



TOWN OF NORTHBOROUGH Conservation Commission

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Conservation Commission Meeting Minutes April 11, 2016

Members Present: Greg Young, Tom Beals, Todd Helwig, Wayne Baldelli and Maurice Tougas

Others Present: Kale Kalloch-Getman, Conservation Agent; Jacquie Goring, Board Secretary; Fred Litchfield, Town Engineer; James Coles, U.S. Geological Survey; Mark Arnold, Goddard Consulting; Julie Lisk, Goddard Consulting; Vito Colonna, Connorstone Engineering; Michael Scott, Waterman Associates; Steven Stone, resident of 152 Bartlett Street; Anne Beckstrom, resident of 152 Bartlett Street; Bruce Goldsmith, resident of 63 Washburn Street; Jean Goldsmith, resident of 63 Washburn Street; Craig Callahan, resident of 172A Howard Street; Scott Michalak, member of 73 Washburn Street Trust; Ginny Lemmerman, resident of 176 Howard Street; Darrell Lemmerman, resident of 176 Howard Street; Margaret Michalak, resident of 73 Washburn Street; Leonard Michalak, resident of 73 Washburn Street; Ernest Wolshin, resident of 69 Washburn Street; Robert Seiple, resident of 190 Howard Street; and Bruce Oberg, resident of 97 Lincoln Street.

Approval of Minutes: Mr. Todd Helwig motioned to approve the minutes of March 14, 2016 as written. Mr. Tom Beals seconded the motion and the vote was unanimously in favor of approval.

U.S. Geological Survey – Assabet River Water Quality Monitoring – Mr. James Coles from the U.S. Geological Survey (USGS) was present to discuss the Assabet River water quality monitoring. Mr. Coles noted that samples were collected from the Assabet River in 2000 below the River Street Bridge. A pressure transducer was installed in 2000 to monitor the river stages. Mr. Coles noted that reestablishing the device is proposed as well as sampling of sediment using walling tubes. Water quality sampling will be conducted from June through August and will be tested for various water quality standards including pesticides and nutrient levels. An ecological survey will be completed in August which will survey the fish community and habitat assessments will be completed. The water quality sampling results will be compared to the ecological community of the River. Mr. Coles noted that this site is one of 40 in New England monitors for land use disturbance in watershed areas and the effects on water quality and the biological community. Mr. Coles stated that the walling tubes are 2” galvanized pipes and will be installed within the next two to three weeks. Mr. Coles confirmed that the data will be available early next year and can be provided to the Commission. Mr. Coles will contact Ms. Kalloch-Getman and Mr. Litchfield prior to starting work.

Hudson Street Pump Station – Mr. Litchfield, Town Engineer, was present to discuss the proposed improvements to the Hudson Street sewer pump station. Mr. Litchfield informed the Commission that the Department of Public Works has been working on the inside of the building of the Hudson Street sewer pump station. The existing stone dust parking lot is proposed to be paved as part of the project. Mr. Litchfield noted that stone dust is considered impervious and is not as stable as asphalt. Mr. Litchfield described the erosion controls for the project and the Commission noted that the erosion controls were recently observed to be loose. Mr. Litchfield stated that he would inspect the erosion controls to ensure they have been tightened up and will have straw wattles or bales added as necessary. The Commission questioned why the parking lot was not initially paved. Mr. Litchfield stated that the

parking lot may not have been initially paved because there was less need to access the building and now a generator and updated equipment have been installed inside the building more frequent access and maintenance will be required. Mr. Litchfield added that maintaining a paved parking lot will be easier than stone dust.

Mr. Beals motioned to issue a Negative 3 Determination for the Hudson Street Pump Station project. Mr. Helwig seconded the motion and the vote was unanimously in favor of the motion.

Bigelow Lease Agreement Renewal – Mr. Litchfield informed the Commission that the Bigelow lease agreement renewal has not been completed and requested that it be added to the May meeting agenda.

