

From: [Mia McDonald](#)
To: [Daniel LaFrance \(DLaFrance@fando.com\)](#); [Matz, James \(DCP\)](#); [Ted Wheeler](#); [Chris Bellucci](#); [Sullivan, Paul L \(DCP\)](#)
Cc: ["swiddiss@town.westborough.ma.us"](#); [Kathy Joubert](#)
Subject: Violation: Alteration of Wetland Resource Areas: Lyman Street, 247-1188
Date: Thursday, December 2, 2021 1:53:47 PM
Attachments: [0LymanSt.2021.12.02 \(4\).JPG](#)
[0LymanSt.2021.12.02 \(5\).JPG](#)
[0LymanSt.2021.12.02 \(6\).JPG](#)

Hello James – I visited the Lyman Street power plant site this morning, which is currently working under Order of Conditions 247-1188. I observed scour and sedimentation within the wetland resource areas to the south of the tank access road due to the release of the culvert. As per the approved plan for controlled water release, subsequent emails (11/3/21, 11/4/21 and 11/19/21,) and on-site conversations, a report on the condition of the culvert and a plan for the controlled release of the culvert was to be submitted to my office for approval prior to the release. This plan was not submitted, no erosion controls were employed, and the culvert was released at such velocity as to scour and deposit sediment within the wetland resource areas. This is a violation of the MA Wetlands Protection Act, the Town of Northborough Wetlands Bylaw and the current Order of Conditions. This violation has been placed on the Dec 13 agenda of the Northborough Conservation Commission. The Commissioners have been notified and have been invited to attend a Dec 7 site visit (see #2 below,) as per our normal protocol. Attached to this email are photos of some the affected areas.

The following are required at this time:

1. All work within 100-feet of the wetland resource areas shall immediately cease, including and not limited to passage of vehicles and equipment over the tank access road until the area may be fully stabilized to prevent additional alteration of wetland resource areas. This cease and desist does not extend to the work within the power plant.
2. You and/or your site representative AND a qualified wetlands specialist with at least two years' experience in wetland restoration shall attend a site visit on Tuesday, December 7th at 11am with me, the Conservation Agent for the Town of Westborough, Sheri Widdiss, and members of the Northborough and Westborough Conservation Commission. The goal of this meeting shall be to approve onsite a plan for the immediate stabilization of the area and review/discuss impacts and restoration.
3. A wetland impact report prepared by a qualified wetlands specialist with at least two years' experience in wetland restoration shall be submitted to the Office of the Conservation Commission by Friday, December 10 at noon.
4. A restoration plan for mitigating all impacts prepared by a qualified wetlands specialist with at least two years' experience in wetland restoration shall be required. A draft of this plan shall be presented to the Northborough Conservation Commission by the wetlands specialist at the December 13 meeting of the Commission for their approval.

Evidence of sedimentation and scour were observed downstream and within the Town of Westborough. The Westborough Conservation Commission has been copied on this email. Photos of this area shall be sent in a subsequent email.

At the Dec 13 meeting discussion, the Northborough Conservation Commission may choose to issue an enforcement order, fines and/or additional requirements. We look forward to working with you towards the successful resolution of this violation and full restoration of the wetland resource areas.

Please call or email with any questions.

Mia McDonald

Conservation Agent

Town of Northborough, Massachusetts

63 Main Street

Northborough, MA 01532

(508)393-5015

mmcdonald@town.northborough.ma.us

Hours: M, W & R: 8am -4pm,

T: 8am -7pm, F: 7am-noon