

To:	Kerri Martinek, Chairperson Northborough Planning Board	From:	Mark S. Bartlett, PE Quincy
Project/File:	0 and 301 Bartlett Street The Gutierrez Company Massachusetts Land Court Case remand Engineering Support Project 195150786	Date:	February 3, 2023

Reference: Gutierrez Warehouse Site off Bartlett Street

Through attorney David J. Doneski of KP LAW, Stantec has received an electronic copy (by email) of a PDF file, which starts with a transmittal letter from Mark L. Donahue, of Fletcher Tilton PC attorneys, to Kerri Martinek, Chairperson, Northborough Planning Board, dated January 10, 2023, re: The Gutierrez Company v. Kerri A. Martinek. Amy Poretsky, Anthony W. Ziton, Millie Milton and Michelle Gillespie, in their capacities as Members of the Town of Northborough Planning Board - Massachusetts Land Court. Docket No. 21 MISC 000046. Stantec was asked to review this PDF submittal, which included the following additional enclosed documents:

- Letter from David M. Robinson, EIT of Allen & Major Associates, Inc. engineers, to Kerri Martinek, Chairperson, Northborough Planning Board, dated December 22, 2022, re: Memo to Planning Board Snow Storage and O&M, 0 and 301 Bartlett Street, Map 51, Lot 3 & Map 66 Lot 16, Northborough, MA (2 pages)
- Exhibit A, "Operation & Maintenance Report, Parcel H Development, 0 and 301 Bartlett Street", prepared for The Gutierrez Company by Allen & Major Associates, dated 12/24/19 and revised 12/22/22 (12 pages). This Operation & Maintenance Report included (a) an updated snow storage plan to address issues of concern that were raised during the court case, and (b) a new section entitled "Incident Prevention and Response Plan" (IPR) with proposed procedures for site operators to follow to protect the surface infiltration basins in the event of a spill or release of harmful fluids that could flow into the stormwater management system. Also attached to this Operation and Maintenance report is a copy of the "Snow Disposal Guidance" issued by the Massachusetts Department of Environmental Protection, Bureau of Water Resources, Effective Date: December 11, 2020
- Excerpt from Massachusetts Stormwater Handbook, Chapter 5 – Miscellaneous Stormwater Topics
- Plan by Allen & Major Associates: "Grading and Drainage Plan," sheet C-103, dated 12/24/19, and revised through June 4, 2020.
- Plan by Allen & Major Associates: "Snow Storage Plan," sheet C-107, dated 3/9/21, and revised through December 19, 2022.

Based on our review of the above noted PDF file and documents, we have twelve (12) comments and/or recommendations for consideration by the Planning Board, as follows:

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Comments on PDF File, Pages 3-4 – 12/22/22 letter:

1. Each shutoff valve proposed to be installed to prevent fluid releases to the infiltration basins should be located inside a new drain manhole that is located prior to each infiltration basin. A detail should be added to the plans to show the proposed drain manhole and valve construction; and the new "shutoff manhole" locations should be shown on the Grading and Drainage Plan. Also, see comment on PDF page 16.
2. The Snow Management Plan described has been checked and it addresses issues identified in court testimony.

Comments on PDF File, Page 10 – Operation & Maintenance Report, p.3:

3. Replace the last sentence of the paragraph with heading POST CONSTRUCTION MAINTENANCE PLAN with "The inspection and maintenance log will be made accessible to the MA Department of Environmental Protection, the Northborough Town Engineer and the Northborough Conservation Commission Agent upon request."

Comments on PDF File, Page 11 – Operation & Maintenance Report, p.4:

4. For clarity, replace all references to Commission with "Conservation Commission"
5. There is no "Log Sheet" specifically attached. However, an "Operation & Maintenance Plan Schedule" has been provided at the end of the Report, on PDF document page 18. If this is to be used as the Log Sheet, then the title should be reconciled with the O&M document text reference. Also, we recommend that if this O&M Plan Schedule is to be utilized as the Log Sheet, that it be reconfigured to include an additional column with the heading "Comments on Findings during Inspection and Maintenance" so that field inspection activities can be recorded.

Comments on PDF File, Page 12 – Operation & Maintenance Report, p.5

6. In paragraph a., delete the word "and" in line 3
7. Paragraph d. calls for: *"The basins shall be inspected for sediment accumulation annually and any accumulated sediments shall be removed when the depth reaches six inches anywhere in the basins."* This would allow for an excess amount of sediment buildup that would be inappropriate for a well-drained and functional infiltration basin. Also, we see that note 5 on the Grading and Drainage Plan indicates that the basin Outlet Control Structures shall be equipped with an emergency outlet orifice, and that such orifice shall be installed at the bottom of the infiltration pond and be equipped with a control valve. Considering that there is potential for periodic opening of these orifices at the bottom of each basin (e.g., to allow water to drain out of the basin during a dry weather inspection) we recommend that the O&M Plan should be revised to require that these proposed control valves (one in each infiltration basin) never be opened unless all sediment has first been cleaned from the basin, regardless of accumulated depth. Also, to help ensure proper basin function, and because of the basin maintenance outlet located at the bottom of each basin, we recommend that each basin be inspected four times per year and cleaned of sediment (and debris) if the depth of sediments anywhere in the basin is 1-inch or more (not the 6-inches presently stated in the O&M Plan). This should not be an

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onerous requirement because the proposed stormwater pretreatment BMPs that are provided prior to each infiltration basin should serve to prevent excess sediment buildup within the basins. The only significant threat of creating excessive sediment buildup would be if erosion control measures are not properly employed during or after construction when side slope vegetation is being established.

Comments on PDF File, Page 16, - Operation & Maintenance Report, p.9:

8. The project engineer needs to show on the Grading and Drainage Plan the proposed location of the drain manhole with shut-off valve prior to each basin. Also, provide a detail on one of the project Detail Sheets to show the proposed construction of the drain manhole that is to be fitted with the shut-off valve. Such drain manholes will allow for (a) visual confirmation of valve closure and (b) storage of spilled liquid for easier cleanup.

Comments on PDF File, Page 17 - Operation & Maintenance Report, p.10:

9. In the 5th bullet item under the paragraph heading "Post Incident," insert "and Conservation Commission" after Town of Northborough Engineering Department.

Comments on PDF File, Page 18 - Operation & Maintenance Plan Schedule:

10. See the previous Comment on PDF page 11 (page 4 of O&M Report) concerning this OPERATION & MAINTENANCE PLAN SCHEDULE form and the need for a properly referenced and structured inspection & maintenance log; and such log form should be submitted to the Town Engineer and Conservation Agent annually.

Comments on PDF File, Page 28 – Grading and Drainage Plan:

11. The Grading and Drainage (G&D) Plan received to date has not been noted as revised: The G&D Plan should be revised, as noted earlier, and the revision box should state the latest revision date.
12. The location of a "shutoff valve" that the O&M Report says is being added prior to each surface infiltration basin has not been noted on the plan. Revise the plan accordingly.

Sincerely yours,

STANTEC CONSULTING SERVICES INC.



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