



GAC Minutes
APPROVED
2/18/2021

Town of Northborough

Office of the Town Engineer

63 Main Street

Northborough, Massachusetts 01532-1994
(508) 393-5015 Office (508) 393-6996 Fax

Groundwater Advisory Committee

October 15, 2020

Remote Zoom Meeting

6:00 p.m.

Present (Remotely): Jason Perreault (Board of Selectmen), Amy Poretsky (Planning Board), Bryant Firmin (Water and Sewer Commission), Theresa Capobianco (Board of Health), Diane Guldner (Conservation Commission)

Members Absent: None

Attendees (Remotely): Randy Waterman (WDA Design); Matt Pisani (Matec)

Mr. Perreault called the Zoom meeting to order at 6:19 p.m. and announced that the meeting was being conducted remotely consistent with Governor Baker's Order of March 12, 2020 due to the current state of emergency in the Commonwealth due to the outbreak of the COVID-19 virus. In order to mitigate the transmission of the virus, we have been advised and directed by the Commonwealth to suspend all public gatherings and, as such, the Governor's Order suspends the requirements of the Open Meeting Law to have all meetings in a publicly accessible physical location. Further, all members of public bodies are allowed and encouraged to participate remotely. The Order on the posted Agenda allows the public bodies to meet entirely remotely so long as reasonable public access is afforded so the public can follow along with the deliberations of the meeting. This meeting will not feature public comment. The process for the meeting was explained.

Member and Staff roll call was taken: Jason Perreault (Chair); Amy Poretsky; Theresa Capobianco; Bryant Firmin; Diane Guldner; Fred Litchfield (Town Engineer); Melanie Rich (Committee Secretary)

To consider the continued petition of NB Real Estate LLC., for Site Plan Approval and a Special Permit per Groundwater Protection Overlay District, to reconstruct an existing building at 56 Hudson Street, Map 54, Parcel 84 in the Downtown Neighborhood District and located within Groundwater Protection Overlay District Area 3.

Applicant: NB Real Estate LLC

Representative: Ken Bishop: Matec and Randy Waterman: WDA Design Group

Matt Pisani (Matec) and Randy Waterman (WDA Design Group) participated remotely. Mr. Litchfield said there was some information lacking from the last meeting; some has been provided. He provided a review memo which the applicant commented on. The map showing the rain garden was received today.

Mr. Waterman said since the last meeting they have completed the list of missing items. Mr. Litchfield has reviewed the Stormwater Report and Operation & Maintenance Plan. He indicated that the calculations demonstrate a reduced rate in runoff. Roughly half of the westerly portion (40'x175') is being taken down and removed and will be replaced with a more modern efficient building; there will be no increase in staff. A small addition (10'x100') will connect to the building on site so it will become one building. Most of the work is on the existing footprint. Mr. Litchfield suggested that even though they were not increasing the impervious on site that they should look to try to create some additional options to polish the water before it leaves the site since they are next to the Assabet River and Cold Harbor Brook. They found a location directly on the south side of the building that is facing the Assabet River; there is a grass island in the parking lot and a number of existing roof drains that run off to that area and sheet flow across the site and eventually go into the outlet control structure or could potentially run across land directly to the River. They proposed a small rain garden at the back of the building that will enable them to pick up several of the roof drains that are discharged onto the surface and collect and store some of the smaller storms; it will be a vegetated basin; calculations have been provided; it will be connected to an 8" pipe to the existing catch basin that leaves the site to the south.

The O&M now identifies when the testing of the drainage system will be done. Mr. Litchfield will be informed prior to the testing and will also receive reports when the testing is done. Matec has contracted with a maintenance group to do the work going forward. Questions from the last meeting included "what is the history of the drainage system on site". Mr. Pisani was unable to find previous records. The maintenance will be a straight forward process going forward. The O&M Plan has all the necessary forms for the contractor to complete and supply to the town.

Mr. Litchfield's October 13th review memo identified where they have submitted more information or where clarification is needed.

