

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

MINUTES

July 21, 2011 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 P.M.

Members Present: Edward Clancy-Chairman, John Skarin, Dennis Demers, Allan White, and Priscilla Ryder-Conservation Officer;

Absent: David Williams, Michele Higgins, and Lawrence Roy

Public Hearings

Request for Determination of Applicability

185 Cullinane Dr. - Tom Sullivan

Tom Sullivan was present. Ms. Ryder reported that she had done a thorough site inspection and found that the existing cement slab below the new dock is very deteriorated. The new dock straddles the slab underneath. The dock is physically bigger than the underlying slab, but to make it an even rectangle and place the posts in the water evenly, the 16 x14 removable dock works. Although the dock area is slightly larger than the underlying slab, it is only to accommodate straddling the underlying slab that is crumbling. For safety reasons this looks fine. Ms. Ryder recommended that the Commission approve the dock as proposed. The Commission asked if it made sense at this time to require removal of the old cement structure. Mr. Sullivan indicated it would be quite difficult given the steep slope up hill and the need to break it up. Ms. Ryder indicated that in her opinion, where it will be left will not have any detrimental impact to the wetland.

The Commission confirmed with Mr. Sullivan that the dock was removable, he confirmed. The Commission voted unanimously 4-0 to issue a negative determination to allow Mr. Sullivan to finish the dock as proposed.

Notice of Intent

Farm Rd. reconstruction between Cook Ln. and Boston Post Rd. – the City of Marlborough DPW

Gene Crouch – senior environmental scientist with VHB, Brian Brozman Civil Engineer also from VHB and Tim Collins from the DPW were all present. Mr. Crouch explained that at the previous meeting, they had been asked to look into the flooding that has occurred at 480 Farm Rd. to determine if there is any change to the culvert that might help this flooding situation. His team did some analysis and provided a package of information to each member and to the owners of 480 Farm Rd. The cover letter to the package is dated July 21, 2001 to Edward Clancy from Gene Crouch of VHB.

Mr. Crouch explained that they did look up and down the stream and found no evidence of erosion. Up stream of the Mowry Brook culvert on Farm Rd. is a 72” twin culvert under the sewer line. They looked at the wing walls on the Farm Rd. culvert and found no evidence of any restrictions, the bottom of the culvert is clean. Based on this evaluation the culvert function is fine. They did evaluate the FEMA flood maps and explained the flood profile which shows that water will not over top the road, but will back up before the culvert onto the abutters property. The conclusion is that the culvert is not causing the problem; there is no water back up from downstream as there is a bit of an elevation drop from one end of the culvert to the downstream side. Floodway data reveals that 80 CFS passes through the culvert during large storms. The culvert is designed to handle 350 CFS. They did look at the flooding records for 2008 which was the flood the neighbors provide pictures of at the previous meeting. Weather data show that 2008 was the wettest year in 115 years. Ground water was higher than it had been and therefore all additional surface water caused lots of flooding throughout the state. Based on this analysis as outlined in the report, there is no evidence or problem that would indicate that a change to the culvert is warranted. Adding a bigger culvert will only transfer the problem downstream and require FEMA changes to the maps and a Letter of Map Amendment to be submitted which is a very lengthy process.

Mr. Clancy indicated that he concurs with the information provided about the culvert and agrees that unfortunately the problems at 480 Farm Rd. cannot be solved by this roadway project.

Mr. Clancy, since he wasn't at the previous meeting asked for a brief overview of the Broadmeadow Brook culvert replacement project. Mr. Crouch provided an overview and explained that the existing pipe would be replaced with a 5' x 5' box culvert and he explained the process for replacement. The project should take two seasons to complete. Stream work is only to occur during times low flow.

