



TOWN OF NORTHBOROUGH  
Conservation Commission  
Monday, June 13, 2011  
Conference Room B

Conservation  
Commission  
Approved  
7/11/11

**Present:** Wayne Baldelli, Todd Helwig, Diane Guldner, and Greg Young  
**Absent:** Mo Tougas and Tom Beals  
**Others Present:** Fred Litchfield – Town Engineer; Eileen Dawson – Recording Secretary; David Marcus – 16 Longfellow Road; Julie Stearns – AECOM; Mark Farrell – Green Hill Engineering; Marilyn Rosenberg – 74 Coolidge Circle; James Forbush – 16 Little Pond Road; Mark Donahue – Fletcher, Tilton, and Whipple, PC; and Matt Smith – Bohler Engineering.

At 7:08 pm, Mr. Baldelli opened the Conservation Commission meeting.

**Review Minutes of May 9, 2011 Meeting:**

Commissioners discussed the minutes and had no changes. Mr. Baldelli requested action.

***Mr. Young motioned, Mr. Helwig seconded, and it was unanimously voted, “To accept the May 9, 2011 minutes of the Conservation Commission.”***

**Public Hearings:**

Ms. Guldner read the legal advertisement for the following public hearings:

*Notice of Intent filed by James Forbush of 16 Little Pond Road for the installation of irrigation well within the 100’ buffer zone.*

*Notice of Intent filed by Marilyn Rosenberg of 74 Coolidge Circle for the repair of a septic system within the 100’ buffer zone.*

*Request for Determination of Applicability filed by David Marcus of 16 Longfellow Road for construction of 3 season room within 100’ buffer zone.*

*Notice of Intent filed by Walmart Real Estate Business Trust of 702 S.W. 8<sup>th</sup> Street Bentonville, AR for the construction, operation and maintenance of an underground sewer line and pump station at 75 Otis Street which is within the 100’ buffer zone and 200 ‘ riverfront area.*

7:15 PM **Notice of Intent, 16 Little Pond Road, DEP # 247-1010**  
Addition of irrigation well within the 100’ buffer zone.  
Applicant: James Forbush  
Representative: Andrew Liston, Thompson-Liston Associates

Mr. Forbush, property owner, gave the abutter list and signature cards to Mr. Litchfield. Mr. Forbush explained the plans to add an irrigation well within 60’ of the wetlands. Mr. Baldelli asked if any abutters have concerns. Mr. Forbush explained that he has spoken to the abutters and no issues have been indicated. Commissioners and Mr. Forbush discussed the property and the erosion control

devices to be used including straw bales and crushed rock (stone dust) around the well area. Mr. Baldelli asked for audience comment; no one responded.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to James Forbush for property at 16 Little Pond Road, DEP # 247-1010 with the addition of the erosion control measures discussed."*

Mr. Litchfield noted that the plans are for a well (for irrigation only) and the Commission needed to approve because it falls within 100' of the wetlands.

7:17 pm **Notice of Intent, Wal-Mart, 184 & 200 Otis Street, DEP # 247- 1011**

Installation of sewer line within 100' buffer zone.

Applicant: Walmart Real Estate Business Trust

Applicant: Matt Smith, Bohler Engineering

Mr. Smith, representative from Bohler Engineering, gave the abutter green cards and signature list to Mr. Litchfield. Ms. Stearns, wetland expert from AECOM, and Mark Donahue - Attorney from Fletcher, Tilton, and Whipple, were present for questions. Mr. Smith explained the plans to tie into the town sewer system on Tomblin Hill Road with an addition of a municipal pump station added on Otis Street (Armeno's Coffee Roasters have been approached for approval on their property). Mr. Smith explained the plans including: drilling, no disturbance to the brook, addition of a 200 square foot pumping station (10 square feet would be in the 15' no disturb for grading), addition of 270 square feet of pavement area for service vehicles, work within the riparian zone, and proposed water and sewer piping extension (not yet approved).

Mr. Baldelli discussed the concern with water flow and asked that a berm be added near the catch basin, rip rap added, and a hood on the catch basin be installed. Commissioners asked questions about the back-up generator, 24 hours of emergency storage and power, capacity of system (can handle 25,000 gallons per day, far exceeds Walmart's needs), system alarms, and timeframe (spring to early summer of 2012). Mr. Smith explained the drilling to be 5-6 feet below the stream bed, building to be on a slab foundation, wet well to be 15-20' into the ground, and Epoxy coating within the 4-6' concrete structure (protects from rare leaks).

Mr. Baldelli asked for audience sharing; no one responded. Mr. Baldelli requested action.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Walmart Real Estate Business Trust of 184 & 200 Otis Street for the installation of a sewer line within 100' buffer zone, DEP # 247-1011 with the special conditions of berm, hood on catch basin, and rip rap additions."*

7:45 pm **Request for Determination of Applicability, 16 Longfellow Road**

Addition of a deck off back of house within 100' buffer zone.

Applicant: David Marcus

Mr. Marcus, property owner, explained the plans including: building a deck off the house and moving the stairs. Mr. Marcus explained that the 3 season porch already exists; the addition of a porch would be the following: 12' wide, 24' long, 6 holes dug for sonar tubes (10" radius and 4' feet deep) and holes would be hand dug. Commissioners discussed silt fence to be added at the top of the hill on the flat area, silt fencing in a semi-circle around the 3 season porch and deck to be built, stock piling under the 3 season with a tarp on top, and the wetland delineation.