1. The applicant has not submitted all items as required in section 7-07-010 D (4) (a) [1-5] which are required with an application for a Special Permit or Variance. Matec complied with the first part regarding the complete list of chemicals used on site; it is a very small volume (157 gallons). They don't use hazardous materials and there is no hazardous waste on site. They have talked to the Fire Department who suggested that they designate a location in the building where they could have flammable material storage in 30-gallon containers; they have done that. Section 2, 3, 4 and 5 do not apply to them; that has to do with potentially toxic or hazardous materials, hazardous waste approval by DEP for industrial waste treatment. Those items do not occur on the site.
2. Containment cabinets. Mr. Waterman said they have discussed it with the Fire Department and they are proposing three 30-gallon flammable material storage cabinets.
3. Drainage system. Mr. Litchfield indicated that the new stormwater calculations do include the net runoff reduction he was looking for. There is less than 15% new impervious cover and it does not increase the existing impervious on site by 40%. The rain garden is described in detail on the site plan included in the O&M Plan.
4. Floor drains. There are no floor drains in the building currently and there are no plans for any. Regarding containment, if the chemicals are kept in the containment cabinets and there happened to be a fire and the sprinklers went off, they would be separated so they could not come in.
5. The stormwater management plan does indicate the infiltration bed is adequately sized for the flow directed towards it. A permeability test should be performed in an area close to the infiltration system in order to verify the actual infiltration rate is equal to the assumed infiltration rate. Mr. Waterman said the infiltration test will be performed and the results submitted.

6. O&M Plan drainage system maintenance. Matec has confirmed that no maintenance records exist. The future maintenance requirements are described in the O&M Plan on pages 8-10 and a sample inspection report is on page 1.

7. O&M Plan notification. Page 7, paragraph 4 of the O&M Plan confirms that annual notification will be provided to the Town Engineer.

8. The applicant agrees to apply for an Earthwork Permit as applicable to this project. Mr. Waterman asked said they will not be removing or moving material around the site and asked if an Earthwork Permit was required based on the fact that they are building over the existing concrete; the only earthwork is the rain garden. Mr. Litchfield said the requirement for the Earthwork Permit is if they are going to disturb (remove or bring in) more than 100 cubic yards. If they are building on the same footprint of the foundation, they will probably be under that limit.

9. The applicant will submit a Notice of Intent to the Conservation Commission for the work shown on the plans.

10. This applicant should be allowed this Special Permit as this use has been at this location for almost 20 years.

11. Section 7-07-010 D (3) (c) [5] of the Zoning Bylaw states “Commercial or industrial activities which involve as accessory uses the manufacture, storage, application, transportation and/or disposal of toxic or hazardous materials; provided, that there shall be no on-site disposal of any waste or process materials, no outside storage of toxic or hazardous materials, controlled/contained drainage facilities in areas of potential spillage or release, adequate contingency plans in case of spillage or release and approved routing of suppliers and haulers of any toxic or hazardous materials to or from the site. The proponent for a building or occupancy permit must demonstrate on an annual basis to the Building Department and Board of Health that all applicable federal, state and Town of Northborough licenses, permits and standards for the handling, use, storage and disposal of any regulated materials have been obtained or met.” Each part of that statement shall be listed as conditions in any recommendation to the Zoning Board of Appeals.

Mr. Waterman explained that it is a machine manufacturing facility as a primary and accessory use and does not believe it qualifies as commercial or industrial activity; they don't use any storage, transportation or application or disposal of hazardous toxic materials. Mr. Litchfield said the fact that they have 157 gallons of material that has to be stored in a cabinet means they are storing something. Mr. Waterman said none of them are toxic or hazardous materials. Mr. Pisani said they are using household chemicals. The only thing they have in true volume is the machine coolant which is a non-toxic substance. Mr. Waterman said that section is specifically for commercial or industrial activities which involve accessory uses; the primary use is machine manufacturing. Mr. Litchfield will talk to the Building Inspector and Fire Department. It has been his understanding that if the storage of chemicals is required to provide you the ability to do the primary use, then the storage of chemicals is an accessory to the primary use, and that triggers that condition. He said it is covered because they have the appropriate cabinets. Mr. Litchfield would like the details of the cabinet on the plan.

12. As-Built plan. The as-built plan will be provided at the completion of construction showing both the interior and exterior building and site modifications. Mr. Litchfield said the plan is also required to be sent to the Conservation Commission.

