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By Karen Wilber at 1:19 pm, Jul 05, 2022

GAC Minutes
APPROVED
5/10/2022

Town of Northborough

Office of the Town Engineer

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Groundwater Advisory Committee

April 12, 2022

Remote Zoom Meeting

7:00 p.m.

Present (Remotely): Jason Perreault (Board of Selectmen), Anthony Ziton (Planning Board), Theresa Capobianco (Board of Health), Diane Guldner (Conservation Commission), Fred Litchfield (Town Engineer)

Members Absent: Bryant Firmin (Water and Sewer Commission)

Attendees (Remotely): Tom Reardon (Architect), Barry Yaceshyn (WDA Design Group), Paula Devereaux, Rick Gates, Dario Dimare, Vito Colonna (Connorstone Engineering)

Mr. Perreault opened the remote meeting at 7:30 p.m. and the announcement that the open meeting of the Northborough Groundwater Advisory Board (GAC) is being conducted remotely consistent with Governor Baker's Executive Order of June 16, 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency. All members of the GAC are allowed and encouraged to participate remotely. This Order allows the GAC to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along the deliberations of the meeting. The public is encouraged to follow along using the posted agenda unless the Chair notes otherwise. Members of the public who wish to view the live stream of this meeting can do so by going to Northborough remote meetings on YouTube via the link listed on the agenda. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will not feature public comment. The process was explained.

Member and Staff roll call was taken: Jason Perreault (Chair), Anthony Ziton; Theresa Capobianco, Diane Guldner, Fred Litchfield (Town Engineer).

To consider the petition of KCB Development, LLC, for a Special Permit to construct a new two-family dwelling at 87 and 0 Hudson Street, Map 53, Parcel 7 and a portion of Map 54 parcel 67, located in Residential C Zoning District and Groundwater Protection Overlay District Area 3.

Applicant: KCB Development, LLC

Representative: Tom Reardon, Architect

To consider the petition of R.J. Devereaux Corp. for a Special Permit for an industrial use on the property located at 200 Bartlett Street, Map 66, Parcel 7, in the Industrial Zoning District and Groundwater Overlay District Area 3.

In attendance were Tom Reardon, Project Architect (Reardon & Company), Barry Yaceshyn (WDA Design Group) and Vito Colonna (Connorstone Engineering). The special permit is required because of Groundwater 3. Mr. Yaceshyn said they will replace the existing house and garage with a duplex with two driveways. The impervious area is increased; the design will allow treatment and infiltration and meets the Mass DEP guidelines as well as the town's requirements. The roof surfaces will be taken to four dry wells. Any surface runoff from the site will collect in a channel grate or line forebays, go into a separator and be treated, and to the front of the property to leaching bays. If it does reach overflow, there is an overflow and outflow directed to a catch basin.

A revised plan was received today. Mr. Yaceshyn explained the revisions. The infiltration chambers were moved to the right side driveway; grading contours were added to the right side property line. One owner currently owns both properties and will own them after the duplex is constructed; a temporary easement will be done. A permanent easement will be done for the drainage to be able to maintain the drain line coming across.

Mr. Litchfield's letter was reviewed. Item #1-a statement of compliance will be provided. #2-acknowledged. #3-the impervious cover is greater than 15%; initial calculations were provided. Mr. Yaceshyn confirmed that the plan with the four dry well captures all of the roof runoff. #4-the tracking pad has been increased to 50-feet for both driveways. There are two driveways into the property because of the need during construction. #5-the driveway is complete bituminous; the trench drain was also put in. #6-impervious cover calculations will be provided. #7-the overall property system will be designed to meet the 100-year storm, but each individual drywell would be too big for the 100-year storm. They have been designed for the 24-hour event; calculations are provided. Mr. Litchfield explained that because the drywells are designed for a 25-year storm, if there is a storm larger than that, the water will flow by gravity into the forebay and into the infiltration system. The 25-year storm is adequate to give them credit for recharge, bringing them back to below the 15% impervious cover they exceeded. #8-detail for the tracking pad and erosion controls are on the plan. #9-Mr. Litchfield said there is no acknowledgement of the width on the plan. Mr. Yaceshyn will add it. #10-Mr. Yaceshyn said he will recheck the slope on the driveway and clarify it on the plan. #12-a note was added that the old driveway was to be removed, loamed and seeded.

