



TOWN OF NORTHBOROUGH Conservation Commission

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**Conservation Commission
Remote Zoom Meeting
Meeting Minutes
February 14, 2022**

**APPROVED
4/11/2022**

Members (Remotely): Greg Young (Chairman), Tom Beals, Dan Clark, Todd Helwig, Diane Guldner, Kelley Marston (6:40 p.m.)

Members Absent: Justin Dufresne

Staff (Remotely): Fred Litchfield (Town Engineer)

Others (Remotely): Vito Colonna (Connorstone Engineering), Paula Devereaux, Rick Gates, Dario DiMare, April Doroski (Fuss & O'Neil), Dan LaFrance (Engineer), Susan Ruch and Ken Sanderson (DCAM)

The Chair opened the remote meeting at 6:00 p.m. and the announcement that the open meeting of the Northborough Conservation Commission is being conducted remotely consistent with Governor Baker's Executive Order of June 16, 2021, 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 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: Greg Young, Todd Helwig, Diane Guldner, Tom Beals, Dan Clark, Fred Litchfield (Town Engineer), Jim DiGiulio (Host).

Ms. Guldner read into record the hearing notice for the Notice of Intent application for 222 Green Street (addition to single family home, relocate septic) and Request for Amended Order of Conditions for 0 Lyman Street (restore wetland resource areas).

Review Meeting Minutes of January 10, 2022 – Mr. Helwig made a motion to approve the January 10, 2022 Meeting Minutes; Mr. Beals seconded; roll call vote: Helwig-yes; Beals-yes; Clark-yes; Young-yes; Guldner-abstained; motion approved.

Continued Notice of Intent: 0 Hudson Street (Map 53, Parcels 19, 20 & 21,) DEP File #247-1196

Applicant: Scott Goddard, Circle Assets, LLC

Request: Proposed construction of two duplexes with associated appurtenances, a constructed wetland replication area, bordering land subject to flooding compensatory storage and associated site work.

Jurisdiction: Bordering vegetated wetlands, riverfront area, bordering land subject to flooding

Mr. Beals made a motion to continue the public hearing for 0 Hudson Street to March 14, 2022; Mr. Clark seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Young-yes; motion approved.

Kelley Marston joined the meeting at 6:40 p.m.

Continued Notice of Intent AND Land Disturbance Permit Application: 200 Bartlett Street (Map 66, Parcel 7) DEP File #247-1208

Applicant: Richard Gates, R.J. Devereaux Corp.
Request: Proposed construction of a contractor’s yard with associated parking, utilities, stormwater infrastructure and associated site work.
Jurisdiction: Buffer to wetland resource areas

Mr. Helwig recused himself from 200 Bartlett Street since he represents the property owner.

Vito Colonna (Connorstone Engineering), Attorney Paula Devereaux and Rick Gates were in attendance. Mr. Young commented that questions Ms. McDonald had were answered to her satisfaction. Mr. Colonna said the main issue was roof runoff and potential for infiltration for the two buildings on the left side. The LSP did not recommend any infiltration around the administrative building. The contamination is down approximately 50-feet; they are not very concerned with the infiltration but wanted to stay away from immediate areas near the building. He described where infiltration was added; Cultecs were added in line on the drainage system; they are pretreated first. He also described the lower impact infiltration around the existing building. Mr. Young said it is an overall site improvement.

Mr. Litchfield wanted to make sure there was some pretreatment before any water captured from the parking lot went into the infiltration areas. Mr. Colonna confirmed that there was pretreatment in the one section next to the small building near Lamy’s where the water is gathered from the small paved surface. Mr. Litchfield said if the plans change in any way they will need to come back to revise them. Special conditions will include permanent markers, weekly street sweeping as needed during construction, an O&M Plan for Stormwater, a pre-construction conference, environmental monitor assigned and contact info given to the Commission prior to start of work, a SWPPP and weekly SWPPP reports.

The Chair asked for public comment; there was none. Mr. Beals made a motion to close the public hearing; Ms. Marston seconded; roll call vote: Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved. Mr. Beals made a motion to issue an Order of Conditions and Stormwater Permit for 200 Bartlett Street with the following special conditions: (1) permanent markers, (2) weekly street sweeping as needed during construction, (3) O&M Plan for Stormwater, (4) pre-construction conference, (5) environmental monitor assigned and contact info given to the Commission prior to start of work, and (6) a SWPPP and weekly SWPPP reports. Ms. Marston seconded; roll call vote: Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved. The Stormwater Permit will be appended to the Order of Conditions along with the O&M Plan.

Notice of Intent: 222 Green Street (Map 21, Parcel 16) DEP File #247-1210

Applicant: William Norman
Request: Proposed construction of an addition to a single-family home and relocation of the existing septic tank and associated site work.
Jurisdiction: Buffer to wetland resource areas

Vito Colonna (Connorstone Engineering) was in attendance. The existing house is in the back; an existing wetland runs down the side of the property; there is a stream offsite. An addition off the back of the house is proposed; a new location for the septic is needed. The work is within the existing developed areas. The

work is outside the 35-foot no disturb buffer zone and no structure zone. Erosion controls run along the entire driveway.

The delineation was done by Goddard Consulting. Ms. McDonald could not confirm the delineation because of snow cover, but did confirm that everything was outside the 35. If the Commission does approve it, it will be noted in the Order that the wetland boundaries were not confirmed. Mr. Beals made a motion to close the public hearing; Mr. Helwig seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved. Mr. Beals made a motion to issue an Order of Conditions for 222 Green Street noting in the conditions that the wetlands delineation was not confirmed; Mr. Helwig seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved.

