



TOWN OF NORTHBOROUGH  
Conservation Commission  
Monday, August 9, 2010

Conservation  
Commission  
Approved  
9/20/10

**Present:** Diane Guldner, Todd Helwig, Tom Beals, and Greg Young  
**Absent:** Wayne Baldelli, Mo Tougas, and Brian McManus  
**Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; John Balcom and Peter Burke – B & B Land Corporation; Ken Strom – Thompson-Liston Associates; Peter Bemis – Engineering Design Consultants; David Gillespie – Avalon Bay Communities; Duncan Wood – Sanborn Head and Associates; and Stephen Poole – Lakeview Engineering.

At 7:08 pm, Ms. Guldner opened the Conservation Commission meeting.

Mr. Young read the legal advertisement for the following public hearings:

*Notice of Intent filed by Evelyn B. Silver, Trustee for 333 Howard Street for construction on 767' long common driveway serving existing buildings and 3 new house lots and utilities installation including telephone, electric, CATV, and drainage within 100' buffer zone of BVW*

*Notice of Intent filed by Crow Family Holdings Industrial L.P. c/o ING Clarion Partners for 5 Beeman Road for construction of 14,580 sq ft addition to existing warehouse building, including associated appurtenances and site improvements within 100' buffer zone of BVW*

**Public Hearings:**

**7:12 PM**     **Notice of Intent (continued), 1C Belmont Street, Map 109, Parcel 2, DEP # 247-0990**

Redevelopment of site with an existing miniature golf course and parking lot to a site with a commercial building, parking, and vehicle storage areas and storm water management facilities within 200' riverfront area.

Applicant:        Mo Bayou

Representative: John Grenier, J.M. Grenier Associates, Inc.

Mr. Litchfield explained that the applicant requested a continued public hearing for September 13<sup>th</sup> due to the need to meet with the design review and ZBA before coming before the Commission. Commissioners discussed continuing the public hearing.

***Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, "To continue the public hearing for Mo Bayou for property located at 1C Belmont Street, Map 109, Parcel 2, DEP # 247-0990 until September 13, 2010 at 7:15 pm."***

**7:15 pm      Request for an Amended Order of Conditions, 42-44 Whitney Street, Map 54, Parcel 32, DEP # 247-0978**

Plan modifications regarding building footprint and layout locations and flooding considerations. Additional work is also proposed for a sidewalk along Whitney St.  
Applicant: Framingham Cooperative Savings Bank  
Representative: Ken Strom, Thompson & Liston Associates

Mr. Strom gave the abutter list and signature cards to Mr. Litchfield. Mr. Strom explained the proposed plans including: modified building footprint, revised driveways, deck changes, adjusted utilities, proposed sidewalks along Whitney Street (5' wide blacktop), proposed bridge, and flood storage plans. Mr. Strom, Mr. Duncan, Mr. Litchfield, and Commissioners discussed the FEMA analysis, flood storage, water flow, and proposed plans being less invasive to wetlands than the original OOC.

Mr. Litchfield asked about the Reynolds' property and flooding possibilities. Mr. Strom commented on the discussion with Mr. Reynolds this morning. Mr. Wood explained the water flow pattern history over the past few years and lack of concern for the Reynolds' property flooding.

Mr. Young asked about erosion control plans for the bridge construction. Mr. Strom explained the need for discussion with the DPW before developing bridge construction plans and erosion control plans; bridge would not be built until low flow time next year - August timeframe. Ms. Guldner asked about site erosion control. Mr. Strom gave details for the locations of the straw wattles and silt fence. Mr. Beals and Mr. Litchfield commented on the appropriate erosion control that is in place.

Ms. Guldner asked for audience sharing; no one responded.

***Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Amended Order of Conditions for Framingham Cooperative Savings Bank for 42-44 Whitney Street, Map 54, Parcel 32, DEP # 247-0978 with the special conditions that the bridge footing plans and erosion control plans for the bridge and sidewalk are submitted to Mr. Litchfield for approval two weeks before construction begins."***

**7:55 pm      Notice of Intent, 333 Howard Street, Map 27, Lot 70, DEP # 247-0996**

Construction on a 767' long common driveway to serve existing buildings and 3 new house lots. Included installation of utilities such as telephone, electric, CATV, and drainage within 100' of bordering vegetated wetlands.

Applicant: Evelyn B. Silver, Trustee  
Representative: Richard Mainville, Connorstone Engineering, Inc.

Mr. Litchfield explained the abutter notification issues related to the assessor's office abutter list and the request to continue the public hearing next month. Mr. Litchfield explained that the applicant's abutters need proper notification. Commissioners discussed the recent wetland violation on the property and need for an action plan. Ms. Guldner asked for the house corners to be staked out. Mr. Litchfield explained that the house corners are outside the 100' buffer zone.

*Mr. Beals motioned, Mr. Helwig seconded, and it was unanimously voted, “To continue the public hearing for Evelyn B. Silver, Trustee for property located at 333 Howard Street, Map 27, Lot 70, DEP # 247-0996 until September 13, 2010 at 7:15 pm.”*

**8:00 pm**     **Notice of Intent, 5 Beeman Road, Map 215, Parcels 71 & 15, DEP # 247-0997**  
Construction of 14,580 square foot addition to existing warehouse building, including associated appurtenances and site improvements within 100’ buffer zone.  
Applicant:     Crow Family Holdings Industrial L.P. c/o ING Clarion Partners  
Representative: Peter Bemis, Engineering Design Consultants, Inc.