Notice of Intent, 1 Lyman Street, Map 66, Parcel 9, 10 and 11

- Applicant: Ian Gow
- Representative: Vito Colonna, Connorstone Engineering
- Request: New construction, Commercial Self-Storage facility
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mr. Vito Colonna, Connorstone Engineering, was present to discuss the Notice of Intent filed by Ian Gow for the construction of a commercial self-storage facility. Ms. Kalloch-Getman displayed GIS images for the site. Mr. Colonna described the four acre site located on the corner of Lyman and Bartlett Streets. Existing conditions include a single family house, barn and landscaping and lawn area. Mr. Colonna stated that the resource areas on the site include a bordering vegetated wetland, intermittent stream and 100 year floodplain. Mr. Colonna clarified that the stream is mapped as perennial but was photographed being dry for four consecutive days. Ms. Kalloch-Getman clarified that the dates were not consecutive and photos were taken on the 12th, 14th, 16th and 17th of the month. Mr. Colonna added that the photos were taken by Goddard Consulting in September 2014 at the driest time of the year. The Commission expressed concerns about the stream being identified as intermittent.

Proposed work on the site includes demolition of the existing structures and construction of a self-storage facility including five smaller buildings and one two story office building. Driveway access for the facility will be from Bartlett Street with no access to Lyman Street. The property is serviced by a septic system and town water. Roof drains and an infiltration system are proposed as part of the site redevelopment. Mr. Colonna also described the proposed stormwater pretreatment including deep sump catch basins and fore bays. Mr. Colonna noted that temporary erosion controls will be used during construction and a large temporary basin will be constructed then filled following construction. The Commission noted that the site is located within the Groundwater 1 Area. Mr. Colonna stated the project is currently before the Zoning Board of Appeals (ZBA). The Commission clarified that vehicles will be stored in the first and last storage buildings and trench drains with an oil-water separator and tight tank will be installed. The Commission questioned if the addition of impervious surfaces to the site is allowed with Groundwater Area 1. Mr. Colonna stated that if infiltration is designed to specific volumes additional impervious surface is allowed. Mr. Colonna also confirmed that variances for the project are required with the ZBA and Planning Board.

Ms. Kalloch-Getman displayed plans and photos of the site and described the location. Mr. Young noted that a site visit was conducted to review the delineation and standing water was observed outside of the delineated area. The delineation is estimated to be off by approximately 80 feet in some areas. Mr. Colonna recommended that Ms. Kalloch-Getman meet with Mr. Goddard onsite to review the delineation. Ms. Kalloch-Getman also identified a significant amount of yard waste in the wetland and

noted that a soil boring was collected in the area which filled with water immediately. Ms. Kalloch-Getman noted that this provided evidence of a hydrologic connection. Ms. Kalloch-Getman recommended a peer review of the wetland delineation. Mr. Colonna stated that there would be no outside storage of cars and that only select units will be designed with bays from front to back and restrictions could be included in the ZBA decision on the storage of vehicles. Mr. Colonna confirmed that the proposed swale will connect to the infiltration basin.

Ms. Anne Beckstrom, resident of 152 Bartlett Street, was present and expressed concerns about work within area woodland and wetlands and the effects on wildlife. Ms. Beckstrom also expressed concerns about the amount of paving and salt run off to the wetland and vehicle storage on the property and spillage of oil and gasoline. The Commission noted that they have similar concerns and clarified that the design has incorporated features to prevent chemicals entering the wetland. Ms. Beckstrom continued to express concerns about auto repairs occurring on the property and the need for monitoring the site. Mr. Mark Arnold, Goddard Consulting, was present and stated that the stream photos are not required to be taken on consecutive days but four days within a twelve month period. The Commission requested the Ms. Kalloch-Getman obtain quotes for the peer review.

Mr. Tougas motioned to continue the hearing for the Notice of Intent filed by Ian Gow. Mr. Helwig seconded the motion and the vote was unanimously in favor of the motion.

