

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

**MINUTES
January 8, 2009**

Memorial Hall, 3rd Floor, City Hall

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

Absent: none

Public Hearings

Notice of Intent

121 Shawmut Ave. – Larry and Sandra Beane

Peter Bemis of Engineering Design Consultants, Inc. was present as were Mr. Beane and Attorney Rowe. Mr. Bemis presented the plan, identified the wetland area and described the house that is to be built on this lot. All work is well outside the 20' buffer zone and all areas to be disturbed are now existing lawn.

After some discussion on construction methods etc. the Commission asked that the foundation drain be shown on the plan; that 20 foot wetland buffer zone markers be required, that the trees to be saved are protected during construction, and the shed is to be removed.

There being no further questions, the Commission closed the hearing and asked that a draft Order of Conditions be ready for review at the January 22, 2009 meeting.

Notice of Intent (Continuation of Public Hearing)

177 Maple St. – 175 Maple St. L.L.C.

At the applicants request the hearing was continued to allow for comments to be received from the City Engineer.

Notice of Intent (Continuation of Public Hearing)

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

Bob Magnuson of Waste Management Inc., Donald Wright of Post Road Auto, Bill Goodman P.E. and Mark Allenwood, Wastewater engineer, of Brown and Caldwell of Middleborough MA the design engineers and Mark Thrum of Seamark Inc. were all present. Mr. Magnuson explained that they have been working on the short term treatment system which is up and running.

This includes pre-treatment through a split pipe and a polymer system. Water is being pumped from the oil water separator tank as described in the Dec. 23, 2008

letter from Mr. Magnuson to the Conservation Commission. The system still needs some adjustments. On Monday the spilt pipe will be lengthened to 60'. The exit to the oil water separator tank will be blocked to control any water leaving the site before it is treated. The system is being monitored daily and adjustments made as needed. In addition to the treatment, all the catch basins and stormceptors have been pumped nine times since the middle of December with a vacuum truck.

Mark Thrum described the split pipe system and polymer program. He noted that he will be adding jute and baffles to the downstream area below the outlet pipe to catch any remaining sediments that might come through. Commission member, Ms. Higgins noted that the water has changed to a rusty colors over the course of their treatment for a few days. Mr. Thrum noted that he is looking into the source and whether the polymer is dropping out the iron instead of binding it. He will submit an article to the Commission by e-mail on this. Mr. Thrum will be on board to advise Mr. Magnuson and his crew regarding proper polymer use.

Mr. Allenwood explained the test results that were distributed. Samples were taken during the Dec. 10th rain event and showed high levels of Ethanol (although they think this was the result of the bucket not the outfall water quality). Iron was high and Chemical Oxygen Demand (COD) was at 269 mg/l and the bench mark should be 120 mg/l. He suggested one more round of testing to verify the results. However, after much discussion with the Commission, it was determined that two more testing rounds should be done during wet weather and one test round during base flow conditions to establish the base flow.

The Commission then discussed the long term solution to this water quality problem. Bill Goodman explained that they are proposing a vegetated swale around the outside of the pavement to collect and treat that water before it is picked up on the pavement. They will re-arrange the catch basins at the Post Road Auto (PRA) yard to redirect all runoff to catch basins and control all runoff more carefully.

After much discussion about the basin design and trench drainage needed at the door opening to the Transfer Station building pad at WMI, the Commission asked that the following information be submitted for the next meeting:

1. Operation and Maintenance Plan for both PRA and WMI sites;
2. Profile of swales and basins needed;
3. Confirmation that the BMP (best management procedure) chosen is appropriate for the contaminate type and levels coming from both sites. (i.e. the high COD levels will not kill off plants in a retention basin?) and;
4. Information about the holding tank to be constructed to capture the liquid captured by the trench drain is to be provided as well.

After further discussion, the Commission agreed to continue the hearing to the January 22, 2009 meeting to review the above noted information.

Certificates of Compliance

- DEP 212-1041 Ken's Foods, Inc. – 150 Cedar Hill St. water treatment system (Continuation) The Commission reviewed the as-built plans and voted unanimously 7-0 to issue a full Certificate of Compliance with ongoing conditions as required.

Extension Permit

- DEP 212-978 Congress Parcel – request for a 3 yr. extension on the Order of Resource Area Delineation. Matt Varrel from VHB was present and explained that the ORAD is about to expire. He walked the site with Ms. Ryder on Dec. 19th with some snow cover. Several flags were moved and are reflected on the revised plan presented at the meeting. Ms. Ryder confirmed that the wetland line is now accurate and had no issues. The Commission voted unanimously to extend the ORAD for a period of 3 years. Mr. Varrel said he expected that the applicant would be submitting a Notice of Intent to construct housing complex sometime soon if they receive approval from the City Council.

Discussion/Other Business

- Enforcement action – Emergency Certificate– Fafard Real Estate Inc. Settlers Lane, Dicenzo Blvd. flooding. Don Seaberg was present representing Fafard RE Inc. and the engineering arm Benchmark Engineering. He presented a plan showing how the flooding over the Christmas holiday week occurred and the solution proposed by him and approved by the City Engineer and Conservation Officer. They will adjust the detention basin in order to have better control of muddy runoff from the Target site, and eliminate the water back up that occurred in 11 homes on Settlers lane. He reviewed the sequencing plan shown on the plans provided. Ms. Higgins suggested that some type of emergency alarm system be installed to alert Fafards crew if the water level rises to a certain height. It appears that it was human failure to turn on the pumps which was part of the cause for flooding, and therefore, some type of backup system seems prudent. After some discussion the Commission voted unanimously 7-0 to issue the Emergency Certificate to allow for the modification work to be done in the detention basin off Dicenzo Blvd. (Between Home Depot and Settlers Lane).

Correspondence

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

- Letter from DEP-Site Walk - Bluefin Properties, LLC – 246 Maple St. – RE: Request for Departmental Action Site Meeting Notice – Re-scheduled date Jan. 6th (Tuesday) 10:30 a.m.
- Letter from Waste Management, dated Dec. 23, 2008 RE: PRTE, Inc. 791 Boston Post Rd. Short-Term Storm Water Action Plan.

- Report from Aquatic Control Technology, Inc. dated Dec. 17, 2008 RE: 2008 Year End Report on the Aquatic Management Program at Ft. Meadow Reservoir- Marlborough, MA

Adjournment -There being no further business, the meeting was adjourned at 9:20 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer