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## TOWN OF NORTHBOROUGH Conservation Commission

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### Conservation Commission

### Zoom Meeting Minutes

November 13, 2023

**Members (Remotely):** Greg Young (Chair), Dan Clark, Justin Dufresne, Diane Guldner, Todd Helwig

**Members Absent:** Tom Beals

**Staff (Remotely):** Vincent Vignaly (Conservation Agent), Kaylee Olson

**Others (Remotely):** Laurie Connors (Planning Director), Jeanette Frisoli and Johnathan Law of Weston & Sampson, George Connors from Connorstone Engineering, Mitch Maslanka from Goddard Consulting, Brian Hopkins, Jeanne Cahill, Ginny Lemmerman

The Chair opened the remote meeting at 6:00 p.m. and announced that the meeting of the Northborough Conservation Commission is being conducted remotely consistent with Governor Healy's Executive Order of March 29, 2023, an Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency. All members of the Northborough Conservation Commission are allowed and encouraged to participate remotely. This Order allows the Conservation Commission to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. The public is encouraged to follow along using the posted agenda unless the Chair notes otherwise. Members of the public who wish to view the live stream of this meeting can do so by going to Northborough remote meetings on YouTube via the link listed on the agenda. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment. The process was explained.

Member & Staff Roll Call: Dan Clark, Justin Dufresne, Todd Helwig, Diane Guldner, Greg Young;  
Staff: Vincent Vignaly (Conservation Agent), Kaylee Olson (Northborough Cable)

Ms. Guldner read the legal ad posted in the Worcester Telegram & Gazette newspaper on November 1, 2023, for the following public hearings:

Application for a Notice of Intent at 405 Howard Street (Map 13, Parcel 1) owned by Sarah Hopkins, to construct a pool and patio within the 100' wetland buffer zone.

Applications for a Notice of Intent, and Stormwater Management and Land Disturbance Permit at 0 Boundary Street (Map 31, Parcel 9) owned by the Town of Northborough, to construct a 2-

acre ADA-accessible dog park with parking, utilities, and stormwater management infrastructure within the 100' wetland buffer zone.

Application for a Notice of Intent at 6 Cherlyn Drive (Map 14, Parcel 77) owned by Eric Longfellow to replace a failed septic system in the 100' buffer zone.

Application for a Request for Determination of Applicability at 487 Green Street (Map 10, Parcel 9) owned by Richard and Annette Currier to replace a failed septic system in the outer 100' buffer zone.

### **Minutes**

The minutes for the October 16, 2023, meeting of the Conservation Commission was reviewed.

Mr. Helwig made a motion that the minutes for October 16, 2023, be accepted and Ms. Guldner seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Guldner-yes; Helwig-yes; Young-yes; motion approved.

### **Public Hearings**

#### **Notice of Intent and Stormwater Management and Land Disturbance Permit: 0 Boundary Street, Town Dog Park (Map 31, Parcel 9) LD Permit # 2023-XX DEP# 247-XXXX**

Applicant: Town of Northborough Planning Department

Request: Construct a 2-acre ADA-accessible dog park with parking, utilities, and stormwater management infrastructure

Jurisdiction: 100' Buffer Zone.

Ms. Connors described the background for the project and selection of this site. Mr. Law from Weston & Sampson gave a brief presentation regarding the dog park. A DEP number is still needed. Mr. Law will address the comments made by Mr. Vignaly and they will be incorporated or clarified before the next meeting. A 2-acre fenced-in dog park is proposed with 10 paved parking spaces and 10 overflow spaces. Some trees will be removed for the active play area, construction of a stormwater treatment facility, and ADA compliance. The work is proposed within the 100' buffer zone, but will not encroach on the 35' No Structures Zone.

Mr. Young received confirmation that there will be no encroachment in the 35' buffer zone. There was discussion regarding the control of stormwater runoff and treatment of animal wastes before discharging into the wetlands.

Ms. Guldner asked about removal of the woodchips and Mr. Law indicated that they will naturally decompose over time and will have to be replaced by the town.

Ms. Connors explained about the Mutt Mitt stations that will be placed throughout the park and the disposal of animal waste. The DPW will be responsible for clean-up. The mulch will have to

be replaced every one or two years, depending on the amount of use. The facility will be open dawn to dusk, and there should be adequate parking spaces, with access to the abutting trails.

