

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
June 30, 2016 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall**

Present: Edward Clancy – Chairman, John Skarin, Allan White, Karin Paquin, and Dennis Demers. Also present was Priscilla Ryder - Conservation officer

Absent: David Williams and Lawrence Roy

Public Hearings:

Formally Amend Order of Conditions (DEP 212-1144)

Lot 13 – Donald Lynch Blvd. – Quad Rink Limited Partnership

Robert Truax of GLM was present and explained that the addition to the rink will only impact the filled slope of the previously approved earth moving work. They would like to amend the previous Order of Conditions in order to allow for the installation of the outlet pipe from the underground infiltration/detention system. The existing slope has been stabilized with vegetation and the site is almost stabled. The work falls within the riverfront area and a small portion of the buffer zone. The soil is nice gravel. The likelihood of a discharge from the detention area is minimal, but is required as part of the design. After further discussion about the larger project including the addition of a skating rink and additional parking, the Commission closed the hearing. The Commission voted unanimously 5-0 to amend the existing Order of Conditions to include the installation of the discharge pipe as presented.

Request for Determination of Applicability

99 Lakeshore Dr. - James Buszkiewicz

Mr. Buszkiewicz was present and explained that he proposes to add a deck next to Ft. Meadow Reservoir. The area where the new deck will go is currently lawn and is 56' away from the waters' edge. No trees will need to be removed. The only excavation will be for the posts. Any excess material will be removed from the site. After some discussion, the Commission closed the hearing and voted unanimously 5-0 to issue a Negative Determination of Applicability with standard conditions.

Notice of Intent (Continuation)

Boston Post Rd. – Apex Center - Ryan Development LLC

Joe Peznola of Handcock Associates, Matt Heil from Sanborn Head were present. Mr. Peznola reviewed the revised plans showing changes to the sewer alignment and walls based on comments from the last meeting. The plans are dated last revised 6/30/16. Phases for the project are also provided in the plan set which he reviewed. He reviewed the plans showing 2 alternatives to the sewer construction methods along the narrow section where the farmers path crosses the outlet to the wetland area. At this time both alternatives are being evaluated as to cost and impact. Alternative 1- proposes to excavate the trench area, using a trench box. Access will be from either side of the narrow opening. Alternative 2 - proposes to jack the pipe into place using two pits at either end. The method to jack and remove soil was described. From their current analysis it looks like alternative 1 open excavation is the economically viable option. The area is 30' where the pinch point is the tightest. An anti-seepage collar

- identified as a "ripply collar" is proposed every 20' sections to prevent groundwater from travelling along the sewer line.

Ms. Ryder and Ms. Paquin noted that they had checked the wetland flags in the field prior to the meeting.

Mr. Matt Heil – the LSP for the developer was present. He provided an over view of the Impacted Soil Plan for the site. He described the site and that the first 12" of soil on the site are impacted with the past pesticide applications when it was an apple orchard. The risk assessment done for the plan indicates no significant risk of contamination on the site, however precautions are noted in the report. In his opinion the report goes way above and beyond what is needed. They plan to keep all soil on site. The 0-12 inch layer will be reused on site and blended into the existing soil. It will be buried under at least 12" of soil when the project is done. The risk to the public is twofold during construction: 1) skin contact and 2) airborne dust. There will be at least three air/dust monitoring stations to measure dust before it leaves the site. An emergency protocol will be put in place. The monitors can provide immediate alerts to cell phones to be sure the dust problem is addressed A.S.A.P. Dust is measured in real time and several people are alerted by phone when this occur. Mr. Heil explained that a long term restriction will be provided, similar to Ames St. for this project. He acknowledged that although the MCP isn't triggered for this project the Impacted Soil Plan addresses the very same items.

Stephen Sakakeeny who has been hired by the city to oversee the LSP activities provided Ms. Ryder with a peer review memo. Mr. Heil said he agreed with everything except 4.7. They would rather stick to the 12" cover rather than the 18" cover suggested by Mr. Sakakeeny; 4.10 discussed stockpile height and determined that a maximum stockpile height of 15' would be required. It was agreed that the soil dust air monitors would be in place the first day any soil is disturbed, including installation of erosion controls. The stumps will need to be shaken and removed from the site since there will be too much contaminated soil on them to be able to grind them.

Joe Peznola explained that the geotech engineer would be in charge of determining how the soil will be mixed to be sure it meets the structural fill requirements. The site is a net import site. Before they do the blasting, they will remove the top soil first as well. Republic will be the general contractor for the site. At the request of the Commission, the emergency contact number will be put on the trailer. The Commission discussed the temporary detention basins and the skimmers that are proposed to help discharge only clean water. The Commission noted that the soils are very silty and stay suspended for long periods of time. Some type of treatment trail will be needed. This was agreed.

An abutter Peter Nuccio of 116 Glen St. asked what the airborne dust threshold is. Mr. Heil said 150 mg/cm is the EPA ambient air quality standard. Mr. Nuccio stated that there is always an afternoon breeze through the gully that developer should be aware. Mr. Heil explained that the system takes samples continuously, if it reaches the critical levels the machine sends a phone call to him and others on site. The response will be to get the water truck to wet down the surface and evaluate what is the cause and correct it.

Marcel Bouffard of 170 Glen St. asked how compaction of the soil will be done. He has already had issues with the Ames St. project shaking his house. He wanted some assurance that there was some way to evaluate how the vibrations were affecting his property. Mr. Walker indicated that he will check what type of machines and issues have occurred on Ames St. with the Fairfield development and see if he can address the issues going forward. He was made aware.

After some additional discussion, the Commission closed the hearing. The Commission reviewed a draft Order of Conditions for Phase 1 Earth Moving, wall construction and sewer main installation for the project. Chairman Clancy made it clear to the developer that they are “put on notice that wetland violations will NOT be tolerated”, the stream running through the project is the city water supply and it is the developer’s responsibility to keep it clean and protected. Any violation will be met with a fine and any action necessary to remedy the problem quickly. The Commission voted unanimously 5-0 to issue the Order of conditions as drafted and amended

Certificate of Compliance:

- DEP 212-1047 251 Locke Dr. – David Cowel of Hancock Associates was present and explained that this past week they installed the hoods that were missing, added the guardrail and adjusted the hoods that had been mistakenly placed. Ms. Ryder has done an inspection and reported everything was in order. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance with ongoing conditions.
- DEP 212-1127 64 Westernview Dr. - This project is finally completed. Ms. Ryder confirmed compliance based on her site visit. A full Certificate of Compliance. Commission voted unanimously 5-0 to issue
- DEP 212-998 714 Farm Rd. – subdivision Order of Conditions – this was continued to the next meeting.

Draft Orders of Conditions:

- 74 Boivin Dr. and 176 Farm Rd. (now known as 84 Boivin Dr.) - Abutters were not properly notified – will re-open hearing on July 21, 2016.

Discussion:

- 329 Maple St. – Violation Notice - Mr. Bergeron has indicated to Ms. Ryder that they will attend the July 21st meeting.

Meetings – Next Conservation meetings – July 21st and August 4th, 2016 (Thursdays)

Adjournment

There being no further discussion the meeting was adjourned at 9:15 PM.

Respectfully submitted,


Priscilla Ryder

Conservation Officer