#13-the site plan and landscape architect rim elevations have been added to the plan. #14-there is no discharge to the road, it is being captured with a channel drain; there is an easement. #15-relocating the stormwater treatment unit has been relocated. #16-the applicant recognizes the erosion control barrier and grading do extend beyond the property line; there will be a temporary easement. #17-the ownership is not known at this time. Mr. Yaceshyn thought any treatment would be split between the two owners. Mr. Litchfield said it needs to be clarified as to how it will be maintained and who is responsible. It should be part of the O&M Plan. Mr. Reardon said initially the developer will be the sole owner; when he rents/sells it will be a condominium. #18-they are in progress of doing permeability tests and locations. #19-they will confirm the seasonal high groundwater. #20-will be provided. #21 & #22- final set of plans will be provided.

Mr. Perreault asked for member comments. Ms. Guldner commented on the loose stone path; she was not in favor of it and would rather a more solid substance. She also asked if in a severe storm would the drainage from the property go onto the road and into the catch basin. Mr. Yaceshyn explained that it has been designed not to enter the road. Because of future climate change, Ms. Guldner questioned should there be a superstorm or a super overflow of non-containment of water, were there any plans to think it now while everything is open. Mr. Litchfield explained that an overflow pipe was added to the plan. The infiltration chamber in front of the duplex and the property between the road and the house is designed to carry the 100-year storm. If there is a storm larger than the 100-year storm, there is an overflow pipe that leaves that infiltration system, goes by gravity through the drainage extending about 100-150-feet to the north, and ties into a catch basin that is in Hudson Street now. It's designed to not only handle a 100-year storm, but anything beyond that would still flow into the pipe.

Regarding the stone path, Mr. Litchfield asked the reason it is not a brick walk. Mr. Yaceshyn thought it was a suggestion to limit the impervious surface; part of it was taken into account for the impervious cover; he will check which part. Mr. Litchfield said if there is enough room and they are under the 15% increase in impervious cover, include it as a brick pathway.

Mr. Litchfield said a revised set of plans was received; he has not reviewed them yet. There will be some conditions. The Operation & Maintenance Plan not only needs to specify what's going to be done in terms of operation and maintenance, but also an appropriate way to share/split the maintenance. Members were comfortable moving forward with Mr. Litchfield's review and approval of any outstanding conditions.

Ms. Guldner made a motion to accept the plan with its conditions and corrections and move forward subject to the Town Engineer's review and approval of the issues identified with any remaining conditions that need to be recommended to the Planning Board for their consideration; Ms. Capobianco seconded; roll call vote: Guldner-yes; Zitton-yes; Capobianco-yes; Perreault-yes; motion approved. Mr. Litchfield confirm that everything has been done. Anything that has not been addressed will remain as a condition of recommendation by the GAC to the Planning Board.

To consider the petition of R.J. Devereaux Corp. for a Special Permit for an industrial use on the property located at 200 Bartlett Street, Map 66, Parcel 7, in the Industrial Zoning District and Groundwater Overlay District Area 3.

Applicant: R.J. Devereaux Corp.

Representative: Vito Colonna, P.E.

Paula Devereaux (Attorney), Rick Gates (Supervisor for RJ Devereaux), Dario Dimare (Architect), and Vito Colonna (Connorstone Engineering) were in attendance. Mr. Litchfield said the property has been before the GAC several times. The GAC recommended to the ZBA that they grant a variance for the use because what they were proposing and the way the site was designed was an improvement to what is out there now; the variance was granted last winter. The applicant filed an application for a site plan approval with a special permit for a contractor's yard in the industrial district and special permit site plan approval. The Planning Board thought it might need a special permit for Groundwater. Mr. Litchfield's understanding was that the variance covered everything in terms of the groundwater aspects of the control on the site; however, Town Counsel determined that the variance was not appropriately granted to the Groundwater 3 portion of the property because a contractor's yard and this use is allowed by special permit and therefore not appropriate for them to vary something that is allowed by special permit. Town Counsel recommended they file an application for a special permit. The plans have not changed. Mr. Litchfield's letter indicates that everything is the same and recommends that the GAC recommend the same conditions that were appropriate to the ZBA to include in the variance and they would be included in the special permit for this site on the Groundwater 3 portion of the site which is where the hazardous materials will be stored.

Mr. Perreault asked the members if there was any information needed beyond what was already heard about this project from past meetings. Mr. Zitton asked if the discussion about potential digging for training purposes and questions about where it was going to be located had been addressed. Mr. Litchfield said there is no groundwater issue there, it's a matter of the testing process they go through with their employees; no hazardous materials are involved. Mr. Gates explained that for a short period of time (1-2 hours) they will dig, take out pipes, and bury them again; this would happen approximately 12-15 times/year. If the Committee has a concern, he will move it over to Groundwater 3, put a cover over it, or do whatever the Committee feels is appropriate. He is not concerned with any contaminants. Mr. Zitton had a concern if the pavement was opened and there was a fuel spill. Mr. Perreault asked what preparations/precautions could be put in place during the training exercises in the event there was a spill.

Mr. Gates said they carry spill kits which are part of the training; the equipment is close to the maintenance facility; the situation would be covered; Mr. Gates is very confident they are ready for anything. Mr. Litchfield asked if the training involves an inspection of the backhoe prior to them starting work. Mr. Gates said they will be checking the equipment. After more discussion, the members felt more comfortable having it moved to Groundwater 3. Mr. Litchfield confirmed that the list of chemicals and the way they are stored has not changed.

Ms. Capobianco made a motion to convey to the Special Permit Granting Authority that if the permit is approved, the following conditions be imposed; said conditions to be the conditions previously specified for the variance application, and additionally adding a condition for the location of the onsite simulated training operations; Ms. Guldner seconded; roll call vote: Guldner-yes; Ziton-yes; Capobianco-yes; Perreault-yes; motion approved.

To consider the petition of 5 Goddard LLC, for a Modification of the Planning Board Special Permit Site Plan Approval and Special Permit Groundwater Protection Overlay District Bylaw to allow ownership of the parcel at 5 Goddard Road, Map 17 Parcel 8, to transfer to 5 Goddard LLC from L.H. Wheeler, Jr. Excavation, Inc. This parcel is located within the Industrial Zoning District and Groundwater Protection Overlay District Area 2.

Applicant: 5 Goddard, LLC

Representative: Marshall Gould, Attorney

Attorney Gould was not present. Mr. Litchfield sent the agenda and memo to him but not sure if it was received. He said the application as submitted by Attorney Gould did not include any changes to the plan, only a document that explained that the Wheelers want to sell and have an agreement with 5 Goddard, LLC which is a home heating and cooling company and also a contractor. They did not indicate any change of the toxic hazardous materials to be on site or how they would be stored. Mr. Litchfield's letter recommended that if the GAC were to approve the project, all the same conditions that were put in the original decision for the special permit be included. There may not be any chemicals, but because there was a special permit that allowed 66 gallons of various chemicals, they should still have the ability to have them on site and stored in the same fashion that was previously approved; all safeguards are there.

Since the applicant was not in attendance tonight, Mr. Litchfield said they can come back to our next meeting and have more discussion if there was something they were planning that wasn't expressed in the application. Discussion on whether to move forward resulted with Ms. Guldner not in favor of moving forward; Ziton/Capobianco/Perreault were in favor based on the documents submitted.

The application is for a modification of the existing special permit with site plan approval for 5 Goddard Road. The only modification is that the ownership would no longer be LH Wheeler, but 5 Goddard, LLC which is managed by Timothy Manatal, Manager of Precision Heating and Cooling; there is no change to chemical storage. Ms. Capobianco made a motion recommending the GAC approve the request to modify the special permit insofar as to change the ownership of the property with no changes to the conditions previously approved; Mr. Ziton seconded; roll call vote: Guldner-no; Ziton-yes; Capobianco-yes; Perreault-yes; 3-1-0; motion approved.

Old/New Business:

Review and Approve minutes of January 20, 2022 – Ms. Capobianco made a motion to approve the January 20, 2022 minutes; Ms. Guldner seconded; roll call vote: Guldner-yes; Ziton-yes; Capobianco-yes; Perreault-yes; 3-1-0; motion approved.

Consideration of Phrasing of the Committee's Recommendations to Special Permit Granting Authorities
– Tabled.

The Annual Town Meeting is April 25, 2022 at 6:00 PM at Algonquin Regional High School.

The next meeting is scheduled for May 10, 2022, if necessary.

Having no further business to discuss, Ms. Guldner made a motion to adjourn; Ms. Capobianco seconded; roll call vote: Guldner-yes; Ziton-yes; Capobianco-yes; Perreault-yes; motion approved.

The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Melanie Rich
Committee Secretary