on the proposed work and to complete the stormwater permit worksheet.
8. **Budget Discussion:** Ms. Russian updated the Commission on the discussion that took place at the Advisory Committee meeting earlier in the week. She informed the Commission that the Advisory had approved the amended budget that uses the wetlands filing fee account to pay for 25% of the Administrator's budget, and \$2,000 for training and conferences. The Commission discussed the need for a part time Conservation Scientist, and agreed to send a letter to the Board of Selectmen asking for approval to hire one using the filing fee account. The Commission agreed to revisit the imposition of local filing fees allowed under the local bylaw.
9. **Requests for Certificates of Compliance:**
  - a. **DEP File # 290-706 – 38 Flagg Road** – Upon motion by Mr. Upjohn, seconded by Ms. Russian, the Commission voted (6-0) to approve a Certificate of Compliance.
  - b. **DEP File # 290-839 – 16 Wood Street** – The Commission agreed the site was not ready as it had not been seeded. A letter will be sent to the applicant indicating this determination.
  - c. **DEP File #290-837 – 17 Rockpoint Road** – The Commission agreed the site was not ready as there is not an adequate vegetative cover for stabilization. A letter will be sent to the applicant indicating this determination.

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

Respectfully submitted,

Beth Rosenblum  
Conservation Administrator