

Marlborough Conservation Commission
Regular Meeting
Marlborough Town Hall
April 4, 2005
7:00 p.m.

1. CALL TO ORDER

Mr. Don Hautman called the meeting to order at 7:00 p.m. in the meeting room of Marlborough Town Hall.

2. ROLL CALL

The following Commission members were seated and voting:

Don Hautman
Gordon Isleib
Gale Busemeyer
Jim Montstream
Jack Bray

Also present:

Amy Traversa, 180 North Main St.
Bill Lardi, 180 North Main St.
Ted Wojcik, 379 Jones Hollow Rd.
Karen Bosshart, 379 Jones Hollow Rd.
Ken Cheshire, 16 West Rd.
Joel Fuller

3. OLD BUSINESS

- a. Kenneth Cheshire – application #05-04 – 16 West Rd. - Landscaping

Don Hautman read the application. Mr. Hautman also noted that there are two letters in the file, one dated January 30, 2005 from Peter Hughes to Mr. Cheshire and another regarding the fill that has been placed on the property. Gordon Isleib read the unapproved minutes from the April 2nd site walk. Mr. Cheshire addressed the commission and explained what he wants to do at the site. Five loads of fill have been delivered to the site. The material has been dumped on the edge of the parking lot. He wants to spread the fill in the wetlands area and place an anchor, chain and boat. The boat will be filled with flowers. The group reviewed a map of the site. Mr. Hautman noted that he is not sure the map accurately reflects the current state of the site. The map shows a trench for storm water retention, which has been filled in by the property owner. Mr. Cheshire said he had planted some flowers in this area. The map also does not reflect the parking spaces at the site. The commission members agreed that Mr. Cheshire has done activity within the regulated area without the appropriate permit, which is a violation. Mr. Hautman explained that the commission's role is to protect the town's wetlands, and filling in of wetlands is not something the commission supports. Mr. Cheshire said that his intention was to enhance the wetlands, not destroy it.

With respect to the application, Don Hautman said that Mr. Cheshire needs to present additional information, i.e. where the soil is going, what the finished grades will be, how the site will be stabilized. He wants a drawing showing the resulting contours and vegetation. He noted that all the activity is within the wetlands. Mr. Hautman also wants an engineer to lay out the present condition of the site.

Motion by Gale Busemeyer that, based on the information provided, the proposed activity may have a significant impact on wetlands and watercourses. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Mr. Hautman told Mr. Cheshire to review Section 8 of the town's wetlands regulations (significant impact requirements). As per section 8.4, an environmental assessment is required. He explained that the applicant needs to have an expert present information about the proposed activity, demonstrating how it will not harm the wetlands.

Motion by Jim Montstream to hold a public hearing for application #05-04 – Kenneth Cheshire – 16 West Rd. – on May 2, 2005 at 7:00 p.m. The motion was seconded by Jack Bray and it was carried by a unanimous vote.

Mr. Hautman said that, in the meantime, the applicant needs to install a silt fence between the wetlands and the pile of material.

b. Karen Bosshart – application #05-05 – 379 Jones Hollow Rd. – Restore Pond

Don Hautman read the application. Gordon Isleib read the unapproved minutes from the April 2, 2005 site walk. The group reviewed a map of the site. Mr. Hautman noted that the site is near Flat Brook, so there is a 200-foot regulated area. Karen Bosshart and Ted Wojcik addressed the commission and explained what they want to do. Karen Bosshart explained that they want to restore flow from Flat Brook into the pond on their property. She said that there used to be a beaver dam at the far end of the pond. The pond is currently very low and has much muck and debris. This debris is flowing out of the pond into Flat Brook. She explained that they want to clean out the pond and spread the dirt from the pond in an area behind the pond to be used for a horse pasture. The group reviewed a map of the site. Mr. Hautman noted that the map shows approximate wetland limits, not actual limits. He also noted that the owners have cut a path near the pond, which needs to be shown on the map. Mr. Hautman said that the applicants' expert needs to address the commission on the pond's condition and what impact the proposed activity will have on Flat Brook. The proposed activity includes diversion of Flat Brook, which may be subject to state regulations. The applicants should check with Peter Hughes on this. Mr. Hautman said he does not want the stockpile in the wetland area. If the applicants want to clear an area for a pasture, it needs to be shown on the plans, including the movement of livestock from the field to the pond.

Motion by Jim Montstream that, based on the information provided, the proposed activity may have a significant impact on the wetlands and watercourses. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Mr. Hautman advised the applicants to work with Peter Hughes. The applicants need to focus on Section 8 of the town's wetlands regulations (significant impact requirements). As per section

8.4, an environmental assessment is required. Mr. Hautman wants a detailed construction sequence. The applicants need to think about the best location for the stockpile. The applicants need to show the clearing that has already been done, the pasture for the livestock, how much material will be moved, what they will do with the material, ultimate disposal of the stockpile, and installation of erosion and sedimentation control measures. The applicants also need to state when the work will be done, and how long the work will take. The applicants need to show how Flat Brook will be protected during the work. This work needs to be performed by a qualified individual. The group agreed that the applicants need to have a soil scientist delineate the wetlands from the property line on the northwest of the pond to the property line east of the pond.