Mr. Vignaly explained the Northborough Stormwater Management and Land Disturbance Permit requires more information regarding stormwater treatment and construction-phase erosion and sediment controls than is typically provided in a wetland-only filing.

No one from the public requested to comment.

Mr. Helwig made a motion to continue the hearing until 6:00 on the December 11, 2023, meeting and Ms. Guldner seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

**Continued Stormwater Management and Land Disturbance Permit: 311 Crawford Street (Map 57, Parcel 14) Permit # 2023-04**

Applicant: Bandi Chiranjivee & Manaswini Kokkula

Request: Land alteration to construct a new single-family home, well, and septic system, with associated site work.

Jurisdiction: Part of a Common Plan of Development

Mr. Vignaly indicated that the applicants requested a continuance until the December 11, 2023, meeting.

**Continued Notice of Intent: 15 Prospect Street (Map 62, Parcel 61) DEP#247-1238**

Applicant: Kyla and Steven White

Request: Replace an existing single-family home, retain the septic system, and raze a shed.

Jurisdiction: 25' No Disturb Zone, 35' No Structure Zone, 100' Buffer Zone.

Mr. Vignaly indicated that the applicant is requesting a continuance so that they can amend their plan to keep the proposed house outside the 35' No Structure Zone.

No one from the public requested to comment.

Mr. Helwig made a motion to continue the hearings for 311 Crawford Street and 15 Prospect Street until December 11, 2023, at 6:00, and Mr. Clark seconded the motion. Roll call vote: Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

**Continued Notice of Intent: 86 Ridge Road (Map 72, Parcel 23) DEP#247-1239**

Applicant: Armany Partners, Win Win Capital Investments, LLC

Request: Replace a failing septic system

Jurisdiction: Leaching Area within 100' of wetland, 100' Buffer Zone

Mr. Vignaly indicated that the DEP number has been received. Mr. George Connors described the replacement of the failed septic system.

No one from the public requested to comment.

Mr. Dufresne made a motion to close the hearing regarding 86 Ridge Road and Mr. Helwig seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

Mr. Helwig made a motion to issue an Order of Conditions for 86 Ridge Road with one additional condition to put up two or three wetland signs at the end of the lawn area approximately 25' from the wetlands so the new owners are aware of the wetland area restrictions and Ms. Guldner seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

**Notice of Intent: 6 Cherlyn Drive (Map 14, Parcel 77) DEP#247-XXXX**

Applicant: Eric Longfellow

Request: Replace a failed septic system

Jurisdiction: 100' Buffer Zone

Ms. Guldner recused herself from this matter.

Mr. Connors presented a plan for a new septic system that will require a septic pump. The water will be pumped into an enhanced nitrogen treatment system.

Mr. Young asked how far the pump tank was from the wetland line and Mr. Connors indicated that it was 40.2' and the leachfield is 51' away.

Mr. Vignaly indicated that there is an impermeable liner on the downhill side. Mr. Vignaly received confirmation from Connorstone that they conducted soil tests in the rear of the property, but found too much ledge.

The plan is pending with the Board of Health, but it should be approved. Mr. Vignaly indicated that the applicant has addressed his questions.

Mr. Young explained that the hearing should not be closed until a DEP number is issued. Mr. Duvay, the buyer, said the closing is scheduled for December 15, 2023, and the septic system needs to be successfully installed and pumped by that date. There was discussion regarding the issuance of the Order of Conditions.

Mr. Helwig made a motion to close the hearing regarding 6 Cherlyn Road and Mr. Dufresne seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Young-yes; motion approved. Ms. Guldner is recused.

Mr. Helwig made a motion to issue an Order of Conditions for 6 Cherlyn Road contingent on the receipt of the DEP number and an additional condition to put up two signs near the wetland

boundary to prevent filling of the wetland area and Mr. Dufresne seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Young-yes; motion approved.

**Request for Determination of Applicability: 487 Green Street (Map 10, Parcel 9)**

Applicant: Richard and Annette Currier  
Request: Replace a failed septic system  
Jurisdiction: Outer 100' Buffer Zone

Mr. Vignaly showed the plan that indicated that the leaching system is 100' from the wetland with only grading proposed within the buffer to the wetland. They will have sediment control around the perimeter.

Mr. Dufresne questioned what would be done with the existing leach field. Mr. Vignaly indicated that it would be left in place, but the tanks will be pumped, collapsed, and filled per Board of Health requirements.