Notice of Intent, Off Howard and Washburn Streets, Map 37, Parcels 93 and 94

- Applicant: Daniel Benway, Irrigation Plus
- Representative: Scott Goddard, Goddard Consulting
- Request: New construction, Residential Subdivision
- Jurisdiction: Bank, Bordering Vegetated Wetland

Mr. Arnold, Goddard Consulting, was present to review the Notice of Intent for the property located off Howard and Washburn Streets. Mr. Young noted that there was missing documentation from the application and Ms. Kalloch-Getman clarified that a preliminary plan has been submitted prior to the project going before the Planning Board next week. Ms. Kalloch-Getman displayed the plan and noted that the proposed work includes a common driveway and wetland replication plan. Ms. Kalloch-Getman also noted that cross sections for the replication area, a detailed narrative, subdivision plan, stormwater reports, retaining wall details, erosion control barriers, groundwater elevations, construction sequence and a dewatering plan have not been submitted. Mr. Arnold stated that he is present to review the main concepts of the project and provide a first look to the Commission to provide feedback and will return to the Commission once the Planning Board review process has been completed. Mr. Scott Michalak, member of 73 Washburn Street Trust, was present and stated that he was not notified of the hearing. Mr. Arnold reviewed the abutters list and confirmed that Mr. Michalak was not listed. Mr. Ernest Wolshin, resident of 69 Washburn Street, was also present and stated he did not receive an abutters notification. The Commission referenced the certified mail card and confirmed that the notice was delivered to 69 Washburn Street and signed for.

Mr. Arnold described the location of the site owned by Mr. Daniel Benway of Irrigation Plus. Mr. Arnold stated that the proposed work includes a subdivision road off Washburn Street and described the resource areas on the site. Mr. Arnold reminded the Commission that an Order of Resource Area Delineation (ORAD) was recently issued for the site. Mr. Arnold added that the proposed subdivision road was designed within the constraints of the zoning regulations and is "s" shaped to be located as far from the wetland as possible. Mr. Arnold stated that 700 square feet of permanent impact to the Bordering Vegetated Wetland (BVW) and 250 square feet of temporary impact to the BVW will occur as

part of the construction and a 1,500 square foot BVW replication is proposed. Ms. Kalloch-Getman displayed plans for the proposed work. Mr. Arnold stated that the road was pushed as far from the BVW as possible and described the replication area which is currently a forested area with red oak, white oak and pine. Mr. Arnold described that temporary BVW disturbance which includes temporary erosion control barriers through the BVW during construction of a proposed retaining wall.

Mr. Arnold described the location of the replication area and showed detailed plans of the proposed replication work. The replication area will include additional linear feet of bank along the stream to create a more meandering stream rather than the existing straight drainage ditch. Mr. Arnold reviewed the variety of trees and shrubs proposed for the replication area and noted that the area will replicate any lost habitat and will increase habitat features in the replication area. The replication area will be supervised by a wetland scientist and two years of monitoring will be completed to ensure 75% coverage. Mr. Arnold noted that the replication area will be completed first because access to the area will be difficult after the construction of the retaining wall. Mr. Arnold described the proposed dewatering on the site including construction of a detention pond which will be located on the site and cleaned out after construction. An existing eight inch culvert will be upgraded to allow for additional drainage. Mr. Arnold clarified that the detention pond was designed for a 100 year storm and will have two drains at different heights. The Commission confirmed that the existing play house is an encroachment on the property.

The Commission inquired if alternatives had been reviewed to avoid impacts to the resource areas on the site including locating the subdivision road from the other side of the property. Mr. Arnold confirmed that a waiver was requested from the 50 foot right-of-way requirement but was not granted by the ZBA. Ms. Kalloch-Getman noted that large stormwater basins often do not function properly due to a high level of fines and poor drainage and prefers that they are not used for infiltration for dewatering. Mr. Arnold stated that hose could be run outside of the 100' buffer with filters which would also require clean up after construction. Ms. Kalloch-Getman noted that projects can use both methods or have multiple smaller retention basins during construction, addressing dewatering in a more efficient way. Mr. Arnold stated that running hose outside of the 100' buffer and allowing water to infiltrate into the ground naturally would be preferred. Mr. Arnold added that two options could be presented and either one could be required in the Order of Conditions (OOC) or one could be used as a contingency if the other method fails.

