

**CITY OF MARLBOROUGH
CONSERVATION COMMISSION
Minutes
March 20, 2014 (Thursday)
Marlborough City Hall – 3rd Floor, Memorial Hall
7:00 PM**

Members Present: Edward Clancy-Chairman, Lawrence Roy, John Skarin, David Williams, Dennis Demers and Allan White. Also present was Priscilla Ryder-Conservation Officer.

Absent: None

Approval of Minutes: The minutes of **March 6, 2014** were reviewed and unanimously approved.

Public Hearings:

Notice of Intent (Continuation)

397 Bolton Street - The Marlborough Community Development Authority

Doug Bushman of the Marlborough Housing Authority and Rafael Urbina from Fort Hill Inc. were present. Mr. Urbina explained that they wanted to expand the existing parking lot from 41 to 70 spaces. There are wetlands to the rear of the lot and they have made some changes to the plans to move the work outside of the 20' buffer zone. A new drainage system with water quality improvements and infiltration are included in the revised plans. An 8' retaining wall is proposed. They also propose to expand the existing parking lot including additional drainage control near wetlands. The Commission expressed some concern that the wall and fill would be on top of the sewer pipe, which would make it very hard to repair if there was a problem with the line in the future. They discussed the need for the city engineering department to review and provide comments on whether this is acceptable. If it is acceptable the Commission will go along with it. Mr. Urbina explained that there will be less runoff than currently, since right now it is not detained at all or cleaned. The new system will clean with the stormceptor, detain and infiltrate the water before it is discharged. After further discussion, Mr. Bushman explained that they have secured funding to do the work and need to complete the project by July 1st of this year, so they are in a bit of a hurry to get approvals. The Commission continued the hearing to the April 3rd meeting to allow the applicant to get feedback from the engineering department and suggested they make any changes the engineering dept. wants to finalize the plans. If all is well at the next meeting they will close the hearing and issue a permit.

Notice of Intent (Continuation)

Simarano Dr. - The City of Marlborough DPW

Tim Chorey of VHB and Tim Collins Assistant City Engineer with the DPW were both present. Mr. Chorey provided a project overview and explained that the proposed project is to reconstruct Simarano Dr., add sidewalks, bike lanes, and improve drainage along this roadway. The roadway passes by several wetland systems, but no direct wetland impacts are anticipated. There is a slight change to the drainage pattern from that which exists today. Overall the project will decrease the impervious surface and thus reduce stormwater discharge. The items discussed at the previous meeting were to review the drainage changes. Mr. Chorey provided some plans and a chart showing how the drainage areas had shifted in different areas along the

roadway. Each sheet was reviewed and discussed. The Commission asked questions but in the end concurred that the changes made were minimal in nature and the drainage system as designed should not change or impact the adjacent wetlands. Mr. Collins indicated that he had reviewed the plans and the overall concept as presented this evening was approved by him. The Commission reviewed an e-mail from Mr. Collins which explained the minor items still to be addressed, none of which impact wetland issues. After further discussion, about making sure the road was plowable during the winter that the drainage design, the Commission had no further questions, no questions from the audience, so the hearing was closed. The Commission asked Ms. Ryder to draft some conditions for the next meeting.

Request for Determination of Applicability

148 Bartlett St. – RAM Management Co., LLC

Scott Matthews for New England Generator Co. was present on behalf of the RAM Management Co. He explained that they want to install a gas generator on the property outside the 20' wetland buffer zone, but with 40' of the wetland. Work will include installation of a concrete slab on grade, on which the generator will sit. Work is minor in nature and will only take one day to excavate and pour. There being no further discussion, and no questions from the audience, the hearing was closed. The Commission voted unanimously 6-0 to issue a Negative Determination of Applicability with standard conditions regarding notification of the Conservation Officer prior to and after work is complete.

Request for Determination of Applicability

Mass. Dept. of Transportation – Rte. 20 and I-495 Interchange

William Clougherty of MassDOT District 3 was present and was sitting in for Tara Mitchell who had prepared the application. He explained that they are putting together the Vegetation Management Plan for the Rte. 20 West and I-495 Interchange Exit 23C. He submitted plans showing the wetland areas along these two sections of roadway. They want to do some poison ivy control along some of the sidewalk areas on Rte. 20 and control some weeds among the ornamental plantings on the traffic islands at the I-495 intersection. These areas do not look good and need some attention. The Commission reviewed the plans and agreed with the wetlands identified on the plans. There was no further discussion, so the Commission closed the hearing and voted unanimously 6-0 to approve the wetland delineation as presented and issue a positive determination noting same.

Request for Determination of Applicability

79 Violetwood Circle – Manisha Bhattarai owner

Dan Metzler was present representing the owner. He explained that they would like to remove the existing deck and replace it with an addition in its place. They will need to add some more footings to accommodate the additional weight. The work is 38' at the closest point to the wetland, so they are well outside the 20' no disturbance buffer zone. A small bob cat will be used to auger the footings for the sono tubes if they can get the machine to this location, otherwise work will be done by hand. There will be minimal ground disturbance. The Commission discussed the project and there being no further discussion, closed the hearing and voted unanimously 6-0 to issue a negative determination with the standard conditions to notify the Conservation Officer and remove all excess materials from the site.

