

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
September 1, 2016 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Absent: David Williams and Dennis Demers

Approval of Minutes – The minutes of June 30th and August 4th, 2016 were reviewed and unanimously 5-0, approved

Public Hearings:

Amended Notices of Intent (Continuation)

Slocumb Ln. – Slocumb Realty LLC - #69, 79, 78 and 90

Peter Lavoie of Guerriere and Halnon and Alex Gow project manager for Fafard Real Estate Dev. were both present. Mr. Lavoie explained what is on site today. The silt fence falls at the 100' buffer zone. The fill that was brought in has stayed within this silt fence line. The amount of fill is what they need to construct the slopes for the house lots. Chairman Clancy noted that the piles are huge. Mr. Gow explained that they have finally paved the roadway, the majority of the fill does fall on #90 Slocumb. They did loam the three large piles and will add some seed this week. He explained that the amount of soil added is being contained. Mr. Lavoie showed a plan with the toe of slope located 40' from the wetland boundary. The lots slopes on this revised plan are blended together and not scalloped as previously approved. Chairman Clancy asked why they needed to extend the slopes closer to the wetland when they already had approved house lots for these 4 lots. Why are they seeking an amendment? Mr. Gow explained that the yards are too small and they have not been able to sell the lots with this smaller yards. Therefore, they are asking for an amendment to change the grading on the lots to allow for a better yard and blend the yards together which also helps to make them bigger. Mr. Lavoie explained that it will also be easier to build the lots and compact them with the lots blended together. After some discussion and concern that they are pushing the lots closer to the wetland, the Commission decided that they would allow for the slope to be 50' away from the wetland on all lots except #90 which is already further away. The Commission asked Mr. Lavoie and Mr. Gow if they could revise the plans to meet this new requirement. After some discussion, they agreed to come back to the next meeting with a grading plan showing fill at least 50' away from the wetland. The Commission continued the hearing to the September 15th meeting and asked Ms. Ryder to draft amended conditions for review at that meeting as well.

Notice of Intent

Boston Post Rd. – Apex Center Phase 2 – Site Construction–Walker Realty LLC

Mr. Joe Peznola of Hancock Associates, Mr. Kevin Erikson and Mr. Robert Walker of Walker Realty LLC, Doug Vigneau of VHB, and Joe Trolla of Walker Realty, Vinny Farise of ETL and Steve Dowaliby of SAK Environmental were all present. Mr. Peznola noted that at the last meeting two items remained. Questions about the culvert velocity at Rte. 20 and review of the drainage calculations by the City Engineer.

A culvert analysis was performed that compared the existing pipe slope and velocity and the anticipated velocity and provided them to Tom DiPersio for review. Mr. DiPersio has reviewed these calculations and has concurred that the new design is acceptable.

Regarding the drainage issue, they have revised the plans to meet Tom DiPersio's comments. All the infiltration chambers will be the same type as shown on the plans. The treatment system is the isolator rows which will remove 84% of the Total Suspended Solids (TSS). There was a question as to whether the chambers will be able to stand the weight of the crane. Although they can, the crane will be placed on the opposite side of the building so this won't be an issue.

All buildings will be on fill which will be built on compacted lifts. The infiltration systems will be put in place after the foundations are in place and all compacted soils under the buildings will be removed to allow for infiltration.

Chairman Clancy read the note from DEP on the Notification of Wetland Protection Act File Number provided today 9-1-2016. The note indicates that BMP's are located within Zone A of the public drinking water supply which are prohibited in the Mass. Stormwater Handbook. And then need to demonstrate that recharge chambers will drain within 6-72 hours. Mr. Peznola asked to address these comments and noted that there are Drinking Water Regulations in Zone A which list prohibitions. He reviewed 310 CMR 10 and the 2008 Stormwater Handbook and 310 CMR 10.105 6.K. standards referenced. It is his opinion that the Standard #6 of the Stormwater regulations is being met by their design. He is of the opinion that the BMP's provided on their plans does benefit the city's water supply and therefore, argument can be made that this meets the wetland regulatory requirements. Mr. Clancy stated that Ms. Ryder and Mr. DiPersio should meet with DEP to clarify what is required. Anything DEP requires the Commission will likely require.