Mr. Wolshin expressed concerns about the culvert and flooding on his property and asked if the proposed work would reduce the amount of area absorbing water. Mr. Arnold stated that 700 square feet of wetland fill and 1,500 square feet of replication is proposed and confirmed that the proposed work will only be conducted on the applicant's property. Mr. Arnold added that the replication area will be monitored for two years to ensure it is fully functioning. Mr. Wolshin displayed photos of ponding on the property and Mr. Arnold clarified that the area shown in the photos was included in the resource area delineation. Mr. Robert Seiple, resident of 190 Howard Street, expressed concerns about the increased flooding capacity and additional wetlands proposed to be replicated. Mr. Arnold stated that the Northborough by-law requires 1.5 square feet of replication for every square foot of fill and the replication area will be overseen by a wetland scientist and should provide additional storage capacity. Mr. Wolshin continued to express concerns about flooding on his property and Mr. Arnold noted that flooding on his property will not be directly addressed because it is not on the applicant's property.

Mr. Michalak expressed concerns about the location of the proposed replication area which Mr. Arnold stated was five feet below the water table and its ability to absorb water. Mr. Arnold noted that during the winter there is ponding on the site outside of the wetland areas due to seasonal high groundwater but the area is dry during the fall. Mr. Michalak confirmed with Mr. Arnold that by rerouting the intermittent stream the adjacent grades will be lowered and expressed concerns about the grading to

the north of the stream. Mr. Arnold stated that the top soil will be removed in the area and wetland soils will be added. Mr. Michalak continued to express concerns about drainage issues and stated that developers have done work on other parcels around a site to mitigate drainage issues in the area. Mr. Wolshin continued to express concerns about flooding on his property and the wetland filling and Mr. Arnold reiterated that the replication area will double the amount of existing wetlands on the site. The Commission noted that the proposed work will not likely solve all of the drainage issues in the area but will not worsen them and that the amount of wetlands on the site is proposed to increase and improve the drainage under Washburn Street.

Mr. Arnold requested a continuation for two months to the June 2016 Commission meeting. Mr. Arnold stated that they would like to begin construction in July or August during the dry season. Mr. Arnold added that the replication area will be completed first and Goddard Consulting will be the wetland consultant during construction. Mr. Wolshin inquired if this would present a conflict of interest and Mr. Arnold explained that typically the same company would oversee the replication area and noted that Ms. Kalloch-Getman would be provided monitoring reports throughout the project. The Commission discussed the need for Certificate of Compliance (COC) for the subdivision road before the houses could be sold and Mr. Arnold stated that two years of monitoring would be required and partial COC's could be requested if needed.

Mr. Helwig motioned to continue the hearing for the Notice of Intent filed by Daniel Benway. Mr. Tougas seconded the motion and the vote was unanimously in favor of the motion.

Notice of Intent, 40 Bearfoot Road, Map 29, Parcel 36, DEP File #247-1110

- Applicant: David Pollack, AMERCO, Real Estate Corp./U-Haul Construction Department
- Representative: Michael Scott, Waterman Associates
- Request: Redevelopment
- Jurisdiction: Buffer Zone to a Bordering Vegetated Wetland

Mr. Michael Scott, Waterman Associates, was present to review the proposed site redevelopment of 40 Bearfoot Road on behalf of U-Haul/AMERCO Real Estate. Mr. Scott noted that the property was purchased by AMERCO last fall and the existing site building will be reused for self storage and is currently being refitted. Mr. Scott informed that Commission that a small warehouse is proposed and noted that the site is within the Aquifer 2 Zone and a small wetland is located in the northwest corner of the property. Mr. Scott displayed plans for the site which included the existing buildings, parking areas, a small road located on the east side of the property used to access the existing loading docks, and an additional driveway to an existing gravel parking lot. The proposed 2,500 square foot warehouse will be used to store self storage container units and have a small office. Some of the existing parking area will be used to park vans and box trucks available for rent but will not be used for fleet storage. Vehicles will be able to drive inside the building to load and unload in dry conditions. The building will be accessed during daylight hours only and no overnight vehicle storage will be permitted. Mr. Scott added that U-Haul representatives met with Ms. Kalloch-Getman and Mr. Litchfield and confirmed that no storage of liquids, weapons and guns would be permitted. Mr. Scott also noted that pavement will be added in two areas and removed elsewhere with no additional impervious area.

