

# Town of Marlborough



Conservation Commission Meeting Minutes  
April 1, 2024, 7:00 PM  
Marlborough Senior Center, 17 School Drive

## 1. Call to Order

***David Pratt called the meeting to order at 7:01PM***

## 2. ROLL CALL

Present and seated were Martha Smigel, Manny Hatzikostas, David Pratt, and Bob Hamilton (Alt), and Peter Hughes-Director of Planning & Development

***Martha Smigel motioned to move agenda item 3b Application #02-24 in front of item 3a. Manny Hatzikostas seconded. All in favor, motion carried.***

## 3. PUBLIC HEARING

- a. APPLICATION - #02-24 – Greylock Property Group, LLC (Applicant)  
48 Unit Multi-Family Development

Dave Pratt opened the Public Hearing. Attorney Bill Sweeny began the presentation stating the scope of their presentation today was to review the LANDTECH report dated March 28, 2024, regarding the Environmental Review of 156 & 163 North Main Street. Mark Friend of Megson, Heagle, and Friend then presented the key points of the report.

1. Parking area – The proposed plan for the parcel of land between North Main Street on the lake is a good balance with no expected impact.
2. Basin #2 on the main property, west side of the road – There appears to be a robust wood frog population in the area north of the site in existing wetlands. The current plan for Basin #2 in that area is for a wet basin.

The concern is that the frogs may breed in the basin since there would be standing water. One solution is to surround the basin with a low fence to prevent amphibians from getting into the basin.

3. Access road to Basin #2 – There has been a discussion whether the access road to Basin #2 should be between units 5 & 6 as originally planned or between units 7 & 8 as shown on the revised plans. After considering the impact and work required to create this access road the preferred path is to the northeast of the wetland between units 5 & 6.
4. Splashpad for stormwater Basin #1 – the report suggests moving the pad so no physical impact to the wetland will occur.

In summary the client (Greylock) agrees with the report and can revise the plans accordingly.

*Following the report a Question-and-Answer session began.*

- Dave Pratt asked what fertilizers were to be used on the property by the lake if they were synthetic or “natural.” The response was that would be a requirement for the association to comply with.
- Martha Smigel asked about any pending new regulations from DEP on storm water and if Greylock was aware of these and would they apply. The reply was that these potential new regulations were most likely for industrial sites, but since this project will disturb more than 5 acres, they will register for a general stormwater permit. Bill Sweeny assured us that Greylock will comply with the current regulations at the time of the permit application.

*Public Comments:*

- Ralph Urban – 10 Washington Road, stated that the minutes from the previous meeting on March 4, 2024, didn't accurately capture his concern regarding the zoning application and the commission's role to recommend to zoning that a conservation easement be placed on the two portions of 156 North Main Street that are not being developed and not the entire area. Ralph Urban continued to speak on what he believes the role and the responsibility of the commission is and how the commission can make recommendations regarding zoning and how they have the responsibility to do so. Ralph continued stating the conservation easements should be made for the areas not to be developed stressing in his opinion that these

should be done, and it is the role of the commission to preserve such areas for the future as this is the last undeveloped parcel of land on the lake.

- Manny Hatzikostas stated and clarified that the two terms being used, recommendation and condition are quite different. We do not have the authority as a commission to make it as a condition but can make a recommendation as the commission works in an advisory role. Both Ralph and Manny agreed that the comments should be noted as recommendations and not conditions.
  
- Jane Boston – 64 Pettingill Road, stated that there is a wetland area that abuts Pettingill Road where rain and mud washes into the road every time it rains. It has been requested of the town in the past to add a curb there, but it was denied. Some homes in the area have had work done by the town and public works to prevent the overflow of water. Jane is asking for the town to remediate this area before any further development is done to prevent the wash out and flooding. Regarding basin #1 near Walker Road, why is that not considered to be an issue for amphibians as well. Bill Sweeny stated it is designed to be a dry basin and will not be of any area of concern. Also reiterated the concern for fencing and guards should be installed over drainpipes to prevent any entry into the pipes. Concern over dead trees was mentioned and the hope for these to be removed especially along adjacent property and walking trails.
  - It was stated by the commission that the dead trees issue was added to the conditions and should be addressed.
  
- Jane also had a concern of possible added chemicals, salts and sand from road treatment and run off getting into the basins and wetlands.
  - Martha asked for clarification on the concern and how it differs from the other surrounding areas of the lake. Jane just noted that there would be an increase in the volume, and we should just make sure it is managed properly.
  