Chairman Clancy asked if the earth moving contractor under the previous order DEP 212-1177 has been hired. Mr. Ryan said yes Vinny Farise from ET & L was present to discuss the issues. Mr. Clancy noted that condition #32 of the order requires the contractor to address several issues to the Commission. Mr. Farise explained his company is familiar with the soil type in Marlborough. They will constantly keep an eye on the weather and someone on site will always be in charge of checking before and after each rain event. They will likely have 2-3 crews working on walls and

drainage throughout the site. They are a big operation and have water trucks and can have two working constantly to control dust. They also have a sweeper and will keep all the roads clean. They are aware of the soil contamination, although he hasn't read the report, but one of his workers has and is well aware of the health and control issues that are on site.

Steve Dowaliby from SAK Environmental, the city's LSP, asked if he was aware of the air monitoring program and notification details. Mr. Farise again said one of his workers has reviewed it and they will follow whatever protocol has been laid out by the LSP and notification etc.

Mr. Peznola explained that at this stage, they do not have a detailed landscaping plan, but agreed that it would be submitted to the Commission before the planting season next spring (2017) This can be conditioned. Ms. Ryder noted that the neighborhood should be notified since there are quite a few who are interested in weighing in on the landscape plans on the Glen St. side.

Chairman Clancy asked the audience if there were any questions, no one had comments or questions.

After further discussion about the need to discuss the drainage with DEP, the Commission contemplated leaving the hearing open and having Ms. Ryder draft conditions for the next meeting. This would allow new information to be submitted if needed. Mr. Ryan and Mr. Peznola both asked that the hearing be closed and that they will be able to address the DEP issues. The Commission, at the applicant's request, closed the hearing and asked Ms. Ryder to draft conditions for the next meeting.

Draft Orders of Conditions:

- 187 Cullinane Dr. – (DEP 212-1180) - remove and replace existing house. The Commission reviewed the draft Order of Conditions and voted unanimously 5-0 to accept the conditions as written.

Certificate of Compliance:

- DEP 212-1124 93 Framingham Rd. (Walker Brook Estates) 5 Allis Rd. (Lot 5) – Partial Certificate. Ms. Ryder noted that this is the subdivision Order of Conditions and includes Lot 5 which is outside of wetland jurisdiction, but is stable. The Commission voted unanimously 5-0 to issue a partial Certificate of Compliance for lot 5.

Extension Permit:

- DEP 212-949 Ft. Meadow drawdown – 2 yr. extension (Hudson is good till 8/26/2018) Ms. Ryder noted that this Order of Conditions will expire this year. She recommended a two-year extension. The Commission voted unanimously 5-0 to issue a two year extension on this permit.

Discussion:

- Goodale Estates definitive subdivision plan - Ms. Ryder showed the Commission the definitive subdivision plans which follows the concept plan presented a few months ago.
- Mauro Farm – Open Space - The project is almost completed. The Planning Board is looking to determine who and how the open space parcels should be transferred. The consensus is these parcels should be Conservation Land.
- Ft. Meadow Reservoir drawdown – Hudson Conservation and Ft. Meadow Commission voted not to have a drawdown this winter.

Other Business/Correspondence:

- 329 Maple St. – Violation letter – at the request of the owner by phone call this was continued to the Sept. 15th meeting.
- Fall Conference 2016 – Managing Mass. Forests – Oct. 29, 2016 (Saturday), 9am-4pm Holyoke Community College. This item was accepted and placed on file.

Project updates:

- Hudson St. (Howe's Landing) - There was some silty discharge onto Hudson St. during the last rain event, that was cleaned up quickly by the contractor. Mr. Clancy noted that he inspected the erosion controls while Ms. Ryder was out and they were in the right place, but not yet completed.

Meetings – Next Conservation meetings – Sept. 15th and Oct. 6, 2016 (Thursdays)

Adjournment - There being no further business, the meeting was adjourned at 8:57 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer *PS*