

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

January 17, 2008

Memorial Hall, 3rd Floor, City Hall

Members Present: Edward Clancy-Chairman, David Williams, Lawrence Roy, John Skarin, Michelle Higgins, and Priscilla Ryder-Conservation Officer;

Absent: Dennis Demers, Allan White

Minutes – The minutes of January 3, 2008 were reviewed and unanimously approved as written.

Discussion

- Deed for Open Space – Berlin Farm Open Space Development- this item was discussed later in the meeting.

Public Hearings

Notice of Intent

Ames St. – Marlborough Dept. of Public Works

Tim Collins from the DPW Engineering Dept. and Benny Hung from Jacobs, Edwards and Kelsy represented the City. Benny Hung explained that the project involves the full reconstruction of Ames St. from Rte. 20 to Forest St. This will include milling, paving and installation/replacement of curbing with granite curbing. There are some existing swales on the side of the roadway which are functioning fine, however in a few locations erosion is beginning to occur, so they are proposing to install some rip rap and stone check dams to improve these drainage facilities. Some of this reconstruction work lies within the 100' buffer zone of several wetland systems along the length of the roadway. All drainage ultimately drains to Millham Brook which is the city's water supply. Prior to construction, the existing drainage system will be cleaned to be sure it is working properly. Mr. Hung explained that one problem with the roadway is that it is buckling due to the groundwater table being high under the roadway. This is to be corrected by replacing the existing 6" sub-drain with an 8" sub-drain to help control this groundwater issue.

The Commission asked several questions about construction sequencing, excess materials, and process of controlling runoff between the time the roadway is milled and when it will be paved. Mr. Hung answered that they would be able to control the runoff using the existing swale systems and suggested that prior to construction an inspection of the "during construction" drainage issue would be reviewed. The Commission noted that silt sacks must be included in the erosion control plan during the time the roadway is exposed. A system of drainage

control must be determined and discussed. A system for dewatering is also being required.

Jeff Rhines of Normandy Real Estate who owns property on Nickerson Rd. asked questions about how long the project would take place and what type of detour and traffic patterns were anticipated.

After further discussion, the Commission closed the hearing and asked the Conservation Officer to draft a set of conditions for review at the next meeting, including items noted above.

Notice of Intent

150 Cedar Hill St. – Ken’s Foods, Inc.

Robert Poxon of Guerriere and Halnon, Inc. and Mike Kowlacowski from Ken’s Foods were both present to discuss the project. Mr. Poxon explained that the current conditions of the site include the treatment facility which removes the by-products of the Ken’s Foods processing plant before discharging into the city’s sewage treatment plant. Mr. Kowlacowski explained that the new system will trap the methane from the adjacent facility to heat this building and may be used as a power source in the future.

The proposal is to install an additional treatment tank which will have a membrane bio-reactor to remove even more material from the waste stream. Some adaptations to the existing treatment facilities will also be made to make the system work more effectively. The new treatment building will be a 2,000 sq. ft. building with a pad for future expansion for some tanks. It will be a slab on grade structure with some minor excavation and grading for the slab. The current area is a level hard packed gravel area. The closest point from the building to the wetland will be 44 feet. The majority of the work is in an already developed area, so no new disturbance of natural areas is anticipated. All the work is being performed in the Riverfront Area. The proposed additional disturbance is 1% of the Riverfront Area.

The Commission asked about the maintenance of the new facility and what types of chemicals will be transported and transferred to this site. Mr. Kowlacowski explained that it would be chlorine or citric acid. Commissioner Higgins asked about the safety measures needed given the proximity to the brook. He explained that there are alarms and an Operation and Maintenance Plan in place which they will provide at the next meeting.

All excavated materials will be removed from the site. They are hopeful they can get their permits by March 1st and open the facility in June. At the request of the Commission, they also agreed to remove and clean up the debris piles which are behind the proposed building location and along the stream bank. This area is to

be restored and re-vegetated and left to naturalize. Only the removal of non-native invasive species will be permitted.

After additional discussion, the Commission with the applicants consent continued the hearing to Feb. 7th to allow the applicant to obtain comments from City Engineer; information about chemical storage and the O&M plan.

Notice of Intent (Continuation of Public Hearing)

84 and 158 Waterford Dr. (off Robin Hill St.) – Sepracor, Inc.

Bill Bergeron from Hayes Engineering and Bryan Iwatta of Sepracor were present. Chairman Clancy explained that he had been on site to view the trees that were marked, as did the other members. There was some discussion about the trees that could be saved and why a few on the periphery were slated for removal. Mr. Bergeron explained that some have a wide canopy which will be destroyed when the walkway pieces are lowered in place by crane. There were also questions on how the caissons would be installed and how to minimize disturbance. Mr. Bergeron explained that a drill rig will be brought in and they will need to clear the approach on one side near the wetland. The other side will be on the other side of the driveway. Ms. Higgins asked how the structure will be maintained once it is constructed. Mr. Iwatti explained that they would clean the windows; the rest is aluminum and steel which will need minimal maintenance. The Commission noted that the foot path beneath the pedestrian bridge should be restored to provide this connection.