Motion by Gordon Isleib to schedule a public hearing for application #05-05 – Karen Bosshart – 379 Jones Hollow Rd. on May 2, 2005 at 7:10 p.m. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

c. Dennis Hancin/Arthur Johnson – application #05-06 – Jones Hollow Rd. – House

There was nothing new to discuss for this item. The public hearing has been scheduled for May 2, 2005.

Motion by Gale Busemeyer to table application #05-06 until the May 2, 2005 meeting. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

4. NEW BUSINESS

a. Brian Previti – application #05-07 – Chapman Rd. – House

Don Hautman read the application. Joel Fuller, land surveyor, addressed the commission. He said this is a lot of record and the site is almost 12 acres. Mr. Snarski has delineated the wetlands on the site. Mr. Fuller showed the members a map of the site, explaining that there are steep grades on the site. The proposed driveway location crosses the wetlands. Mr. Previti said that he spoke to his neighbor about sharing a driveway, but the neighbor is concerned that his driveway could be damaged during construction. Jim Montstream asked Mr. Previti to try and obtain a written response from the neighbor regarding the shared driveway (for the record). Don Hautman wants to see an alternative for the driveway (not crossing the watercourse).

Motion by Jack Bray to schedule a site walk for Saturday, April 9, 2005 at 8:00 a.m. The motion was seconded by Gale Busemeyer and it was carried by a unanimous vote.

Motion by Jack Bray to table application #05-07 until the May 2, 2005 meeting. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

b. Amy Traversa – application #05-08 – 180 North Main Street – Deck/Bathhouse/Garage

Don Hautman read the application, which includes a 20x20 deck/dock, a boathouse and a garage. The applicant showed the members a map of the site and explained what she wants to do. The deck/dock will not be in the water, but will be right on top of the water. She explained that she needs to drill a new well at some point. She said there are a couple possible locations for the garage. Don Hautman said that if the garage is part of the application, the applicant needs to

decide on a location and include this. Gordon Isleib said that he wants to see the plans for the deck/dock, understand where the piers will be placed and what kind of soil disturbance there will be.

Motion by Gale Busemeyer to schedule a site walk for application #05-08 for Saturday, April 9, 2005 at 8:45 a.m. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

Motion by Jim Montstream to table application #05-08 until the May 2, 2005 meeting. The motion was seconded by Jack Bray and it was carried by a unanimous vote.

5. OTHER BUSINESS

a. Community Development Advisory Committee

Peter Hughes advised that a firm has been chosen for the town center plan. He also noted that the public survey results will be shared at the public forum on Thursday, April 7th at 7:30 at the school's community room. The survey firm will do any cross-tabulations requested by the town.

b. Sewer Project

Mr. Hughes noted that the firm is currently flagging the wetlands. This should be completed in a few weeks. Preliminary design work is underway and the group/town is working on finalizing the locations for the pump stations. This includes property acquisitions.

c. Open Space

Don Hautman said he will e-mail information from Shelley Green to Mr. Hughes for incorporation into the open space document. Mr. Hughes will get copies of the Open Space & Cultural Resource Strategy dated December 2004 for members of the commission.

d. May 2005 DEP Open Space Land Acquisition Grant Application

The group discussed possible parcels in town to be purchased for open space.

e. Town Center Area

There was nothing new to report on this item.

f. Oak Drive Drainage

There was nothing new to report on this item.

6. APPROVAL OF MINUTES

Motion by Gordon Isleib to approve the minutes of the March 7, 2005 regular meeting with the following change: page 4, paragraph under bullet #8, delete "if it were" after "public

hearing” in the third sentence and replace with “in order to change their regulations”. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

Motion by Jim Montstream to approve the minutes of the March 15, 2005 special meeting. The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Motion by Gale Busemeyer to approve the minutes of the April 2, 2005 site walk (application #05-05 – 379 Jones Hollow Rd.). The motion was seconded by Gordon Isleib and it was carried by a unanimous vote.

Motion by Jim Montstream to approve the minutes of the April 2, 2005 site walk (application #05-04 – Kenneth Cheshire). The motion was seconded by Gale Busemeyer and it was carried by a unanimous vote.

7. WETLAND ENFORCEMENT OFFICIAL’S REPORT

There was a brief discussion about Mr. Cheshire’s violation at 16 West Rd. Mr. Hughes said he will send Mr. Cheshire a letter to stabilize the area around the dirt.

With respect to the tank on South Main Street, the fire marshal will be asked to investigate.

8. ADJOURNMENT

Motion by Gordon Isleib to adjourn the meeting at 9:36 p.m. The motion was seconded by Jim Montstream and it was carried by a unanimous vote.

Respectfully submitted,

Mary Sciano