Mr. Litchfield suggested the Commission issue a negative Determination of Applicability with the conditions mentioned above for erosion control.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue a Negative Determination of Applicability to David Marcus for property at 16 Longfellow Road with the special conditions that work is done by hand and siltation fencing is installed around all the areas discussed and stock piling is done under the 3 season porch."*

7:53 pm

**Notice of Intent, 74 Coolidge Circle, Map 7, Parcel 31, DEP # 247-1009**

Repair of Septic System within 100' buffer zone of BVW

Applicant: Marilyn Rosenberg

Representative: Mark Farrell, Green Hill Engineering

Mark Farrell, representative from Green Hill Engineering, gave the abutter green cards and signature list to Mr. Litchfield. Mr. Farrell explained the plans for the property to include: rerouting the septic system to the front yard; pump, crush, and fill with sand the septic tank in the back yard, and abandon the leach field in the back yard. Mr. Farrell explained the issues with keeping the septic system in the backyard including: the pool being 20' from a new leach field area (Board of Health issue), large amount of excavation and cost would be needed, and set back issues would occur. Mr. Farrell explained that the Board of Health has given a permit for the front yard proposed septic system, big trees would need to be removed, materials would be hauled off-site not stock piled, and silt sack would be installed into the first downstream catch basin on the street. Commissioners requested silt fence and straw wattles, trucks would enter on the driveway and a stone tracking pad (4-6" stone) would be added to access the new leach field area. Mr. Farrell and Commissioners discussed that a mini hoe would pump the old tank, silt fencing would be installed around the old tank, and silt fence would be added from the corner of the house to the pool area.

Mr. Baldelli asked for audience sharing; no one responded. Mr. Baldelli requested action.

*Mr. Helwig motioned, Mr. Young seconded, and it was unanimously voted, "To issue an Order of Conditions to Marilyn Rosenberg for property at 74 Coolidge Circle with the special conditions of silt fencing installed, straw wattles added, and silt sack added into the catch basin."*

**New Business:**

- The next meeting has been tentatively scheduled for Monday, July 11, 2011. Commissioners discussed and agreed to meet on July 11, 2011.

## **Old Business:**

- Discuss Bartlett Pond Herbicide Treatment RFP - Mr. Litchfield explained that Aquatic Control would apply the next treatment to the pond on June 17<sup>th</sup> (the first application of treatment was on May 27<sup>th</sup>) and the follow up report would be in the fall.
- Lyman Street Well – Mr. Litchfield explained that the DPW shut down the well due to e-coli found in the water testing, the concern with the water getting into groundwater, and the need to do treatment to the well.
- 5 Beeman Road – The Commissioners and Mr. Litchfield discussed that the as-built did not match the documents. Mr. Litchfield explained that the property has been stabilized. Mr. Litchfield agreed not to send an approved Certificate of Compliance until the as-built matches the documents.
- Avalon Bay – Mr. Litchfield and Commissioners discussed that the property has been completed and Certificate of Compliances are ready for filing.
- Sudbury Valley Trustees – Mr. Litchfield explained that Barry Eager, a Berlin resident, has offered 6 acres of land on the town-line of Boylston, Berlin, and Northborough and would like to give to the Conservation Commission (Smith Road and Mount Pisgah area). Mr. Litchfield explained that the Open Space Committee was not opposed to this proposal. Commissioners agreed with the Open Space Committee to accept.
- Northborough Crossing – Commissioners discussed the signs up, Wegman's, BJ's gas, BJ's retail, restaurant pads not committed yet, Kohl's, Baby's R Us, and a golf store getting ready to open at the end of the summer.
- 37 St. James Drive - Mr. Litchfield and Commissioners discussed the applicant's request to move the deck 4' closer to the river (49' off the river on the approved plans last month, this would be 45' off the river) and 4 -5 sonar tubes dug by hand. Mr. Litchfield explained that the silt fencing has been installed with great quality already. Commissioners agreed that the applicant could pursue the plans being changed to 4' closer to the river.
- 21 Fernbrook Road – Mr. Litchfield explained the letter sent to the owner requesting a Notice of Intent to be filed by June 20<sup>th</sup> for the July meeting. Mr. Litchfield reviewed the issues with the fill in the backyard added into the wetlands and the water issues in the front yard that the owner is working on with the DPW. The Commissioners agreed that

the backyard filling in the wetland area is a separate issue from the water issues in the front yard.

- 0 Whitney Street – Commissioners and Mr. Litchfield discussed the composting on the property, DPW involvement, building inspector involvement and court order, and neighbors’ complaints (flies and smell).
- Route 20 Railroad Track – Commissioners discussed the railroad track’s large hole on Route 20 and safety concerns. Mr. Litchfield explained that Route 20 would be overhauled next year by Mass Highway. Commissioners discussed concerns with motorcycles hitting the large hole.

**Certificates of Compliance:**

- Avalon Bay/Brendon Properties, Southwest Cutoff, Map 109, 108, 107, Parcels 15, 3, and 1, DEP # 247-885
- Crow Family Holdings Industrial L.P. c/o ING Clarion Partners, 5 Beeman Road, Map 71, Parcel 15, DEP # 247-0997
- Brian Huckins, 67 Cedar Hill Drive, Map 75, Parcel 129, DEP # 247-0961

Mr. Litchfield and Commissioners discussed the 3 Certificates of Compliance requests.

*Commissioners unanimously signed the Certificates of Compliance for: Avalon Bay/Brendon Properties for Southwest Cutoff, Map 109, 108, 107, Parcels 15, 3, and 1, DEP # 247-885; Crow Family Holdings Industrial L.P. c/o ING Clarion Partners for 5 Beeman Road, Map 71, Parcel 15, DEP # 247-0997; and Brian Huckins for 67 Cedar Hill Drive, Map 75, Parcel 129, DEP # 247-0961.”*

**Adjourn:**

Commissioners had no further business to discuss. Mr. Baldelli requested action.

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

The Conservation Commission meeting ended at 8:38 pm.

Respectfully submitted,  
Eileen Dawson  
Commission Secretary