

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION**

**MINUTES**

February 7, 2008

Memorial Hall, 3<sup>rd</sup> Floor, City Hall

**Members Present:** Edward Clancy-Chairman, David Williams, Lawrence Roy, Dennis Demers, Michele Higgins and Priscilla Ryder-Conservation Officer;

**Absent:** John Skarin and Allan White

**Discussion**

- MACC 2008 Annual Environmental Conference – March 1, 2008 – College of the Holy Cross, Worcester, MA – Michelle Higgins and Priscilla Ryder will attend.

**Public Hearings**

Notice of Intent

34 lot #11 Mosher Lane - Avidia Bank

Steve Poole of Inland Survey Inc. DBA Zanca Land Surveyors explained that they are proposing a new house configuration for this lot and filed a new Notice of Intent as it was substantially different from the original house approved by the Commission several years ago. The new house is smaller in size and the large retaining wall at the rear of the property is eliminated and replaced with a 3:1 slope.

After some discussion about the changes to the plan, the Commission acknowledged that this house was a better fit for the property and discussed additional haybales, buffer zone markings, and the need for a deck in the future.

There being no further discussion, the Commission closed the hearing and requested that Ms. Ryder draft a set of conditions for review at the next meeting on Feb. 21<sup>st</sup>. In addition Ms. Ryder noted that the old Order of Conditions should be closed out and a request should be made for the next meeting. Mr. Poole indicated he would follow up on that.

Notice of Intent

39 Briarwood Lane - Home Properties, Inc.

Mark Dykes of Home properties and Steve Casazza and Tom Callo of Fay Spofford and Thorndike were present to explain the project. Mr. Casazza explained that Home Properties has recently acquired this property and is looking to make some repairs on the failing drainage system behind building #48 & 49. There is settlement of the pavement, which has been caused by the settling of a pipe which has separated at the joints. The project before the Commission is to improve the outfall, remove the existing reinforced concrete pipe sections which are lying on top of the ground below the wall. They want to access the work area

through the sewer easement and remove the pipe and lift it up over the wall. The improvements to the drainage will be to remove and replace the two failed structures above the wall and replace the corresponding piping. They will only be improving the existing drainage structures, not adding any additional pavement etc. The current outlet is not working, so this will be replaced with a flared end and a stone riprap swale to dissipate the flow velocities.

The Commission asked the following questions to be addressed at the next meeting:

- Is it permissible to discharge drainage in an open channel over a sewer line, this should be checked with the engineering department
- How much clearing and tree removal will be needed to remove the pipe, this should be reviewed
- How will clearing be controlled and where will the access point be
- Show the sewer line profile on the plan to better illustrate the relationship with the stone swale proposed
- The 20' buffer zone should be shown on the plan and the wetland boundary should be flagged
- The construction sequencing should be shown on the plan.
- The elevation of the swale should be provided and that of the surrounding property to ensure that the best swale location with the best grades is chosen.

Several abutters were present; Nick Paschalide of 98 Stow Rd.; Elaine Voutas of 117 Hosmer St.(?????) and Richard Hanley of 133A Hosmer St. and Elaine Ritter of 22 Stow Rd. Mr. Hanley, Mr. Paschalide and Ms. Ritter asked where this water flows in relation to their properties and wanted to be sure there was not going to be an increase in flow. It was explained that there will be no increase; they are simply repairing an existing pipe that has failed. There will be an improvement in that the catch basins will collect more sand. Several abutters expressed an interest in making sure trees are saved.

There was an extensive discussion about storm water pollution and how all street drains drain into the wetlands and therefore, it is the citizens' as well as the municipality's responsibility to get the word out that only clean water should enter the drainage system.

After a lengthy discussion, the Commission with the applicants consent continued the hearing to the Feb. 21<sup>st</sup> meeting so that the applicant could amend the plan to address the items noted above.

Notice of Intent (Continuation of Public Hearing)

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

Mike Dean of Guerrier and Halnon, Dave Muskoff and Mike Kolakowski of Ken's Foods Inc. were present. Mr. Dean explained the project and provided a

revised plan at the meeting high-lighting in green the area where some soil stockpiles are to be removed. This area will be restored with loam and seed and was identified during the site visit with Ms. Ryder as something that needed to be done. Mr. Kolakowski provided a letter to the members dated Feb. 5, 2008 outlining the chemicals that are used in this new process, the operation and maintenance plan and by product sludge cake that is generated and recycled. The existing digester tanks generate biogas which is used to fuel some of the other systems. In the future they may be able to use all excess gas for biofuel, but at the moment all excess gases not used are flared off.