Mr. Scott described the location of the existing catch basins and drainage to an existing detention pond. Mr. Scott added that the 3,500 square foot existing gravel parking area is not proposed to be paved but was approved to be paved by the ZBA but the property owner does not intend to do so. The Commission noted that they would prefer that parking be located away from the wetland. Mr. Scott stated that Ms. Kalloch-Getman found plans on file showing large parking lots in the area. Mr. Scott clarified with the

Commission that a drainage area well established with phragmites was not included on the plan as a wetland. Mr. Scott added that the applicant would like to complete the work quickly and begin operating out of the facility right away. Mr. Scott added that 6,000 square feet of pavement is proposed to be removed from the buffer zone and move to the front of the property where parking is needed. The Commission expressed concerns about the proposed tractor trailer traffic in the area and potential fuel leakage. Mr. Scott clarified that the two existing catch basins in the area have hoods and sumps and the direct discharge to the existing retention pond is proposed to be removed. Mr. Scott added that grass was proposed to collect sheet flow off the parking lot but was advised by Mr. Litchfield that is not ideal in an Aquifer II Zone. Mr. Scott also added that there will be less traffic and less intense use from the previous site use as a manufacturing facility. Mr. Scott noted that the proposed building will be constructed on an existing parking lot and described the truck route on the site.

Roof drains on the existing building are currently being inspected and may be required to be rerouted to infiltration basins or the existing retention pond. Once the information is obtained Mr. Scott will update the Commission. Ms. Kalloch-Getman noted that DEP issued a file number without comments. Mr. Scott confirmed that the project is currently under review with the ZBA. The Commission expressed concerns about the lack of information regarding the roof drains and Ms. Kalloch-Getman added that she would like to review the stormwater report. Mr. Scott reiterated that the proposed project will reduce the amount of pavement on the property. Ms. Kalloch-Getman added that elevations were not included in the filing.

Mr. Baldelli motioned to continue the hearing for the Notice of Intent filed by David Pollack. Mr. Helwig seconded the motion and the vote was unanimously in favor of the motion.

May Meeting – Ms. Kalloch-Getman reminded the Commission that the May Commission meeting was rescheduled to May 16, 2016.

Request for Certificate of Compliance, 129 Howard Street, Map 56, Parcel 5, DEP File #247-384

- Applicant: Marc Marcello

Ms. Kalloch-Getman informed the Commission that an OOC was issued for the construction of a garage in 1992 which was never completed. Ms. Kalloch-Getman displayed photos from the site visit and recommended a COC be issued.

Mr. Tougas motioned to issue a Certificate of Compliance for 129 Howard Street. Mr. Beals seconded the motion and the vote was in favor of the motion.

0 Lincoln Street – Unpermitted Tree Cutting within the Buffer Zone – Mr. Bruce Oberg, property owner of 0 Lincoln Street, was present to discuss the tree cutting on his property. Mr. Young and Ms. Kalloch-Getman conducted a site visit and described the location of the site. Ms. Kalloch-Getman displayed a GIS map for the site including a wetland overlay and photos from the site visit. Ms. Kalloch-Getman informed the Commission that a call was made to the office regarding tree cutting at the property. The wetlands on the property are located in the rear corner of the lot and were flagged by Goddard Consulting over a year ago. The wetland flags were still present at the time of the site visit. Ms. Kalloch-Getman contacted the property owner and requested that the Mr. Oberg cease tree cutting and scheduled a site visit. The site is disturbed and has a significant amount of invasive species. Mr. Oberg stated that he was cutting trees for firewood and to clear an area to keep bees on the property and confirmed he is not planning to build a house on the property. Ms. Kalloch-Getman clarified with the Commission that it is not clear if the cutting occurred within wetlands and that until the material on the ground is removed it will not be possible to determine