Request for Amended Order of Conditions: 0 Lyman Street Violation (Map 86, Parcels 1&2) DEP File #247-1188

Applicant: Commonwealth of Massachusetts, Division of Capital Asset Management and Maintenance (DCAM)
Request: Proposed restoration of wetland resource areas, clearing of existing culvert and long term beaver management plan and associated site work.
Jurisdiction: Land under water, bank, bordering vegetated wetlands and buffer to wetland resource areas

April Doroski (Fuss & O’Neil), Dan LaFrance (Engineer), Susan Ruch and Ken Sanderson (DCAM) were in attendance. Mr. Young said they were to come back to the Commission with a long-term restoration plan and a plan to clear the culvert; the beavers are a separate project. Ms. Doroski said they submitted an Amended Order of Conditions and gave a brief history of the project. All work conducted to date has been approved by Ms. McDonald. There is still debris in the culvert. The plan is to remove the remaining debris and restore the wetland areas in the immediate vicinity of the culvert. Mr. Young asked what the plan was to clear it out. Ms. Doroski said it will be a controlled activity to pull the material out, manually remove it and load it into a dump truck or loader that is on the road. Nothing will be stockpiled in the wetlands. The turbidity curtain remains, but may need to be moved to access the culvert. Wetland seed mix in the upgradient portion will be put down; coir logs will be put in along the bank for stabilization and to direct flow into the culvert; live stakes along the bank will be installed as well. There is some beaver debris that remains along the culvert; that will be removed first. An erosion control blanket is proposed in the upland area.

Mr. Beals said it would be in the best interest to put something there to prevent further beaver activity after the restoration is done. Ms. Ruch said this was the scope of the work they thought was appropriate as part of that project. They are working on a plan separately where DCAM plans to address the beavers as a long-term project that will include removal of the beavers. The site is being monitored to make sure the beavers don’t undo work already done; it will be actively managed throughout the demo project. They are trying to implement the stabilization methods before the spring rains. DCAM’s project is separate; they are trying to expedite it. Roughly within the next month or so the plan will be coming. Mr. Young asked if it getting the long-term beaver plan could be noted in the Amended Order. Ms. Ruch didn’t think that was a proper condition and asked if there could be another way to address it. Mr. Litchfield suggested including something that the beavers have been dealt with in an appropriate manner before a Certificate of Compliance is issued. Ms. Ruch said the demo contractor can’t be paid until a Certificate of Compliance is issued.

Mr. Young is not looking for a resolution of the beavers be part of this, but would like something to make sure that the long-term plan is developed and we see it or it's implemented. Mr. Helwig was prepared to issue an Amended Order as presented. Ms. Ruch said DCAM has made a commitment to the town through the Commission that they are going to do a project to manage the beavers and can confirm it with communication to the town and follow up with what they will be doing even, if it doesn't require an NOI; they want to be good partners with the town.

The Chair asked for public comment; there was none. Mr. Helwig made a motion to close the public hearing; Mr. Clark seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved. Mr. Helwig made a motion to issue an Amended Order of Conditions for 0 Lyman Street with the plan as presented; Ms. Marston seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved.

Requests for Certificate of Compliance:

Mr. Helwig made a motion to issue Certificates of Compliance for 101 Maple Street, 7 Easy Street, and 400 Cedar Hill Street; seconded by Ms. Marston; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved.

Violations:

0 Lyman Street (Map 86, Parcels 1&2) DEP File #247-1188: (alteration of wetland resource areas: restoration and beaver removal plan discussion) – Discussed earlier.

93 Maynard Street (Map 20, Parcel 15) (alteration of wetland resource areas with installation of a fence; violation letter mailed 1/12/2022) – The skids and debris has been removed; there is a remaining structure. Raquel and Marcelo Menezes attended. Ms. Menezes said the gate and 11 panels were existing when they bought the house; the intention was to restore it as it was when she purchased the house. The members thought it would be acceptable because the structure below is preexisting. The Menezes' understand where the boundaries are and know they have to come before the Commission before they would do any work.

Bartlett Pond: Mr. Helwig made a motion to authorize the contract with the expenditure of \$27,755.00 from the Conservation Fund for vegetative treatment in 2022; Ms. Marston seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved. Mr. Litchfield will contact Solitude and forward the contract to the Town Administrator for signature.

Informal Discussion:

Vice Chair Discussion and Vote – Tabled to March.

Discuss allowing Fred Litchfield to sign documents on behalf of the Commission – Mia McDonald previously signed documents for the Commission. Mr. Helwig made a motion to allow Mr. Litchfield to sign documents on the Commission's behalf; Mr. Beals seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved.

Forestry Plan Update – The request for funding has been sent to DCR; they have acknowledged receipt of the document. Mr. Beals said two quotes have been received; one will need to be selected.

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Mr. Litchfield said resumes have been received for the Conservation Agent; interviews are in the process of being scheduled. The Town Planner position has been filled by Laurie Connors who will start on March 7th.

The next meeting is scheduled for March 14, 2022.

Todd Helwig and Dan Clark are up for reappointments.

Mr. Beals made a motion to adjourn; Mr. Helwig seconded; roll call vote: Helwig-yes; Guldner-yes; Beals-yes; Clark-yes; Marston-yes; Young-yes; motion approved.

The meeting adjourned at 7:20 p.m.

Respectfully submitted,

Melanie Rich
Commission Secretary