There was some discussion about the biogas uses as fuel and how the facility is monitored to avoid spills and accidents. It was explained that 55 gal drums of sodium hypochlorite are used in the existing facility and are stored in the main building on the other side of the tracks. Mr. Kalakowski provided an additional letter dated Feb. 7, 2008 about the chemical usage and handling.

After some additional discussion and confirmation from Ms. Ryder that the City Engineer had minor comments on the plan relative to the location of the utilities, the Commission closed the hearing. Ms. Ryder was asked to draft a set of conditions for the next meeting scheduled for Feb. 21<sup>st</sup>.

Notice of Intent (Continuation of Public Hearing)  
247 Maple St. – Dennis Kennedy

Peter Bemis of Engineering Design Consultants, Dennis Kennedy and David Kennedy, owners, were all present. Mr. Bemis presented the overall project changes based on his conversations with Tom Cullen and Steve Reid. The changes on the plan show:

- a redesign of the frontage line to the lots to conform to zoning
- the back building is smaller
- the connector building is smaller
- open space calculations provided
- ComCast building corner will be removed to allow two way traffic
- removal of some parking near the brook in the 20 foot buffer zone which adds some more green space along Maple St.

Chairman Clancy asked why this is being filed as one project instead of two – the restaurant and second the automotive part? Mr. Bemis said the two projects are integrally related and need to sequence together, therefore they are filed as one. Mr. Clancy asked that a construction sequencing plan be provided.

Mr. Bemis explained that the utilities would be underground. They will construct the automotive portion of the site first and then the restaurant. The detention basin design is similar to one the Commission reviewed in the past, but it is larger. He described the drainage on the site and the associated watershed. He

will discuss the specifics on the detention design with the city engineer. More details will be provided on this at a subsequent meeting.

After some additional discussions about landscaping, utilities etc. the Commission continued the hearing to the March 6, 2008 meeting with the applicants consent and required that the following information be provided for the next meeting:

1. Landscaping plan with supplemental plantings in the Buffer Zone.
2. Improvements to the buffer zone,
3. Guardrail to be installed
4. Construction sequencing and phasing plan and/or SWPPP plan
5. Information from the City Engineer regarding drainage
6. Railroad soil and Response Action Outcome soil testing requirements for the automotive site.

Notice of Intent (Continuation of Public Hearing)  
Hayes Memorial Dr. – First Student, Inc.

At the applicants' request, by an e-mail, this hearing was continued to Feb. 21<sup>st</sup>

Notice of Intent (Continuation of Public Hearing)  
246 Maple St. – Blue Fin Properties, Inc.

At the applicants request by an e-mail this hearing was continued to Feb. 21<sup>st</sup>.

#### **Draft Orders of Conditions**

- DEP 212-1042 Ames St. reconstruction – Marlborough Dept. of Public Works- The Commission reviewed a draft set of conditions and made some corrections to #28 regarding the sumps in the catch basins, and #31 adding silt sacks. After some discussion, the Commission voted 4-0 to approve the Order as drafted and amended. Dennis Demers abstained from the vote as he had missed the hearings related to this project.
- DEP 212-1039 84-158 Waterford Dr. (off Robin Hill St. ) – Sepracor, Inc.- Pedestrian walk way. The Commission reviewed a draft set of conditions and added one conditions regarding tree damage and the need to return to the Commission should there be any damage to trees outside the limit of work described in the Order. After some discussion, the Commission voted 4-0 to approve the Order as drafted and amended. Dennis Demers abstained from the vote as he had missed the hearings related to this project.

#### **Certificates of Compliance**

- DEP 212-760 & 212-826 150 Cedar Hill St.-Ken's Foods, Inc. The Commission reviewed the request for Certificates of Compliance for both of these Orders. The work has been completed for both. DEP 212-826 for the treatment facility superseded DEP 212-760 which was for the roadway and bridge work as well. All work is completed and an as-built plan provided. The Commission voted 5-0 to issue full Certificates for both projects noted above.

**Extension Permit**

- DEP 212-952 Bette Davis Estate - Mike Dean of Guerrier and Halon was present and explained that the subdivision roadway is substantially completed however, the sidewalks, curbing and street lights still need to be installed. The applicants have requested a 1 year extension to finish this work. Mr. Dean also noted that a 410 Water Quality Certification has been filed with DEP as required as well. The Commission voted 5-0 to issue a one year extension for this project.

**Meetings** – Next Conservation Commission meetings February 21, 2008 and March 6, 2008 (Thursdays)

**Adjournment** - There being no further business the meeting was adjourned at 10:10 PM.

Respectfully submitted,

Priscilla Ryder  
Conservation Officer