Mr. Bemis gave the abutter list and signature cards to Mr. Litchfield. Mr. Bemis explained the plans including: infiltration, detention basins, drainage calculations, wetland flagging, erosion control plans, hope for construction to start this September, and the scheduled meeting with the Planning Board next week. Commissioners discussed the desire for equipment to enter from the left side of the property. Mr. Litchfield explained his concerns that no annual reports regarding storm water management plans were ever sent to him (he has not received an annual report since the OOC was issued in 2002). Mr. Bemis commented that he would research and ensure that annual reports would be sent to Mr. Litchfield.

Ms. Guldner asked for audience sharing; no one commented.

*Mr. Helwig motioned, Mr. Beals seconded, and it was unanimously voted, “To issue an Order of Conditions for Crow Family Holdings Industrial L.P. c/o ING Clarion Partners for 5 Beeman Road, Map 215, Parcels 71 & 15, DEP # 247-0997.”*

#### **Extension Permit:**

- **Avalon Bay, Request for Extension Permit for Order of Conditions, Route 20, Tomblin Hill Road, and Davis Avenue, Map 109, 108, 107 and Parcel 15, 3 and 1, DEP # 247-885**

Mr. Gillespie explained the need for six more months to complete Avalon Bay. Commissioners discussed the need for erosion control behind the recycling center. Mr. Gillespie explained that the erosion issues would be cleaned up today. Commissioners discussed times this week for Mr. Gillespie, Mr. Jared – Nitsch Consulting, Mr. Beals, Mr. Borggaard, and Mr. Waterman to site walk the clean up of the recycling center area. Mr. Litchfield agreed to set up the site walk and contact all involved.

*Mr. Helwig motioned, Mr. Beals seconded, and it was unanimously voted, “To issue an Extension Permit Order of Conditions for six months to Brendon Properties for Avalon Bay, Route 20, Tomblin Hill Road, and Davis Avenue, Map 109, 108, 107 and Parcel 15, 3 and 1, DEP # 247-885.”*

#### **Old Business:**

- Discuss the project at 73-85 West Main Street – Mr. Poole explained the utility permit has been straightened out, retaining wall has been fixed, and drainage cleanup would occur mid to late next week. Mr. Litchfield explained the plans with the Earth Removal Board included 2 permits (Mass Highway and Water/Sewer department) that

have been obtained. Mr. Litchfield and Commissioners discussed the recent jute mesh installation on the back wall, need for a letter from Mr. Carlino (site contractor) with dates and sequencing of work, need for the drainage system cleanup with an expected completion date by the September 13<sup>th</sup> meeting, and need for silt sack installation in each catch basin.

- Vote to accept deed from Casa Realty as required by the Maynard Woods Subdivision approval – Mr. Litchfield explained that town counsel has reviewed and accepted the details for the deed. Commissioners agreed to accept the deed for the conservation restriction.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, “To accept the deed for the conservation restriction from Casa Realty.”*

- Bearfoot Road – Mr. Litchfield and Commissioners discussed the erosion control installation and remediation started on Bearfoot Road.
- Mr. Brian McManus’s status on the Commission – Mr. Litchfield commented his need to get in touch with Mr. McManus and discuss.
- Watson Park (butterfly bushes) – Mr. Litchfield asked the Commission if they would agree to spend \$100 from the Conservation budget to purchase four butterfly bushes to plant at Watson Park; Commissioners agreed to the purchase.
- 429 Whitney Street (Anza property) – Commissioners discussed the update on the property including: building inspector’s finding for agricultural use, zoning, need for grass planting on property in buffer zone, and town counsel involvement.
- Loop project (now Northborough Crossing) - Mr. Litchfield gave an update on the traffic lights being installed at Route 9 and 20 and completion expected within a couple of months. Mr. Litchfield explained that the lights at the main entrance of the property would be complete in August 2011 before the first stores open (anticipated shortly after Labor Day 2011).

#### **New Business:**

- The next meeting has been scheduled for Monday, September 13, 2010. Commissioners agreed to meet on September 13, 2010.
- Discuss Forestry Management Plan recently submitted – Mr. Litchfield explained that the Forestry Management Plans were sent to Mr. Beals. Mr. Beals commented that he wants to review the GIS maps and Forest Management Plans in more detail.
- New England Forestry Foundation – Mr. Litchfield informed the Commission of the scheduled meeting with the Board of Selectmen next Monday to discuss the Agricultural Preservation Restriction.

#### **Minutes of July 12, 2010:**

Commissioners discussed the minutes and some tasks needed for Mr. Litchfield to complete.

*Mr. Young motioned, Mr. Helwig seconded, and it was unanimously voted, “To approve the July 12, 2010 minutes.”*

**Certificates of Compliance:**

- Levesque property, 299 Church Street, Map 43, Parcel 10, DEP # 247-0924
- Maynard Woods Subdivision, DEP # 247-771
- Lot 3 Maynard Woods, DEP # 247- 941
- Lot 4 Maynard Woods, DEP # 247- 942

Mr. Litchfield explained the details of each site inspection, site stabilization, wetland replication, and as built plans received.

***Mr. Helwig motioned, Mr. Beals seconded, and it was unanimously voted, “To issue Certificate of Compliances for: 299 Church Street, Map 43, Parcel 10, DEP # 247-924; Maynard Woods Subdivision, DEP # 247-771; Lot 3 Maynard Woods, DEP # 247- 941; and Lot 4 Maynard Woods, DEP # 247- 942.”***

**Adjourn:**

Commissioners had no further business to discuss and agreed to adjourn the meeting.

***Mr. Young motioned, Mr. Beals seconded, and it was unanimously voted, “To adjourn the Conservation Commission meeting.”***

The Conservation Commission meeting ended at 9:00 pm.

Respectfully submitted,

Eileen Dawson  
Commission Secretary