The Commission also discussed the construction sequencing for the project and asked that a plan be provided prior to the start of construction. The planting plan of shade tolerant shrubs under and around the pedestrian walkway was reviewed and approved. The Commission asked that the Conservation Officer be notified before the planting takes place to be sure the locations are appropriate, after the structure is in place. There were discussions about some existing snags and whether to leave some of the trees as snags for wildlife habitat improvement. It was concluded that some snags could remain and this should be decided in the field.

After additional discussion, the hearing was closed and the Commission requested that Ms. Ryder draft a set of Conditions based on the above discussion; for review at the Feb. 7th meeting.

Notice of Intent (Continuation of Public Hearing) (Continued to Feb. 7, 2008)

Hayes Memorial Dr. – First Student, Inc.

At the applicants request this item was continued to the Feb. 7, 2008 meeting to allow time for them to revise the plans for this project.

Notice of Intent (Continuation of Public Hearing) (Continued to Feb. 7, 2008)

247 Maple St. – Dennis Kennedy

At the applicants request this item was continued to the Feb. 7, 2008 meeting to allow time for them to revise the plans for this project.

Order of Conditions DEP 212-964 – Berlin Farms Estates (between 226 and 238 Berlin Rd.) (Continuation of Public Hearing)

Steve Poole of Inland Survey, Inc. and Charles Freeman, Trustee of Berlin Farms 2007 Realty Trust were present. Mr. Poole showed the revised plan dated 1-17-08 which reflected changes made to the detention facility, some utility adjustments, addition of the level spreader and some corrections to lot lines and easements. The plan also includes the level spreader and the open space area with the drainage easement to be conveyed to the city. After review of the changes and confirmation that the City Engineer has reviewed the drainage calculations and has approved the plans as provided, the Commission unanimously voted 5-0 to issue an amended Order of Conditions which incorporates these new plan changes and drainage calculations. The Commission reviewed the existing conditions and found them to still be satisfactory, so no new conditions were added. However, a finding of fact explaining the amendment will be included.

Discussion

• Deed for Open Space – Berlin Farm Open Space Development

As part of the Special Permit issued by the Planning Board for this Open Space Development, the owner is to convey the back portion of the site to the City to be managed by the Conservation Commission for watershed and open space purposes. The Commission reviewed a copy of the draft deed which has been reviewed by City Solicitor Rider and the accompanying plan; they acknowledged receipt of a 21E site assessment report. Ms. Ryder noted that she has read the report and all seems to be in order. After some discussion the Commission voted 5-0 to recommend to the Mayor and City Council the acceptance of this parcel of land for the purposes set forth above. In addition to the deed, a check in the amount of \$5,000 must also be accepted by the City Council to be placed in the Conservation Maintenance Trust for the ongoing maintenance of this parcel.

Notice of Intent (Continuation of Public Hearing)

246 Maple St. – Blue Fin Properties,

Mark Donahue of Acton Survey & Engineering, Inc. was present. He noted that due to the snow cover, he would recommend that the hearing be continued to the Feb. 7th meeting in order to give the Commission ample time to evaluate the ground conditions at this site. Chairman Clancy explained that at the last meeting, the Commission had requested information in writing regarding the denial of a license or easement agreement with the abutters- Giombetti or McDonalds. Mr. Donahue said he would reiterate this request to the lawyers.

The Commission, with the applicants consent, continued the hearing to the Feb. 7th meeting. If snow has melted and the Commission has had a chance to look at the site without snow cover, and/or if the written documentation is provided, the meeting will be held, if not it can be continued again.

Certificates of Compliance

- DEP 212-824 Crane Meadow Corporate Center – Partial Certificate
Chris Lovett of VHB was present to request a partial Certificate of Compliance for this project. The Fairfield project had constructed the access roads and stream crossings to comply with their emergency access needs. They did some of this work under this Order of Conditions. Therefore, to keep all parties clear about what has been done and approved and what has not, he is asking for a Partial Certificate of Compliance for the work completed and reflected on the As-Built Plan dated Dec.6, 2007. The Commission reviewed the plan and received confirmation from Ms. Ryder that she had inspected the site and recommended issuance of a Partial Certificate of Compliance as requested. The Commission voted 5-0 to issue a Partial Certificate of Compliance as noted.

Correspondence/Other Business

The Commission reviewed the following correspondence and voted unanimously to accept and place on file:

- Letter from Benjamin Anthony, New England Development, Dated Dec. 13, 2007;
RE: Wetland Parcel, Donald Lynch Blvd. DEP 212-983

Adjournment

There being no further business, the meeting was adjourned at 9:00 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer