



TOWN OF WESTBOROUGH MASSACHUSETTS

Conservation Commission
Town Hall, West Main
Westborough, MA 01581

DATE: February 25, 2013
RE: Minutes of Meeting for February 12, 2013

Members Present: Chairman Koenigsberg, Member Cushing, Member Lundberg,
Member Kimball, Member Donley, Member Buckalew, Member Kessler

Agenda Items:

7:00 PM - Discussion – Joseph Jammallo – Landfills 4 and 5

Joseph Jammallo was present to explain Landfills 4 & 5 off Brigham Street. Mr. Jammallo specifically is informing the commission regarding the work associated with Comprehensive Site Assessment (CSA) that is being overseen by DEP in accordance with their permit dated October 26, 2012, of which a copy has been provided for the file. There are 5 Industrial Landfills with 3 lying below the developed lot. Landfills 1 & 2 are beneath the primary pavement area of the buildings, Landfill 3 is south of the building that is comprised of the Athletic Club & Stein Mart, Landfills 4 & 5 are farther East located at 59 Brigham Street. Test pits have been performed and soil sample results were submitted to DEP, minor comments were received and now a finalized scope of work and assessment has been approved by DEP. Mr. Jammallo has been working with the Conservation Officer since 2003, specifically keeping him informed of due diligence type exempt activities under the Act and this CSA follows the same protocols. Mr. Jammallo explained that eight additional wells were installed; soil, groundwater, and observed seepage samples have been taken and sent to the lab for analysis. These tests will be performed for one year and in about one and a half years a report will be finalized to DEP as part of the CSA permit and at that time, DEP will review the collected data and a future proposal relative to Landfills 4 & 5 will be fostered. In the event that it is recommended that the landfills be capped, then a formal Notice of Intent will be filed for that activity analysis, and they are getting back ground and surface water levels.

All Member questions were answered and the Commission thanked Mr. Jammallo for taking time to come in and explain the process to date.

7:15PM - Hearing – Abbreviated Notice of Resource Area Delineation- Cumberland Farms, 165 Flanders Road

Chris Lucas, Lucas Environmental, LLC

Stephen DeCoursey, Bohler Engineering

Materials submitted as part of this application include an Abbreviated Notice of Resource Area Delineation, dated January 31, 2013; a Plan entitled "Abbreviated Notice of Resources Delineation Plan" dated, January 30, 2013 containing sheets 1-3.

Mr. Lucas presented the resource areas associated with the entire 94.4 acre parcel known as 165 Flanders Road. The resources areas included Bank, Bordering Vegetated Wetlands, Bordering Lands Subject to Flooding, Land Under Water Bodies and Waterways, Riverfront Area and Isolated Vegetated Wetlands. The Conservation Officer viewed the over 1,000 placed flags throughout the property prior to snowfall and agrees with the delineation. Excepting, the possibility that the stream running along Flanders Road and under the existing driveway is in fact perennial and not intermittent as demonstrated by StreamStats. The Conservation Officer will provide Mr. Lucas with an existing watershed boundary that is contributory to this stream so that Mr. Lucas can re-analyze its classification for the next meeting.

Member Buckalew made a motion to continue this ANRAD hearing to 7:00pm March 12, 2013 for 165 Flanders Road, Member Cushing seconded, unanimously voted.

7:30 PM - Hearing – Notice of Intent – Cumberland Farms, 165 Flanders Road

Chris Lucas, Lucas Environmental, LLC

Stephen DeCoursey, Bohler Engineering

Materials submitted as part of this application include a Notice of Intent dated January 31, 2013, Draft Geotechnical-Foundation Engineering Report by ECS dated November 29, 2012, Drainage Report for Proposed Distribution Center Building Expansion, dated January 31, 2012 (known typo), Plan entitled "Site Development Plans for Cumberland Farms" dated January 31, 2013 containing sheets 1-15.

