



# TOWN OF NORTHBOROUGH Conservation Commission

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5015 • 508-393-6996 Fax

APPROVED  
6/11/2018

## Conservation Commission

### Meeting Minutes

May 14, 2018

**Members Present:** Greg Young (Chairman), Wayne Baldelli, Todd Helwig, Tom Beals

**Members Absent:** Diane Guldner, Justin Dufresne

**Others Present:** Fred Litchfield (Town Engineer), see attached Sign-In Sheet

The Chair opened the meeting at 7:05 p.m. and made an announcement that the meeting is being recorded and also to mute cell phones.

Mr. Baldelli read into record the hearing notices for the Notice of Intent application for 0 Bartlett Street (proposed warehouse/distribution center), and Request for Determination of Applicability applications for 398 Davis Street (relocate shed) and 119 Church Street (construct exterior deck).

Election of Clerk – Tabled to the next meeting.

Approval of Minutes – Mr. Helwig made a motion to approve the Meeting Minutes dated April 9, 2018; Mr. Beals seconded; all voted in favor; motion approved.

Continued Notice of Intent Application (39 & 43 King Street; Map 82, Parcels 30 & 31) – DEP #247-1141:

Applicant: Rashid Shaikh

Request: Proposed construction of a 66-bed assisted living facility

Jurisdiction: 100-foot buffer to bordering vegetated wetlands

John Grenier and Rashid Shaikh were present. Mr. Grenier said they received a Special Permit from the ZBA; they are awaiting the final Decision and conditions. Revised plans reflecting the changes were submitted. Erosion controls have been increased because they are at the 15' limit of work. A wire back silt fence, which is more structurally sound, will be used in lieu of typical fencing; straw bales will be added. Regarding the construction sequence, the slope adjacent to the back of the building (easterly portion) will be constructed and stabilized first; the silt fence and erosion controls will be the limit of work. It is a permanent fabric which is good up to a 1:1 slope as per the manufacturer; there should no issues adjacent to the buffer zone. Roof runoff will be recharged to ground water all of catch basins, deep sumps, hoods. There is a proprietary stormceptor to provide treatment before recharging into the Cultec chambers. Mr. Litchfield will ask the Commission to request that Mr. Grenier file a copy of the SWPPP with the town prior to construction, and verify that the slope is built as soon as the footings go in and the bottom of the slope is established; the area is to be stabilized prior to construction of the building. They were told to make sure the time allotted for stabilizing the slope is available prior to the winter; it is critical that the slope is stabilized before winter. Mr. Baldelli asked if the foundation is going to protrude above the top of the slope and was told slightly. The walkout elevation ranges from 3.30 to 3.26; cellar floor elevation 3.28; top of concrete is 3.49 in the front; 3.28 in the back. Mr. Baldelli suggested adding a secondary row of silt fence at the top of the slope during construction for added protection. Mr. Grenier said they will do that. Mr. Litchfield said they could also use there area where the slab was going to be as a sedimentation holding area until the concrete is poured. Mr. Young

commented that they are going to be at the 15' limit of work and asked what is being done from 15' to 30'; Mr. Grenier said that is the 15' of slope (0-15' is undisturbed; 15'-30' is the slope). Mr. Shaikh plans to have it stabilized before the winter, but that is dependent upon the start date. They are working with MassDOT for approval of the curb-cut entrance. Mr. Grenier said the existing material to be cut is good material; he does not think they need to bring any in. The Commission will add a condition that during construction of the slope, daily reports will be required. Reporting can then be reduced to being provided only after a significant rainfall.

Mr. Baldelli made a motion to issue a standard Order of Conditions for 39 & 43 King Street; Mr. Helwig seconded; all voted in favor; motion approved.

Notice of Intent – 0 Bartlett Street; Map 51, Parcel 3 (DEP #247-1144)

Applicant: Northborough Land Realty Trust  
Request: Proposed 167,400 s.f. warehouse/distribution center  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Present were David Robinson and Wayne Keefner (Allen & Major) and Scott Weiss (The Gutierrez Group). Mr. Litchfield explained that the access to the property is on Hayes Memorial Drive (they also own 301 Bartlett Street) which is under construction for a 220,000 square foot warehouse). They have Site Plan Approval from the Planning Board and have continued to extend it and file it with the Town Clerk. The bank's attorney had exceptions to that and required new approvals, so they re-filed. They have a valid Order of Conditions with a Conservation Restriction.

David Robinson (Allen & Major) said they are disturbing the 100' buffer to the BVW as well as disturbance to the 200' outer riparian riverfront area. The existing site has a grass path to Hayes Memorial Drive located in Marlborough. It is undeveloped, heavily forested, with significant resource areas on site. The wetlands were delineated in October 2017 by Goddard Consulting; the riverfront was delineated in February 2018. He showed the locations of the Series A, B & C wetland flagging. They have filed with the Marlborough Conservation Commission; the hearing is scheduled for Thursday. There is no access from Bartlett Street, only from Hayes Memorial Drive. A great deal of screening is proposed along the property line. Mr. Litchfield asked if they had filed with NHESP. Natural Heritage is still in the review process. Mr. Robinson said they filed for Northborough, there is no priority habitat on the Marlborough parcel. Mr. Litchfield said the DPW Director has a concern because the sewer force main is supposed to be within an easement and that may affect the driveway location. Mr. Robinson said it was all one lot (82.82 acres). They will file an ANR to carve out the lot.

