

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
July 20, 2017 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

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

Absent: David Williams and Lawrence Roy

Approval of Minutes – The minutes of June 15, 2017 were reviewed and approved 5-0 as written.

Public Hearings

Notice of Intent (Continuation) – Review Draft Order of Conditions

421 Bolton St. - BSL Marlborough Development LLC

Jesse Johnson of Bohler Engineering and a representative from Benchmark were present. Mr. Johnson went through the changes he'd made to the plans based on comments received from the last meeting and from the City Engineer for the proposed assisted living and memory care facility. He noted that the existing trail between the schools that runs through this property will be verified in the field and the connections to the two school properties would be decided with city engineer, conservation officer and school officials. He noted that the drainage on the plans has changed from open detention basins to closed underground systems with pretreatment in the first chamber. Fencing above slopes and slope stability was discussed as well as making sure operations are done in such a way not to disturb the senior housing next door. After further discussion about construction phasing and inspection ports, the hearing was closed. The Commission reviewed a set of draft Order of Conditions and made some changes based on the discussion. The Commission voted unanimously 5-0 to issue an Order of Conditions as drafted and amended.

Certificates of Compliance:

- 212-313 29 Draper Circle – Partial Certificate (re-issue). Ms. Ryder noted that the old Certificate of Compliance was apparently never recorded. The lawyers needed a more current one to record. The Commission voted unanimously 5-0 to re-issue a partial certificate.
- 212-704 362 Elm St. – Full Certificate (work never started). Ms. Ryder noted that to clear the file, a Certificate of Compliance should be issued. The Commission voted unanimously 5-0 to issue a full Certificate of Compliance, noting the project was never started.
- 212-848 800 Nickerson Rd. – Full Certificate (re-issue). Ms. Ryder noted that the old Certificate was apparently never recorded. A more current Certificate was needed for

recording purpose. The Commission voted unanimously 5-0 to re-issue a full Certificate of Compliance.

Discussions:

- DEP 212-1177 Apex – Minor changes to sewer connection Phase I - Order of Conditions. Tom DiPersio, City Engineer, explained that when the contractor was getting ready to do the sewer connection into Rte. 20, it was determined to be very deep (17 feet) with very steep slopes and difficult location for a sewer connection. The alternative location was determined to be about 30 feet uphill where the sewer could connect into the existing sewer line and avoid the drains and other utility conflicts. Ms. Ryder and Mr. Clancy had inspected the location and due to the tight timeframe and with Mr. Clancy's blessing that this could be considered a minor change to the plans as there is no additional impact beyond what had already been approved. The Commission asked about the depth of the new line (10 feet) and the construction specifics and blocking off the live line when the new line is connected. After some discussion, the Commission voted 5-0 to approve the changes as minor changes to the plans. No amended Order of Conditions is required at this time. The changes will be reflected in the as-built plans for the project.
- DEP 212-1181 Apex – Minor drainage amendment to Phase 2 Order of Conditions - Addition of drain to divert ground water. (Building 12). Ms. Ryder presented a plan showing the minor change to add a drain to divert groundwater around the building and directly into the wetland. The Commission reviewed the plans and confirmed that this was a minor change and voted 5-0 to approve this addition to the plans. No amendment to the Order of Conditions is required.
- DEP 212-1117 Ames St. – Talia (aka Brookview Apartments) – Storm water inspection frequency reduction request. The Commission reviewed the e-mail request from Mark Arnold of Goddard Consulting regarding reducing the pre-storm and storm inspections to storms of 1" or greater since the site is substantially stabilized. Mr. Clancy noted that he agreed, given the stability of the site over the past few storms and based on the inspection reports the Commission has received. After some discussion, the Commission voted unanimously 5-0 to approve this reduced inspection schedule.

Violations:

- Letter issued to Jim Shalek, dated June 30, 2017 RE: Wetland violation notice – Rte. 20 Intersection Improvements – Apex Center – Phase 2 (DEP 212-1187) - \$300 fine (vote to ratify). Ms. Ryder explained the violation as outlined in the letter. The Commission voted 5-0 to ratify the violation notice.
- Applebriar Lane– Bell Partners – Emergency Certificate - Mr. Clancy explained that on July 3rd, he received a call regarding a sewer discharge into the detention basin at the apartment complex on Applebriar lane. He and the DPW worked with the owners of the site to get the raw sewerage pumped out of the drain line and have the pipe repaired. This was done

promptly, however, the receiving water at the detention basin was filled with sewerage and appeared to have been leaking for a while. On July 10th Ms. Ryder issued an Emergency Certificate to allow for the cleanup and removal of all the contaminated – sewerage laden – soil within the detention basin. This included cleaning the pipes and outlet structure and loaming and seeding the basin once it was cleaned. Ms. Ryder noted that all the work has been done by Rodenhiser and looks good. There is no longer a smell and the area looks clean. The Commission voted 5-0 to ratify the Enforcement Order.

Correspondence/ The following items were reviewed and the Commission voted unanimously 5-0 to accept and place on file.

- Letter/report from DPW (Forestry Dept.), dated: June 6, 2017... RE: Rights of Way Application in accordance with the approved Yearly Operational Plan.
- Letter from Fish and Wildlife Service, dated July 3, 2017 RE: EEA #15703 Sudbury-Hudson Transmission Reliability Project.
- Letter from Nationalgrid, dated July 11, 2017 RE: Mass. Electric Company d/b/a National Grid G7 Asset Condition Refurbishment Project.


Other Business:

- 245 Lakeshore Drive – DEP 212- 1188 - Mr. Garofalo dropped off a revised plan showing the house shifted back 10 feet from the road. Making the house 33’ from the lake rather than 43’ from the lake. The Commission agreed this is a minor change and voted 5-0 to approve the changes as minor change.

Adjournment

There being no further business, the meeting was adjourned at 8:21 PM.

Respectfully submitted,


Priscilla Ryder
Conservation Officer