- Jeff Sawyer, 20 Walker Lane, stated the basin is close to his property and he is concerned about flooding and the aesthetics of the basin close to his property. Jeff is asking the basin be farther away as there is currently a water issue in the area and thinks it will only get worse. The commission asked if the property slopes away from the basin would help the situation.

- Dan Hood - 52 Pettingill Road, asked what the plan is for preventing runoff from all the work and the mud on the roads.

### *Public Comments Closed*

Bill Sweeny addressed the concerns and questions raised.

He stated that he respects the concerns of Ralph Urban on the land conservation and stated the client is not interested in making any of the area along the lake a conversation space and believes the plan more that adequately manages the requirements for open space.

He stated that the concerns of Jane Boston are different from the developer and that some of the issues are form natural systems in place currently and with the excessive rain we have had it is worse than normal. These issues are between the homeowners and the town. Plans must meet flow rates and not increase flow and the basins are designed to do that.

Dry basin #1- designed for water to dissipate within 24 hours and should not be a concern.

Guards on pipes are something they can do but no fencing is planned and can be unsightly.

Dead trees- good for natural habitat in areas away from property. Those along property edges should be taken down if they are a threat.

Salts and sands- not directly washed into wetlands as they go through basins and should not be a concern.

Jeff Sayer- restated his concern of the basin. Bill noted it has been shifted as much as possible and the dry basin should not have an impact. There is over 100 feet of vegetation between the basin and property.

Dan Hood- there has been a full disclosure of the plan for run off in a closed system for storm water and roofs into the basins where they are detained.

Duration construction the town and developer will monitor the silt fence and any erosion issues. A temporary sediment basin will be in use as well to prevent any runoff.

Ralph Urban spoke up about Attorney Bill Sweeny's comment that it is not the developers' concern that this is that last site on the lake and restated the commission should make a recommendation as this will impact the future. States the commission is a "watchdog" to recommend concerns over impacts.

It was also noted that the property along the lake will be retained by Greylock with rights to use by the condominiums.

Jane restated her concern over the dead trees and Bill Sweeny stated he and the client wants the right to come on to abutting properties and remove any dead trees on the lines that are of danger.

Bill Sweeney asked the commission and Peter Hughes if they could close the hearing tonight so Greylock could take the report outside of this process. Peter stated it should stay open as the report is fully reviewed.

Dave Pratt asked for a motion to continue the hearing.

***Martha Smigel motioned to continue the public hearing for application #02-24– Greylock Property Group, LLC (Applicant) 48 Unit Multi-Family Development to the May 6, 2024, meeting. Manny Hatzikostas seconded. All in favor, motion carried.***

***Manny Hatzikostas motioned to extend the application #02-24 – Greylock Property Group, LLC (Applicant) 48 Unit Multi-Family Development. David Pratt seconded. All in favor, motion carried.***

***Martha Smigel motioned to continue the public hearing for application #02-24 to the May 6, 2024, meeting. Manny Hatzikostas seconded. All in favor, motion carried.***

b. APPLICATION – #11-23 -Town of Marlborough (Applicant) Hodge Road Culvert Replacement

***Manny Hatzikostas motioned to continue the application #11-23 Town of Marlborough (Applicant) Hodge Road Culvert Replacement to the May 6, 2024, meeting. Martha Smigel seconded. All in favor, motion carried.***

#### 4. OLD BUSINESS

a. APPLICATION – #11-23 -Town of Marlborough (Applicant) Hodge Road Culvert Replacement

Refer to 3b, Public hearing.

- b. APPLICATION - #02-24 – Greylock Property Group, LLC (Applicant)  
48 Unit Multi-Family Development

Refer to 3a, Public hearing.

## 5. NEW BUSINESS - none

## 6. OTHER BUSINESS

- a. Commissioner Training

Still in process and commission members note meetings and training done as required.

- b. Shredding Event 2024

Members stated who will be there. Peter noted that we need to clean up and check the site for debris after the event. Postings and ads to be posted about the event.

- c. Wetland Enforcement Office Report

In process- 42 Stoney Brook, Site visit planned for April 15, 2024. If needed a special meeting will be scheduled and it will pick up again on our May 6, 2024, meeting.

## 7. Approval of Minutes

***Martha Smigel made a motion to table the approval of the minutes of the March 4, 2024, regular meeting. Manny Hatzikostas seconded the motion. The motion passed.***

## 8. Adjournment

***Martha Smigel made a motion to adjourn the meeting at 7:58PM. Manny Hatzikostas seconded the motion. The motion passed.***

Respectfully submitted,

Dave Carter  
Board Clerk