Mr. Oberg stated that he will remove the trees to allow the Commission to collect soil samples. Ms. Kalloch-Getman added that once the logs are removed the area will be vegetated with invasive species. Mr. Oberg confirmed that he would like to create a field which he would annually mow and that he does not want to completed any additional tree cutting. Ms. Kalloch-Getman added that a wetland delineation would be valuable if the property owner would like a maintained grass area. The Commission discussed the request to keep the area as a field. Mr. Beals noted that state forestry regulations permit a landowner to cut up to ten cords of wood during winter for personal use but the Town bylaw conflicts the regulation. Mr. Beals added that the bylaw encourages land owners to meet with the Commission prior to tree cutting and noted that when tree cutting occurs during the winter the ground is frozen and less ruts are created. Mr. Young added that a determination regarding the on ongoing maintenance of the property cannot be made until the logs area removed and soil samples can be collected. Mr. Oberg confirmed that the lot is likely not buildable and is mostly wet and will be doing all of the log removal by hand because the property cannot be accessed heavy equipment.

1 Lyman Street – Mr. Baldelli requested that the ZBA be notified that work propped on the property is within the Aquifer II Zone and the Commission is not in favor. Ms. Kalloch-Getman will draft a memo to the ZBA for the Commission to review.

Ongoing Project Updates:

Lincoln Street School – Ms. Kalloch-Getman informed the Commission that the basin is still holding water, 90% of the plants are dead and the site contractor is waiting for the area to dry out to make necessary changes. Ms. Kalloch-Getman noted that she has expressed concerns about mosquitos and the risk of children drowning. Ms. Kalloch-Getman added that the basin was not built as designed and has steep slopes. Once the plantings have established and have grown tall there is less risk of children entering the area. The Commission discussed the issue and requested that Ms. Kalloch-Getman reach out to the site contractor and confirm when the proposed testing will occur.

394 Davis Street – Ms. Kalloch-Getman informed the Commission that the new owner of 394 Davis Street, Mr. Randy Boyle, did put up a barrier to the wetland closer to the house then requested. A remediation plan has not been completed to remove the material in the wetland which will likely be completed over a few days using shovels before the growing season. Ms. Kalloch-Getman added that the owner would like to sell the property and a COC will not be issued without the work being completed. The Commission discussed the silt removal and Ms. Kalloch-Getman expressed concerns that invasives could grow in the area. Ms. Kalloch-Getman added that Mr. Boyle has been proactive and is in communication with him. The Commission noted that if Mr. Boyle waits to complete the silt removal until June it may be too late.

Rice Avenue – Ms. Kalloch-Getman informed the Commission that she had received a call regarding the farm on Rice Avenue and noted that the Commission had a verbal agreement with the property owner to rebuild a stone wall on the property.

0 Church Street – Ms. Kalloch-Getman informed the Commission that the delineation by Mr. Glenn Krevosky is on hold until the soil temperature reaches the appropriate temperature to be considered the growing season.

Bylaw Review –Ms. Kalloch-Getman reminded the Commission of the need to review the bylaw.

299 Davis Street – Ms. Kalloch-Getman stated that the owners of 299 Davis Street were going to attend the Commission meeting but cleaned up the area. She reminded the Commission of the ongoing encroachments and recommended outreach to abutters regarding tree cutting and yard maintenance.

432 Whitney Street – Ms. Kalloch-Getman informed the Commission that the attorneys for the property owner and the Town are in communication regarding permitting. Ms. Kalloch-Getman reviewed the agricultural exemptions within the Chapter 61 regulations and the WPA. The Commission discussed the wetland locations and tree cutting which has occurred outside of the 100’ buffer to date. The Commission has not received a plan regarding any proposed site work including bringing in fill.

MWRA Project – Ms. Kalloch-Getman informed the Commission of an MWRA project accessed through Marlborough on Cedar Hill Street. The proposed work will improve security of the area where the aqueduct daylights and will create an additional access road. Ms. Kalloch-Getman noted that the work does not require a permit and not near the resource area and outside their jurisdiction. Ms. Kalloch-Getman met the construction supervisor on the site and will be sending regular reports of the erosion controls and will be prepared to install additional erosion controls if necessary. Ms. Kalloch-Getman noted that Commission members are invited to have a tour of the project and can contact her for scheduling.

Mr. Beals motioned to close the meeting at 9:22PM. Mr. Baldelli seconded the motion and the vote was in favor of the motion.

The meeting adjourned at 9:22 PM

Respectively submitted,

Jacque Goring