Request for Determination of Applicability

64 Western view Dr. – Patrick Dunn

Patrick Dunn, the current owner of the house, was present. He explained that he had already demolished the house at 64 Western view Dr., but had missed a few permitting steps. His original plan was to gut the house and renovate the inside, but when they started pulling it apart, they noticed that it was not structurally sound and needed to be removed. He is now getting all the permits he needed for the demolition “retroactively”. He is before the Commission to request a determination after the fact to remove the building. He will be back again once he has a final site plan to get a permit to rebuild the building and the walkway to the water. Mr. Clancy asked questions about how the demolition, how it was removed, confirmed that all utilities had been shut off etc. They reviewed some pictures of the house prior to demolition, today the foundation is the only thing left. After some further discussion and no comments from the audience, the hearing was closed. The Commission voted unanimously 6-0 to issue a Negative Determination to allow the demolition – retroactively. Mr. Dunn will return with another application either a RDA or a NOI for the Commission to review, when he’s ready to build his house.

Notice of Intent (Continued to May 1, 2014)

358 Berlin Rd. - Marlborough Brazilian SDA Church

At the applicants request by e-mail correspondence, this item was continued to the May 1st meeting.

Request for Determination of Applicability (Continuation)

413 Lakeside Ave. – Motiva Enterprise LLC, Sovereign Consulting Inc.

Jim Smith of Sovereign Consulting Inc. provided a brief overview of the history of the treatment plan for this cleanup site. He explained that previously, they were extracting contaminated groundwater, treating it through the carbon filters on site and injecting it into the ground. The problem is that the re-injection wells were getting clogged up with iron deposits which were oxidized during this process. The injection wells were not working properly and they have rehabbed them several times with not much success. Therefore, they are now looking at extraction, treatment and then discharge into the sewer system. They have had discussions with DEP and the City’s Sewer Div. and has been given the nod to proceed down this route. Mr. Demers asked why clean treated water would be allowed to be discharged to the sewer and not the wetland. He also asked why not just build new injection wells. Mr. Smith indicated that DEP will not allow discharge into the wetland just to be on the safe side and based on the history of the injection wells they don’t want to put in new wells, since they’ll eventually have the same problems.

The Commission reviewed the letter from the James Smith and Neil R. Schofield; LSP of Sovereign Consulting dated March 14, 2014 which addresses the comments raised at the last meeting as to whether the pumping as proposed would have an effect on the groundwater table and the adjacent wetland. The conclusion based on the monitoring wells on the site, is that the pumping based on the rate proposed will not have an impact on the water table or the wetland.

Mr. Clancy asked whether the treated water could be used in the car wash as a “recycling” option. Mr. Smith indicated that DEP would not allow that. The Commission then discussed

the work required to install the pipe connection from the treatment facility to the sewer line. Work will be minimal – the PVC pipe will be 3-4' deep in a trench. The Commission made it clear that they will need to coordinate with the property owner, because there is a proposal on this site to add a Compressed Natural Gas dispenser on site and they will need to install some underground lines to accommodate this. The Commission asked that a condition be added that prior to construction confirmation that the LSP for the site has coordinated with and confirmed that the CNG project will not impact the current cleanup plan. If adjustments need to be made to make sure there is no conflict, the Commission will be notified. Mr. Smith explained that there would be monthly sampling and reporting to the City's Sewer Div. and DEP. After further discussion and no comments from the audience, the Commission closed the hearing. The Commission voted 4 yes, 1 no (Dennis Demers) and 1 abstained (Allen White) to approve the plans and issued a Negative Determination with the conditions noted above and standard inspection conditions.

Notice of Intent (Continued to April 3rd)

93 Framingham Rd. - Melanson Development Group Inc.

At the applicant's request this item was continued to the April 3, 2014 meeting.

Discussion:

- Project updates- Ms. Ryder provided the following updates:
 - The Sudbury Street sewer project will resume work the week of 3-25-14
 - The senior center had a silty water release 3-13-14 which was corrected, they are now under control.
 - Avalon Bay off Simarano Dr. is well underway, they are doing a great job with erosion control, had a slight silty discharge during the rain event earlier in the week, but were right on top of it before Ms. Ryder discovered it.

Correspondence/Other Business:

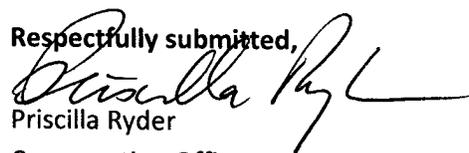
The following items were reviewed and the Commission voted unanimously to accept and place on file.

- Letter from Division of Fisheries & Wildlife, dated March 10, 2014 RE: SudburyValley Trustees, Off Dulton Rd., Pitch Pine/Scrub Oak Barrens Restoration.
- Letter to William Caulder, dated March 11, 2014, RE: Wetland restoration and pre-restoration plans- The Preserves at Ames, off Ames St. Marlborough.

Meetings: Next Conservation Commission meetings: April 3rd and 17th, 2014 (Thursdays)

Adjournment: There being no further business, the meeting was adjourned at 9:09 PM.

Respectfully submitted,



Priscilla Ryder

Conservation Officer