No one from the public requested to comment.

Mr. Helwig made a motion to close the hearing on 487 Green Street and Ms. Guldner seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

Mr. Helwig made a motion to issue a Negative Determination of Applicability for 487 Green Street without conditions and Mr. Dufresne seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Young-yes; motion approved.

**Notice of Intent: 405 Howard Street (Map 13, Parcel 1) DEP#247-XXXX**

Applicant: Sarah Hopkins  
Request: Construct a pool and patio  
Jurisdiction: 100' Buffer Zone

Mr. Maslanka of Goddard Consulting appeared before the Commission. He presented a plan for an in-ground pool without a fence and a patio around it. All structures are beyond 35' from the wetland edge and no grading will extend within 30' of the wetland. Nothing other than existing lawn area will be disturbed. Wetland signage has been added to the plan. All of Mr. Vignaly's comments have been addressed.

Mr. Dufresne encouraged the applicant to set up the system such that they will drain the pool away from the wetlands and out to the front yard.

No one from the public requested to comment.

Ms. Guldner made a motion to continue the hearing to December 11, 2023 at 6:00, for 405 Howard Street and Mr. Helwig seconded the motion. Roll call vote: Clark-yes; Dufresne-yes; Helwig-yes; Young-yes; motion approved.

**Requests for Certificate of Compliance:** None.

**Violations:** None.

**Informal Discussion:**

**79 Bartlett Street, (ARHS Athletic Fields) (Map 52, Parcel 88) LD #2023-01** – Update  
Mr. Vignaly visited the site. There are no erosion problems, and everything looked stable.

**Forestry Contract** – Mr. Vignaly explained that there is still no contract in place, due to health issues, but he has asked Mr. Young to review the funding available for the contract. Jeannie Cahill of 1 Thayer Street was concerned about the forestry plan and the harvesting contract. Discussion ensued regarding the mechanics of the plan, the harvesting of the trees and the requirements of the state conservation plan and the management plan. She also asked about the amount of the contract, but nothing has been established.

Ginny Lemmerman of 91 Southwest Cutoff from the Trails Committee indicated that there are many people in town concerned about the tree harvest. She wanted to know if the signing of the contract can be done so the forester can meet with the Trails Committee at their November 20, 2023, meeting. Mr. Vignaly indicated that the contract will probably not be signed for that. She discussed the concerns expressed at the Trails Committee meeting, specifically that they want to continue to be included as this progresses. Mr. Vignaly indicated that it will be important to speak to the contracted forester to obtain the more technical/detailed information.

Mr. Dufresne indicated that it is important to have the townspeople involved in the tree harvesting and invasive plant removal project. Mr. Vignaly explained the selection process used to hire a qualified forester to implement the plan as the Commission desires. There are not a lot of qualified foresters in the area and the Commission approached specific professionals with documented experience. Once the forester is under contract, the details of the work will begin. Mr. Young made it clear that the Commission will hold open meetings and circulate documents and information as it is received to keep all interested parties updated. He will implement the process to be clear and transparent.

**432 Whitney Street (SA Farms) (Map 15 Parcel 22) Cease & Desist (Existing Order)** – Update  
There has been no change. A building permit was issued about a month ago and nothing more has been submitted. The owner committed to submit a plan for approval from the Commission for an access road. No further work has been done. Mr. Vignaly confirmed that the applicant has an agricultural exemption from the town. There is still an existing cease and desist order in effect at this property.

**2024 Meeting Schedule – Accept**

Mr. Young indicated that the meetings for 2024 will be on the second Mondays of the month, except for October and November. The Commissioners agreed to the proposed meeting schedule.

**75 Ridge Road:**

Mr. Vignaly indicated they are doing a good job of removing trash and vegetation from the site. An arborist will be out to the property to approve the removal of some trees. The Commission discussed cutting or removal of the trees.

**Other Business as May Legally Come Before the Commission**

**The next meeting is scheduled for Monday December 11, 2023**

Mr. Helwig motioned to adjourn; seconded by Mr. Clark. Roll Call Vote: Clark-yes; Dufresne-yes; Helwig-yes; Guldner-yes; Dufresne-yes; Young-yes; motion approved.

The meeting was adjourned at 7:29 p.m.

Respectfully submitted,

Brenda M. DiCelle  
Commission Secretary