Mr. & Mrs. Ramachandra from 480 Farm Rd., abutters to the project, both spoke. They indicated they were still concerned with water backing up into their home. She said that even in 2” rain storms, they are getting more water. She is concerned that something has changed upstream. They tried to correct the problem by adding a small brick wall along the stream channel, but that hasn't helped much. He also indicated that water sometimes comes down the driveway. Mr. Collins indicated he'd go out and check that out, if it is true, they will build up a lip at the road driveway intersection to prevent this. Mr. Clancy said he was sorry that this project couldn't solve their problem, but that they should talk to Ron LaFreniere or Tom Cullen to discuss this further.

There being no further discussions, the Commission voted to close the hearing. Later in the meeting the Commission reviewed a draft set of conditions. The

Commission voted unanimously (4-0) to issue the draft conditions as written and amended.

Notice of Intent

Crowley Dr. - First Colony Crowley Dr. Two, LLC

John Delli Priscoli, and Stan Gordon of First Colony Development and Mike Carter of GCG the project Engineer were all present.

Mr. Priscoli provided the project overview. He explained that this property was a subject of a previous Order of Conditions for the Residents at Chestnut Ridge. However, subsequent to that, the property has been subdivided and the residential project is now owned by Toll Brothers which has been substantially reduced in size. Later on the agenda, they have requested a release from the previous Order of Conditions DEP 212-997 to clear the title. The project before the Commission tonight is for an R& D building which will max out to 96,000 sq. ft. The new building will be next to the existing building at 1 Crowley Dr. The drainage will drain to the detention basins as previously designed. Only a small amount of wall work and a parking lot will be within the 100 foot buffer zone. Mr. Priscoli will be leveling the site and getting the parking in preparation for the building. The company, Vestas, will be in charge of the construction of the building. He showed the 1 ½' to 1' slope on the plan which is similar to the slope on Crowley Dr. This new plan will have substantially less impact to the wetland buffer zone than the previous plan. The building will be built in three separate sections (connected) over the course of several years depending on when they need to expand. The first building will be built this year.

Vestas is a windmill technology company from Denmark; they will be developing and testing new wind turbine technologies at this facility. Mostly engineering and R & D work will occur at this facility.

The Commission discussed construction sequencing, roadway design, drainage, emergency access and water service to the site. Ms. Ryder indicated that she had not heard a response from Tom Cullen (as he just got the plans), so she recommends waiting for his input on the drainage before making a final decision. Mr. Priscoli indicated that time was of the essence since Vestas really wants to start construction this year. He will be presenting plans to the Site Plan Review Committee on Tuesday July 26th.

After further discussion about the roadway width, slope and slope stabilization, construction sequencing, looping of the waterline and a discussion with Mike Carter about the drainage, and discussion about the emergency access roadway, the Commission continued the hearing to August 4, 2011, so they could get some input from the City Engineer. If everything looks good to him, the Commission will consider issuance of an Order of Conditions at the next meeting. Mr. Priscoli thanked the Commission.

Certificates of Compliance

- DEP 212-997 - Crowley Dr. –Residents of Chestnut Ridge- Partial Certificate
Ms. Ryder indicated that Stan Gordon representing Mr. Priscoli had provided a memo summarizing the request for a Certificate of Compliance. Mr. Clancy read this memo for the record. In short, the larger 30+ acre parcel once included in the Residence of Chestnut Ridge project has been further subdivided and split between Toll Brothers who will build a smaller residential project and First Colony who will build office and R&D buildings. To clear the title from this Order of Conditions, Mr. Priscoli has requested a Partial Certificate of Compliance for the portion of the property he now owns. The Commission voted unanimously to issue a Partial Certificate of Compliance for the 17+ acres of land owned by Mr. Priscoli noting that nothing had been developed on this parcel except some land clearing.

Discussion and Other Business - There was no additional business.

Next Meeting Scheduled – Conservation Meetings – August 4th and August 18, 2011
(Thursdays)

Adjournment

There was no further business, so the meeting was adjourned at 9:03 PM

Respectfully submitted,

Priscilla Ryder
Conservation Officer