Regarding the drainage, deep sump catch basin system with drain manholes. They are proposing to collect all the water for the developed portions on site. They have sized two large basins to the north of the site; Basin 1 is in Northborough, Basin 2 is in Marlborough. The building clean roof runoff will run from the front to the back. Soil testing has not been done yet. Mr. Litchfield asked if they had a water quality separator; Mr. Robinson replied no, only deep sump catch basins with hoods and pretreatment from the sediment forebay. The site is in Groundwater Protection Overlay District 3. A site visit will take place on June 4<sup>th</sup> at 9AM. Mr. Helwig made a motion to continue the public hearing to June 11, 2018; Mr. Beals seconded; all voted in favor; motion approved.

Mr. Weiss requested an extension to Order of Conditions DEP #247-1088 for 0 Bartlett Street (adjacent to Fed-Ex) which is due to expire on June 2<sup>nd</sup>. Mr. Baldelli asked if the Commission can verify that it includes the stipulation for soil testing and, if not, he would like a condition added to see what types of soils are there. Mr. Baldelli made a motion to extend the Order of Conditions for 0 Bartlett Street, DEP

#247-1088 for three-years. If it does not have the soil testing included, it will be added as a condition to the Order of Conditions. Mr. Beals seconded; all voted in favor; motion approved.

Request for Determination of Applicability – 398 Davis Street; Map 101, Parcel 132

Applicant: Richard Hill  
Request: Relocate shed  
Jurisdiction: 100-foot buffer to bordering vegetated wetlands

Richard Hill was in attendance. He would like to move the shed to allow for more parking. Mr. Young visited the site and thought it was in the 15' no disturb. Mr. Litchfield explained where the shed will be placed. From the shed to the wetland is approximately 30'-40'. Mr. Baldelli suggested issuing a Determination contingent on Mr. Litchfield visiting the site and verifying that it is 30' from the wetland. Mr. Hill will stake out the shed at least 30' from the wetland. Mr. Helwig made a motion to issue a Negative Determination for 398 Davis Street provided the minimum location is 30' away from the wetlands to be determined by Mr. Litchfield in the field; Mr. Baldelli seconded; all voted in favor; motion approved.

Request for Determination of Applicability – 119 Church Street; Map 55, Parcel 41

Applicant: Cheng Le Investment Corp.  
Request: Construct new exterior deck off rear of the house  
Jurisdiction: 100-foot buffer to bordering vegetated

Vito Colonna (Connorstone Engineering) was present. The applicant is renovating the house and wants to add a deck. It is 40' from the edge of the wetland; silt fencing will be used. The only work will be for the sonotubes. Mr. Litchfield told the applicant it would be easier to hand dig the holes. There was also discussion on using a techno metal post once the location is determined. It is non-invasive to the soil and is structurally sound.

Joanne Sullivan (103 Church Street) owns the wetlands. She said after a review of the plan, it appears the shed is half on her land and would like it removed off the boundary line. It is approximately 1.5' on her property. The shed is approximately 8' x 14'. Mr. Litchfield said it needs to be outside the flood plain and outside the 30' no-build or it will have to be moved or disassembled and disposed of. Mrs. Sullivan asked if the wetlands had been surveyed. Mr. Colonna said they were not, but they did locate some flags. Mr. Helwig made a motion to issue a Negative Determination of Applicability provided (1) the shed is moved outside the 30' buffer zone, and (2) no machinery is to be used to dig posts; they must be hand dug or a techno metal post used; Mr. Beals seconded; all voted in favor; motion approved.

**Old Business:**

Sign Deed Acceptance for Two Parcels on Howard Street – The Commission signed the deed acceptance for Map 4, Parcel 04/03 and Map 4, Parcel 04/04.

Publication of Advertisement for Conservation Agent – The ad has been posted in-house as well as in the Telegram & Gazette for the Conservation Agent position.

**Request for Certificates of Compliance:**

76 Lincoln Street; Map 75, Parcel 40, DEP File # 247-1078 – Remediation will be done in the spring. It will be the same process as was done on the first basin; it will be monitored closely.

Mr. Baldelli asked Mr. Litchfield if he had inspected the siltation devices on Bartlett Pond. Mr. Litchfield said he did an inspection before they cut the trees.

Mr. Litchfield said they have confirmed the cost and contractor to do the Bartlett Pond treatment. The work will be done in late May/early June.

Mr. Baldelli asked about the fire hydrant that was undermined at Fed-Ex. Mr. Litchfield visited Fed-Ex and spoke with the facilities manager. He informed him of the concern that their water is blowing out the slope. The facilities manager said to let them know what we want them to do and they will do it. Mr. Litchfield found an engineered excerpt of the plan for that channel with the slope and dimensions (which he believes was not built to plan). He talked to the DPW Director who suggested that we have them install a pipe in the area where the hydrant is, a flared end section 10'-15' away from either end of the hydrant, and fill in the slope (put in a pipe that matches the channel so it doesn't undermine the hydrant going forward) and ask them to reestablish the width and slope of the channel. Mr. Litchfield will also have them inspect the culvert that goes underneath Bartlett Street.

Mr. Baldelli commented that he noticed a lot of trucks going through the center of town (mostly Duie Pyle, some Fed-Ex) which is not allowed.

#### **Other Business As May Legally Come Before the Commission**

The next meeting was confirmed for June 11, 2018.

Mr. Beals made a motion to adjourn; Mr. Baldelli seconded; all voted in favor; motion approved. The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Melanie Rich  
Commission Secretary