

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

**MINUTES
December 18, 2008**

Memorial Hall, 3rd Floor, City Hall

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

Absent: Allan White and Dennis Demers,

Public Hearings

Request for Determination of Applicability

MassHighway – Proposes roadway maintenance operations along the route I-495 corridor through the City of Marlborough

William (Bill) Clougherty of Mass Highway Dept. and Kristen Kent of VHB were present. Ms. Kent explained that they are requesting a Negative Determination for propose roadway maintenance operations along the Route I-495 corridor through the City of Marlborough.

The wetlands along this section have been identified and are shown on the plan. Erosion controls shall be installed along these sensitive locations to prevent siltation. Clearing will occur 30 ft. off the roadway to create clearance for safety and visibility. The area will be cleared and grubbed and seeded. The Commission asked why so far, Mr. Clougherty stated that it is mandated by Federal Highway Safety guidelines.

After much discussion, the Commission granted a Negative Determination with the following conditions:

1. Before construction begins, the staging area shall be identified and inspected by the Conservation Officer to ensure it is not near wetlands,
2. Erosion controls are to be inspected prior to construction,
3. When the project is completed all catch basins are to be cleaned.

The Commission unanimously voted 5-0 to issue a Negative Determination of Applicability with the above conditions.

Notice of Intent (Continuation of Public Hearing)

177 Maple St. – 175 Maple St. L.L.C.

At the applicants request this item was continued to the January 8, 2009 meeting.

Notice of Intent (Continuation of Public Hearing)

355 Boston Post Rd. – Kevin Labadini

Charles Budnick of Cabco Consultants and Kevin Labadini, the owner were present. Mr. Budnick presented a revised landscaping plan based on comments made at the last meeting. Tom Cullen, City Engineer had also provided an e-mail indicating that he is satisfied with the changes made to the plan.

There being no further discussion, the Commission closed the hearing and reviewed the draft Order of Conditions. The Commission unanimously voted 5-0 to issue the draft Order of Conditions as drafted and amended and that the emergency response plan would be attached to the Order of Conditions.

Notice of Intent (Continuation of Public Hearing)

785 Boston Post Rd. –PRTR, Inc. c/o Waste Management of Mass., Inc. and Donald Wright.

Bill Goodman of Brown and Coldwell, Bob Magnusson of Waste Management Inc. and Donald Wright were all present.

Bob Magnusson explained that they had a new plan with some revised drainage design showing what exists on the site. He explained that they had taken some samples last Wednesday and the results would be forthcoming in writing shortly. They are testing the water per their new NPDES permit parameters as well as those parameters set out by the City's Board of Health. They took samples in three locations: 1- the outfall pipe, 2- the catchbasin behind the Post Road Auto building, and 3- the catchbasin below the transfer pad – showing the worst case off of the pavement.

The results were that there were some VOC's COD, BOD and TSS and some heavy metals detected on the site. Only (Chemical Oxygen Demand) COD and metals exceeded acceptable levels.

Commission member, Ms. Higgins showed some pictures she had taken of the silty water leaving the site. There was much discussion about:

- procedures to be taken before a permanent solution is taken
- discussion about current monitoring protocol and what have been done in the past when only observation was done and not much reaction to changing conditions

It was determined that the short term measures to be taken would be: 1. sweep daily with a vacuum system, 2. add silt bags to all catch basins, 3. pump out all stormceptors and catchbasin before any rain event, 4. add a berm within Post Rd. Auto to help direct water to catch basins, 5. add layers of saw dust at transfer station building entrance to absorb runoff, and 6. camera the line to see what seepage of groundwater into the system is occurring and at what rate.

Some discussion was made about a trench drainage system at the end of the transfer station building ramp. WMI will look into this. Doran Crouse of the

sewer department has indicated that this material could not be discharged into the sewer without pretreatment.

Ms. Higgins and the rest of the Commission members stressed the seriousness of this discharge situation and the need for Waste Management Inc. to only allow clean water to leave the site. Further violations may result in closing down the operation until a solution can be found. Ongoing monitoring is required.

After further discussion, the Commission continued the hearing to their January 8th meeting in order to receive the information noted above.

Certificates of Compliance

- DEP 212-1041 Ken's Foods, Inc. – 150 Cedar Hill St. water treatment system

Extension Permit

- DEP 212-806 Sepracor – Robin Hill St. (Continuation) - Bill Bergeron was present and noted that the Sepracor permit expired on December 16, 2008 and he is seeking a 3 yr. extension permit. The first building is completed, the second building is almost done and the third building in Phase III is still pending. The Extension Permit would allow the 2nd building to be finished and the third building to remain permitted. As requested by Ms. Ryder, he has looked at Phase III to determine whether it meets the new stormwater regulations. Mr. Bergeron noted that he has reviewed the design in relation to the changes in the regulations and noted that some minor modifications to the fore bay of the detention basin would get them into compliance.

Because the project is well underway, the Commission unanimously voted 5-0 to issue a 2 year Extension Permit with provisions that prior to construction of Phase III, the stormwater plans must be modified to address the new stormwater standards and be reviewed and approved by the Commission.

Discussion/Other Business

- DEP 212-1040 247 Maple St. - Kennedy's Automotive and Contractor Center - This work has begun and the detention basin is in place, but the site is still out of sequence. Ms. Ryder will keep an eye on it.
- Fafard – DiCenzo Blvd. – during heavy rain event, several houses were flooded due to the detention basin adaptation made by Fafard to control muddy runoff from the Target site and failure for the pump system to be turned on early. Ms. Ryder will keep the Commission posted on any adjustments to the basin needed. She will be meeting with Fafards crew and the City Engineer.
- DEP 212-1020 340, 342 and 358 Berlin Rd. – the Church - during heavy rain event, the parking lot washed out again sending much silt and stone onto the neighboring property. They will be doing repair work on this in the next few days.

- Clinton St. /Royal Crest – water line break and repair needed. An Emergency Certificate will be issued for this work once it is reviewed and inspected by the Conservation Officer

Correspondence

The following items were reviewed. The Commission voted to accept and place on file:

- Letter from Peter Bemis, Engineering Design Consultants, Inc., dated Dec. 8, 2008 RE: Monthly Field Inspection Report 1 – DEP 212-1040, 247 Maple St.
- Letter from DEP Site Walk - Bluefin Properties, LLC – 246 Maple St. RE: Request for Departmental Action Site Meeting Notice – Dec. 30, 2008 at 10:30 am.

Adjournment - There being no further business, the meeting was adjourned at 9:53 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer