

SOUTHBOROUGH CONSERVATION COMMISSION
THURSDAY, JULY 16, 2009
TOWN HOUSE MEETING ROOM, 2nd fl.
MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, July 16, 2009 at 7:30 p.m. at the Southborough Town House, 2nd floor meeting room.

Members Present: John Leeds, Mark Possemato, A.J. Purcell, Dick Upjohn, Phil Bevins, 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.

NOTICE OF INTENT – THOMAS LITTLE, 147 SOUTHVILLE ROAD, ASSESSORS MAP 2, LOT 58:

Mr. Leeds opened the hearing at 7:50 p.m. The application was filed to replace a septic system within the 100' buffer zone. Present for the hearing were the property owners, Thomas and Judith Little, and Mark Farrell of Green Hill Engineering. Mr. Farrell stated there is a failed cesspool; the area has high groundwater and several old trees. Mr. Farrell said the area proposed for the system was chosen as it is furthest from the brook. The Littles said that one pine tree will need to be removed and the tree is on the property line. It was stated that since a setback waiver is being requested by the applicant, the Board of Health must hold a public hearing to consider the request. That hearing is scheduled for August 19, 2009. At this time, the Board of Health has not approved a septic permit for the site.

Mr. Upjohn asked the plans to be revised to reflect haybales for erosion controls and not silt fencing. Mr. Possemato asked where the construction access will be. Mr. Farrell replied he is uncertain, and may need to ask the abutter for access. Mr. Bevins expressed concern about the tracking of mud on the roadway if access is through the abutting property, and suggested installing a construction apron to remove dirt. Ms. Russian is concerned that the Board of Health has not yet approved the project and the plans may end up being changed. The Commission agreed they would delay their decision until the receipt of revised plans showing haybales and the construction entrance in addition to confirmation from the Board of Health that they have approved the requested waiver and issued a septic permit.

Mr. Leeds continued the hearing to August 27, 2009.

REQUEST FOR DETERMINATION OF APPLICABILITY, NSTAR ELECTRIC & GAS CORPORATION, PORTIONS OF BOSTON ROAD, WILLOW STREET AND HARVEST LANE, ASSESSORS MAP 48, LOT 1 (AND ROADWAYS RIGHT OF WAY):

Mr. Leeds opened the hearing at 8:05 p.m. The application was filed to determine whether the installation of a natural gas line within existing paved roadway and the 100' buffer zone is subject to the Wetlands Protection Act or the Southborough Wetlands Bylaw. Present for the hearing was Brad Holmes of Environmental Consulting & Restoration and Sharon Cushing of NSTAR. Mr. Holmes said that the gas line will be installed within existing roadway, all of the work is in the buffer zone, straw wattles will be used for erosion controls, and the line will consist of 425' of 4" gas from Boston Road to Willow Street, and 500' of 2" gas from Willow Street to Harvest Lane.

Mr. Gregory said he noticed during his site visit that the culvert under the private road Harvest Lane had failed. The Commissioners expressed concerns about the structural integrity of the culvert and its

“angle of repose” and wants further investigation to ensure that all possible impacts to wetlands are mitigated. Ms. Cushing said that NSTAR will agree to delay the installation in order to alert the property owner of the culvert collapse. The Commissioners agreed the gas line installation alone would justify a Negative Determination, but that a Notice of Intent would be needed to replace/repair the culvert and the gas line should not be installed until the culvert repair is completed. Mr. Holmes asked if the Commission could condition the culvert investigation within a Negative Determination. The Commission wants the Harvest Lane property owner notified prior to closing the RDA hearing. A discussion about who was to do the notification ensued.

Mary Jane Sangster of 212 Boston Road is concerned about the gas line and its proximity to her house. She said that flooding has collapsed portions of the roadway. John Woodsmall, Town Engineer, suggested that NSTAR notify the Harvest Lane property owner of the failed culvert since NSTAR is doing the work at the request of the property owner.

Mr. Leeds continued the hearing to August 6, 2009.

REQUEST FOR EMERGENCY CERTIFICATE – DEPARTMENT OF PUBLIC WORKS, WOODBURY ROAD CULVERT REPAIRS:

Present for the discussion was John Woodsmall, Town Engineer. Mr. Woodsmall explained the collapse of the culvert under Woodbury Road and the effects it caused to the roadway and presented documents and photographs of the situation. Mr. Woodsmall said a perennial stream runs through the culvert, and that DPW intends to replace the collapsed culvert with two (2) 30” culverts in order to maintain the same hydraulics. Mr. Woodsmall described the work to be done, anticipated it will take between 1-2 weeks, and said the work will be done in August during low flow times.

Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (7-0) to approve an Emergency Certificate for the Woodbury Road culvert replacement by the Department of Public Works.

OTHER BUSINESS:

- 1. Discussion with David LaPointe of Beals and Thomas regarding proposed amendment to site plan and SMP for Fay School:** Present with Mr. LaPointe was Stephen Buchbinder, attorney for Fay School. Both Mr. Upjohn and Mr. Purcell recused themselves from the discussion as they are employed by Fay School. Mr. LaPointe summarized the history of approvals under Phase I and stated that Fay has decided to move Admissions across Main Street to Fay House and additional parking as well as pickup and drop off areas are now needed. Mr. LaPointe said the Fay had decided to extend the existing parking area and to revise the circulation pattern, and the new design plans are actually a reduction in impervious area of 1,500 square feet. Mr. LaPointe said the Planning Board had approved the revision. Ms. Russian suggested that a formal Stormwater Management Permit amendment was not needed in this instance given the reduction in impervious surface. All of the Commissioners agreed and gave unanimous consent for an administrative approval to the revised plans.
- 2. 101 Main Street – Discuss plan revision:** Present for the discussion was property owner Peter Maloney. Ellen Chagnon and Beth Rosenblum described the findings from their site visit. Ms. Chagnon explained that the haybales had been overtopped during the recent rain events and silt and sand had gotten into the wetlands, the rear slope needed stabilizing and the erosion controls needed improving. Ms. Chagnon said a grading plan was needed, and the area needed to be restored by skimming sand from the wetlands and fixing the haybales. Mr. Maloney explained

the proposed plan revisions. The Commission asked him to submit engineered plans showing the revisions for them to review.

3. **Stormwater Management Permit for 28 Newton Street**: The Commission reviewed the draft SMP Decision drafted by Ms. Rosenblum. The Commission requested some edits. Upon motion by Ms. Russian, seconded by Mr. Upjohn, the Commission voted (7-0) to approve the SMP Decision as amended.
4. **Cleary Road/Vine Street**: The Commission discussed the letter received from Mr. and Mrs. Scott asking for clarification of what was needed to continue the stalled Notice of Intent process. The Commission reviewed information from the Zoning Board and the Wetlands Protection Act Regulations regarding this issue, and determined that the applicant had not met the standards necessary to allow the previously filed NOI to be reopened, and that a new NOI filing would be needed. Upon motion by Ms. Russian, seconded by Mr. Gregory, the Commission voted (7-0) to require a new NOI filing for the development of the house lot on Cleary Road, and to request Mr. Scott to withdraw the original NOI filing.
5. **Meeting Minutes**:
 - a. The minutes of June 25 2009 were reviewed. Upon motion by Mr. Upjohn, seconded by Mr. Purcell, the Commission voted (7-0) to accept the minutes as written.

Upon motion by Ms. Russian, seconded by Mr. Gregory, the Commission voted (7-0) to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Beth Rosenblum
Conservation Administrator