

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION**

Minutes

March 21, 2013 (Thursday)

Marlborough City Hall – 3rd Floor, Memorial Hall

7:00 PM

Members Present: Edward Clancy-Chairman, Lawrence Roy, John Skarin, Dennis Demers and Allan White. Also present was Priscilla Ryder-Conservation Officer

Absent: Michelle Higgins and David Williams

Approval of Minutes: The minutes of July 19, 2012, Aug. 2, 2012, Aug. 16, 2012 and Sept. 6, 2012 were reviewed and approved unanimously as written.

Public Hearings:

Request for Determination of Applicability

638 Pleasant St. - Crucifia Pakus (Allan White abstained from this discussion due to a conflict of interest)

Bill Taylor representing Mrs. Pakus explained that he proposes to abandon an existing septic system, install a new pump chamber and remove an existing in-ground pool. The pool is 52' from the wetland at the closest point. The septic system is further away than that. They will be abandoning the pool following the building department and board of health (BOH) regulations. The septic system will also be abandoned per the BOH rules. All excess materials will be removed from the site. Erosion controls will be placed close to the work area to avoid impacting the surrounding lawn area. The Commission discussed this then closed the hearing. They voted unanimously 4-0 (Allan White abstained) to issue a Negative Determination with standard conditions as noted.

Notice of Intent

734 Pleasant St. - Beauchemin Engineering, Inc. (Dennis Demers Abstained due to a conflict of interest)

Tim Beauchemin of Beauchemin Engineering was present and explained that the land owner proposes to construct a single family house near wetlands. The work is on a parcel of land formerly owned by the Clark family. It is adjacent to a sewer line that was installed 15 years ago. They are proposing straw wattle erosion control barrier. All work will be outside the 25' buffer zone. The property is mostly flat and use to be the garden, not much grading change is anticipated. The foundation drain was shown on the plan the Commission confirmed the discharge elevation to be sure it will drain and determined that the foundation drain would need to drain within the 20' buffer zone to work. After some discussion, the Commission agreed this was necessary and closed the hearing. The Commission voted 4-0 to issue an Order of Conditions with standards conditions and permission to put the foundation drain in the buffer zone as shown.

Notice of Intent

Forest St. - Partners HealthCare System, Inc.

Matt Varrell and Griffin Ryder of VHB were present. Mr. Varrell explained that Partners Health Care system proposes to construct a data center and associated access drives, surface parking, and

a storm water management system. Work is located on Forest Street directly across from Martin Angelo Dr. He explained that in 2001 the Commission had permitted the development of the entire parcel. This project only uses a portion of this land. In 2001 the Order of Conditions was extended several times and in 2009 new stormwater requirements were added before it was extended again. That permit is still valid under the permit extension act. He described the existing conditions on site; there are three wetland areas and one isolated wetland that is non-jurisdictional, but may be jurisdictional under the Army Corps of Engineers, so they are showing it on the plans. The soil stockpile area (from the Commonwealth heights subdivision- soil mixing operation) and temporary settling basins are still on site. Griffin Ryder explained that they have hired an LSP Haley & Aldrich, Inc. who has looked at the soil pile and the existing soils on the property and found levels of arsenic that were elevated. He will get more details from them about the site but based on conversations it looks like there are no restrictions and no need to do anything different except control dust. They will be on site during construction. Mr. Demers explained that the pond was used to mix chemicals during the orchard operation he remembers. Mr. Varrell explained that in 2001 they did a pond study to see if it could be restored, but the conclusion was that the pond was healthy, so no mitigation was necessary.

Mr. Ryder explained the design and the drainage on the site; the building will be a 6500 sq. ft. data center with 27 parking spaces, 2 entrances one main entrance and one emergency entrance. They have an elaborate erosion control and drainage system proposed with ditches and swales and water quality structures and infiltration basins. They reviewed the phasing plan from the stormwater report which described the cuts and fills and lifts and temporary and permanent basins. A geotech will be on site during this earth moving operation to ensure stability of filled slopes etc. The site is mostly glacial till with no ledge.

Ms. Ryder noted that she is still waiting for comments from the City Engineer on this project. The Commission also discussed the generator and fuel tanks associated with them; there will be 6 10,000 gallon tanks on site. Is the property contained if they were to spill? The Commission asked Ms. Ryder to contact Fred Flynn from the Fire Dept. to confirm this has been addressed. After some discussion, the Commission determined they needed a more detailed construction sequencing plan, comments from the City Engineer and Fire Dept. before they could make a decision. The hearing was continued with the applicants consent to April 4, 2013. Ms. Ryder was asked to draft some conditions for that meeting as well.

Notice of Intent – Continuation

Sudbury St. - The City of Marlborough Dept. of Public Works – Sudbury St. Sewer project.

Lisa Pietro from AECOM was present and reviewed the changes made to the plans based on the site visit the previous Saturday, March 16th. She explained that she had made adjustments to sheets 01C-110 made adjustments to the easement, so it is 20' from the wetland. The stream crossing at Harper Circle will be restored and riffles added after the pipe is installed. She provide details on the dewatering and cofferdam and bypass system, on bank restoration, notes about where stockpiles are to be placed outside of buffer zone, conditions that should be included about blasting, and the planting plan for the sewer easement areas cross country. The Commission said they would review these changes and voted to continue the hearing with the applicants consent to the April 4th meeting. Ms. Ryder was asked to draft a set of conditions for review at that meeting as well.

Certificate of Compliance:

- DEP 212-847 Hayes Memorial Dr. /Forest St. (Devonshire @ 495 Center) – Full (never started)
Ms. Ryder is still waiting for some information on this project, so it is continued to the next meeting April 4th.
- DEP 212-1063 Hayes Memorial Dr. /Forest St. - Partial
Ms. Ryder is still waiting for some information on this project, so it is continued to the next meeting April 4th.
- DEP 212-848 600 & 800 Nickerson Rd. – Full - (work never started)
Ms. Ryder explained that in looking through the files this Order of Conditions was never started and to clear the title the Commission needs to issue a Certificate of Compliance stating same. The Commission voted unanimously 5-0 to issue a Certificate of Compliance noting that the Order of Conditions has expired and that no work was ever done related to this permit.

Meetings – Next Conservation Commission meetings April 4th and April 18th, 2013 (Thursdays)

Adjournment: There being no further business, the meeting was adjourned at 8:55 PM.

Respectfully submitted,

Priscilla Ryder
Conservation Officer