

MINUTES OF THE TYNGSBOROUGH CONSERVATION COMMISSION MEETING

August 22, 2006

**Present**

HJ: Henry Jungmann, Vice Chair  
LG: Lucy Gertz  
JZ: Jeanne Zarba

RS: Robert Sherburne  
FZ: Frank Zarba  
LC: Lori Capone, Director

**Absent**

JK: Jeffery Kablik, Chairperson

7:00 **Meeting opened** by Henry Jungmann, Vice Chairman

7:02 **P. E. Sands Construction Inc. – 18 Michigan Road – Notice of Intent:** (Map 2, Parcel 186) Construction of a 22' x 25' addition and a 60' x 35' sports court with associated clearing and grading, within the buffer zone.

**JZ: Motion** to waive the reading of the abutters list

**FZ: 2<sup>nd</sup>**

**Unanimous 5-0**

**JZ: Motion** to waive the reading of the Legal Ad

**FZ: 2<sup>nd</sup>**

**Unanimous 5-0**

Mr. Hannaford of Norse Design Services represented P. E. Sands Construction. Mr. Hannaford explained that the project has been amended to consist of a 40' x 70' sports court located 50.5 feet from the bordering vegetated wetland and a 26' x 26' addition located 74 feet from the wetland. Both structures meet the Commission's No-Build Regulation. Mr. Hannaford suggested having the sports court staked out in the field prior to installation to ensure the 50-foot setback is maintained. Construction will require clearing and grading but will maintain the Commission's 30-foot Regulation. Haybales and silt fence will be installed to protect the resource area. HJ asked for comments from the Commission. FZ asked what the surface of the sports court would consist of. Mr. Hannaford said it would be asphalt. LC informed the Commission that we are waiting to hear from DEP and the Natural Heritage Program. JZ questioned why the dimensions have changed. Mr. Hannaford explained that the original plan was in error and has been revised. HJ asked for abutter comments. There were none.

**JZ: Motion** to continue the Hearing to September 12, 2006 at 7:15

**FZ: 2<sup>nd</sup>**

**Unanimous 5-0**

**Other Business:**

- ❖ Tim McCarron addressed the Commission regarding a **Request for a Partial Certificate of Compliance for Beaver Run**. Tim explained the changes to the plan including installation of two 18" culverts versus the 30" culvert shown on the plan. Polaris Engineering confirmed that the drainage calculations were based on the 18"

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culverts. The other change was an increase in alteration to the wetland at the first crossing due to the fact that the applicant has divided the roadway to save some large trees. Mr. McCarron explained that any additional impacts at the first crossing will be mitigated for at the second crossing as he is increasing the span of the bridge thus minimizing the wetland impacts.

**JZ: Motion** to issue a Partial Certificate of Compliance for Lots 1 & 2 Beaver Run

**FZ: 2<sup>nd</sup>**

**Unanimous 5-0**

- ❖ LC explained that Walter Eriksen would like to donate the Open Space Parcel A associated with Sleepy Hollow Subdivision.  
**JZ: Motion** to request the Board of Selectmen accept Parcel A associated with the Sleepy Hollow Lane Subdivision as Town Open Space under the care, control and custody of the Conservation Commission.  
**FZ: 2<sup>nd</sup>**  
**Unanimous 5-0**
- ❖ **Director's Determination for Lot 8 Maple Ridge Estates.** Mr. Eriksen is requesting permission to place a pre-fab gazebo of eight sono tube footings located 60 feet from the bordering vegetated wetland. The area was previously cleared for lawn. There is roughly 35 feet of no disturbance between the project and the resource area.  
**FZ: Motion** to accept the Director's Determination for Lot 8 Maple Ridge Estates.  
**JZ: 2<sup>nd</sup>**  
**Unanimous 5-0**
- ❖ LC presented a request from Mr. Eriksen to widen the emergency access road for the apartments at Maple Ridge Estates, thus making it the permanent access. The Commission found this change to be substantial and requested LC notify the applicant and have him file a Notice of Intent for this proposed change.
- ❖ The Commission discussed a proposed Warrant Article regarding replacing the windows at the Sherburne Property.  
**FZ: Motion** to support HJ pursuing this matter with the Community Preservation Committee.  
**JZ: 2<sup>nd</sup>**  
**Unanimous 5-0**
- ❖ **1 Demauro Drive:** LC met with Mr. Kourkoulakos regarding the required plantings associated with his project. It was determined that only 5 sugar maples could be planting in the area instead of the required eight. Mr. Kourkoulakos will plant additional blueberry to compensate. Also, the plantings will require machinery. The Commission was fine with the changes as proposed.

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- ❖ **Digital Credit Union: 378 Middlesex Road:** The contractor requested permission to store fill in the buffer zone for three weeks. Erosion controls will be placed around the spoil pile. The Commission agreed this was acceptable.

\*LG left the meeting at this point\*

- ❖ LC directed the Commission to a letter to Mr. Harvey of 267 Pawtucket Blvd. The Town Administrator requested LC put the matter in writing.

- ❖ **JZ: Motion** to approve the minutes of August 8, 2006

**FZ: 2<sup>nd</sup>**

**Unanimous 4-0**

- ❖ **Request for a Certificate of Compliance for 56 Patriot Road.** LC explained that this filing was for the construction of Patriot Road. A detention basin was proposed to be placed at 56 Patriot Road. LC researched the file and discovered the Commission approved moving the detention basin to the other side of Patriot Road though it does not appear as though this Amendment was recorded.

**FZ: Motion** to issue a Partial Certificate of Compliance for 56 Patriot Road

**JZ: 2<sup>nd</sup>**

**Unanimous 4-0**

- ❖ Members signed the following DEP forms: Partial Certificate of Compliance for Lot 1 & 2 Beaver Run, Partial Certificate of Compliance for 56 Patriot Road, and Order of Conditions for 206 Massapoag Road.

**JZ: Motion** to adjourn

**FZ: 2<sup>nd</sup>**

**Unanimous 4-0**

Meeting adjourned at 8:07

Respectfully submitted by Lori Capone, Conservation Director