Mr. Litchfield said a statement from a qualified expert that they not going to do any damage to the underlying groundwater is required. He did not see it in the Stormwater Report. It is typically provided by the engineer that does the drainage analysis; it will be required to be submitted. He also wants to see the

details on the cabinet and the location within the building. He asked if the rain garden plan was part of the stormwater analysis. Mr. Waterman said it is part of the SWPPP. Mr. Litchfield confirmed that the stormwater calculations do meet the regulations, they do not provide an increase in volume or the rate. The only outstanding issues are the statement from a qualified expert, the information about the containers, and the location within the building.

Ms. Guldner asked if water from the rain garden will flow out into the river. Mr. Waterman said no, it has its own discharge pipe and will be treated before it leaves the site.

Ms. Poretsky asked if the old drainage had been checked out since the last meeting. Mr. Litchfield was told by Mr. Waterman that there are no historical inspection reports of the drainage system. They were doing inspections today and a report will be prepared stating adequacy and any maintenance needed. Mr. Pisani said he was hoping to have the report today, but the company they entered into a multi-year contract with was delayed due to the weather; it will be provided within the next few days. The technician said it was in great shape and everything looked good and there were no issues. Ms. Poretsky asked where the snow removal goes. Mr. Pisani said the majority is pushed to the edges but will probably go where the rain garden is. There is a natural occurring berm that protects the river; most of the snow comes towards the building which will now be the rain garden. Mr. Litchfield said there is not a lot snow removal because the driveway is on the other side of the street; he does not see any problems. Ms. Poretsky asked about the 55-gallon blue drums. Mr. Pisani said they are empty coolant barrels that are waiting to be picked up by Safety-Kleen. Mr. Litchfield said if the drums are empty, it is not a problem to be stored outside.

Mr. Perreault asked if the new section was going to join two of the buildings together and was told yes. He asked if the 10'x100' addition was (or was not) over an existing foundation. Mr. Pisani said it is not over an existing foundation. That area has been covered with a foot of crushed stone and there are also some concrete walks there. It has already been calculated to be an impervious surface. Mr. Litchfield asked if they were going to dig to put in the footing for the connection or put it on top of what is there. Mr. Pisani said there is no greenscape being removed; there will be a slab poured in that location. Mr. Litchfield asked Mr. Waterman to do calculations on the volume of material that is either going to be removed or added for the establishment of the footing and foundation to verify that they are above or below the 100 cubic yards requirement for an Earthwork Permit. Ms. Poretsky wanted to review the original conditions to make sure they would be included in this decision. Mr. Litchfield will check to see if there are any conditions that need to be carried over. The Committee could recommend that the new decision not replace any old decision, but supplemental to; therefore, the conditions that are in place would continue. Mr. Pisani and Mr. Waterman agreed with that. Jolin Paving will be doing the clean-out maintenance in April and October; Mr. Waterman will provide a copy of the contract.

The conditions that will apply for the recommendation of approval are to have the applicant submit a statement by a qualified expert as required in Bylaw Section 7-07-010 D (4) (a)-5; require details regarding the cabinets that will be used to store chemicals and the locations within the building; conduct a permeability test in the rain garden; the O&M plan to be attached to any decision and recorded at the Registry of Deeds; an Earthwork Permit will be required if applicable; a Notice of Intent to be submitted to the Conservation Commission; require as-built plans as outlined; any decision by the ZBA would include all existing conditions to remain in place; this approval would be considered supplemental to and not replacing any prior decision by the board. Ms. Poretsky made a motion to approve recommendation for approval for 56 Hudson Street with the conditions specified by Mr. Litchfield; Ms. Capobianco seconded; roll call vote: Guldner-aye; Firmin-aye; Capobianco-aye; Poretsky-aye; Perreault-aye; motion approved.

Old/New Business:

Ms. Poretsky made a motion to approve the September 8, 2020 Meeting Minutes as amended; Ms. Guldner seconded; roll call vote: Guldner-aye; Firmin-aye; Capobianco-aye; Poretsky-aye; Perreault-aye; motion approved.

November 10, 2020 was confirmed as the next meeting if needed.

Ms. Capobianco made a motion to adjourn; Ms. Poretsky seconded; roll call vote: Firmin-aye; Guldner-aye; Poretsky-aye; Capobianco-aye; Perreault-aye; motion approved.

The meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Melanie Rich
Committee Secretary