Mr. DeCoursey explained that Cumberland Farms is looking to construct a 41,000 square foot addition to the existing Distribution Center and move the existing access driveway to allow safer travel lanes for passenger vehicles and trucks. A new stormwater management system will be designed to meet the current DEP and Town of Westborough standards to the best practical measures. Given the historic filling of the site and high groundwater, not all the standards will be able to be achieved, although much of the work is considered redevelopment. A portion of the relocated driveway will be placed through an existing Isolated Vegetated Wetland resulting in a net fill of approximately 4,700 square feet. This location was reviewed by Members of the Commission, Conservation Officer, DEP, and the Engineers at a site walk and this resource area was visually demonstrated not to provide a high wetland value or wildlife function. All attempts have been made to keep the proposed relocated driveway out of the inner 100' Riverfront area.

Mr. Lucas explained that the project does meet the Performance Standards in accordance with 310 CMR 58 and Riverfront square footage requirements, as well as, the required Alternative Analysis. The Riverfront calculations will need to be re-reviewed if the stream fronting on Flanders Road is in fact perennial. Open test pits have not been witnessed by the Town and will need to be assessed in the field as soon as possible so that a thorough drainage review can be completed by Town Staff. Upon completion of this field work and a letter from the Engineering Department it is recommended that the hearing be continued to March 12, 2013.

Member Buckalew made a motion to continue the NOI hearing to 7:10pm on March 12, 2013, Member Donley seconded, unanimously voted.

7:45PM - Discussion - Conservation Commission/Staff Goals for 2013

The Commission reviewed the 2011/2012 Year End Goals Document as provided by the Conservation Officer. The Goals were re-typed and the achievement of the Goals were written in italics.

Member Kessler made a motion to accept the 2011/2012 Year End Goals document as written, Member Buckalew seconded, unanimously voted.

A draft copy of the 2013 Commission Goals was sent via email for the Members to review prior to the meeting.

Member Kessler made a motion to approve the 2013 Commission Goals as written, Member Kimball seconded, unanimously voted.

A draft copy of the 2013 Conservation Officer Goals was sent via email for Members to review prior to the meeting.

Chairman Koenigsberg made a motion to accept and approve the 2013 Conservation Officer's Goals as written, Member Donley seconded, unanimously voted.

All of the above documents will be posted on the Conservation Commission website.

Other Business:

A second Conservation Commission meeting has been set for February 19, 2013 at 6:30 pm in Room 23. The WCLT materials regarding this meeting have already been sent to the Members for review.

The Conservation Officer provided an Issue Update dated February 5, 2013 to review items associated with the Commissions February 12, 2013 Meeting.

Complete Certificate of Compliance for DEP File#332-748, E.L. Harvey/Landfill

Member Buckalew made a motion to approve a Certificate of Compliance for DEP File# 332-748 with Special Conditions, Member Kimball seconded, Vote 4-1 Member Cushing abstained.

Boundary signage for Conservation properties

The Administrative Assistant has been working with Voss Signs and an example was presented to the Commission tonight. The Conservation Officer has approved the example and will be paying a \$45.00 one time art set up fee. The example has been shown to the Finance Committee to explain one of the Goals of the Commission in the future. The signs will be ordered in bulk to lower the cost and are available in Plastic or Aluminum. The Conservation Officer is hopeful to be able to purchase 100 this year and to extend the budget next year to purchase more.

Member Buckalew made a motion to purchase 100 plastic signs, as viewed tonight by the Members, using remaining funds in the expense account, Member Cushing seconded, unanimously voted.

Member Buckalew made a motion to approve the meeting minutes of January 8, 2013, Member Kimball seconded, unanimously voted.

Conservation Officer Updates:

The Planning Board has opted for the Non Open Space with Waivers Plan presented for the Danis Estates project off Mt. Pleasant Street.

Member Koenigsberg made a motion to adjourn the meeting, seconded by Member Kimball, unanimously voted.

Respectfully Submitted,
Destiny Ashworth/Administrative Assistant



Chairman Koenigsberg
Conservation Commission