



TOWN OF NORTHBOROUGH Conservation Commission

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Approved
11/4/2019

Conservation Commission Meeting Minutes October 7, 2019

Members Present: Greg Young (Chairman), Todd Helwig, Tom Beals, Diane Guldner, Kelley Marston, Wayne Baldelli

Members Absent: Justin Dufresne

Others Present: Mia McDonald (Conservation Agent), see attached Sign-In Sheet

The Chair opened the regular meeting at 7:00 p.m. and made an announcement to mute cell phones and that the meeting is being recorded for transcription purposes.

Ms. Guldner read into record the hearing notice for the Notice of Intent applications for 425 Whitney Street (proposed expansion of commercial building), and 41 Lyman Street (proposed expansion of existing warehouse building and construction of associated paved areas and stormwater management system).

Mr. Helwig made a motion to approve the September 9, 2019 Regular Meeting Minutes; Ms. Guldner seconded; voted 4-0-2; motion approved (Mr. Baldelli & Ms. Marston abstained).

Notice of Intent (continued) – 125 Rice Avenue; Map 46, Parcel 77

Applicant: Chris & Kasey Oestreicher, Wiggles & Tails Dog Services, LLC

Request: Installation of a parking lot, upgrading an existing cart path including installation of a bridge, fencing, grading and associated site work.

Jurisdiction: Bordering vegetated wetlands, bank, riverfront area.

Paul McManus (EcoTec) was present. Since the last meeting, the fence (a 7-foot wide fence with wood posts) has been added to the plan. The proposed crossing details, including the temporary impact area, have been provided to Ms. McDonald. She confirmed the extent of the alteration and was satisfied. Mr. Young asked about groundwater. Ms. McDonald said the Groundwater Committee met last month and Mr. Litchfield is working with them; they will be meeting Tuesday. Stormwater calculations were provided to the Commission but are not jurisdictional. Mr. Baldelli felt the only issue before the Commission right now is the timing of the replication. Ms. McDonald said a condition could be that replication is to begin by June 1, 2020 or if site work is not yet initiated, prior to the initiation of other site work.

Michael O'Connell (169 Rice Avenue) is concerned about the effect it may have on the perennial stream, the quality of groundwater, the impact of 50-100 dogs per day, amount of dog waste, noises that pollute and loss of habitat. Mr. Young said the noise is not the Commission's purview. Mr. Young further said the Commission talked about the water quality issue at the last meeting as well as the dog feces, mostly as they go over the bridge. Mr. Oestreicher addressed that. He said they have a plan for waste clean-up which was prepared by the civil engineer, and will be submitting it to the Groundwater Committee tomorrow to address the quantity of dog urine; it was based on 70 dogs/day 40 lbs. max which produced to 2.5 liters/day of urine. Ms. McDonald explained to Mr. O'Connell that the bridge, because it is a business, not a residence, the Commission was held to the full stream crossing standards; the actual stream banks are not going to be altered, the impact to the stream itself will only be temporary.

Mr. Helwig made a motion to close the public hearing; Ms. Guldner seconded; all voted in favor; motion approved. Conditions: Ms. McDonald wants the replication protocol appended to the order as well as the Operation & Maintenance Plan from the Groundwater Committee; the replication will begin by June 1, 2020 or if site work is not yet initiated, prior to the initiation of other site work; water quality testing locations (2 total): 1. A composite of the downstream property line and outlet of the culvert near WF A-1, and 2. Upstream location near flags RA8 and RB-17; baseline samples shall be taken and tested prior to starting work; subsequent tests shall occur between April 1-15 and October 1-15 for two years following the start of use. Tests shall be for total coliform and total nitrogen. Ms. McDonald will research other towns to see what they use for acceptable standards and what is done if they exceed the standards. Testing is to be completed by a state certified lab. The water quality is to be collected by a qualified professional. Mr. Helwig made a motion to issue an Order of Conditions for 125 Rice Avenue with the conditions discussed and incorporated; Mr. Beals seconded; voted 4-0-2; motion approved (Mr. Baldelli & Ms. Marston abstained).

Notice of Intent – 425 Whitney Street; Map 15, Parcel 8

Applicant: Keith Burnett of Isomedix C/O Steris Corporation
Request: Expansion of existing commercial structure, stormwater system, parking lot improvements, equipment pad, utilities, fencing, grading and associated site work.
Jurisdiction: Buffer zone of a wetland resource area.

Mr. Helwig recused himself from the matter. Paul McManus (EcoTec), Rich Whitehouse (VHB), Mike Corelli and Keith Burnett (Steris Corporation) were present. Resource areas were explained and described. The wetlands in the back were delineated and confirmed by Ms. McDonald. Mr. Whitehouse said the existing building is approximately 46,000 square feet; a 27,000 square foot expansion is proposed. He described where they will be removing approximately 1/10th of an acre of pavement to be replaced with landscaping. In that area, the stormwater management system will be replaced. To address the added half acre of impervious area to mitigate the peak rate of runoff directed towards the wetland area, they will be installing an infiltration basin. They are in the Groundwater 3 area so they are treating the 1" water quality volume. Work is proposed within the 30-foot no structure, but stops before the 15-foot no disturb along the back edge of the property. The closest point to erosion controls is 3-feet to the 15-foot buffer. There was discussion about the temporary concrete plant. The reason for it is for the construction of the expansion. There is a very specific quality control requirement for concrete; having the concrete plant on site makes the process smoother; it allows quality control over the quality of the concrete. He showed the access for construction; it will be restored with vegetation when construction is complete. The drainage system and paved area will be installed before the plant. Mr. Baldelli suggested that after the concrete process is complete, they go through the water quality control system and drainage system to make sure that it is cleaned out so when the operation is in place it is in clean condition and is included on the Order of Conditions. Mr. Young said they discussed the temporary concrete plant and whether pollutants could run into the wetlands. He asked what will they do to mitigate that. Keith Burnett said as of right now the contractors are not in place. He believes that prior to startup of the plant, the Commission would inspect it as well as the perimeter controls. They would like to start work as soon as possible (hopefully Spring 2020 with 9-12 months for construction). Ms. McDonald had a concern with the concrete plant. DEP has reviewed it; their comment was that they were concerned with the concrete process because there is no detail; the Groundwater Committee has the same comments. We need to know what the process is and how it is going to affect the wetlands. She did not think the Commission could allow a concrete plant within the 100-foot buffer zone without knowing what is going on, where things are going to be located. Ms. McDonald suggested water quality inspections weekly. The Commission could administratively approve it and not issue the Order until that

information is received. She would like to attach to the Certificate of Occupancy that the stormwater system will be cleaned out after the concrete plant is removed. Mr. Young would like more information on the concrete plant before closing the hearing; Ms. Marston agreed. Mr. McManus said there are parts the applicant would like to get started on to make way for the concrete plant. The drainage system will be going in first. Mr. Baldelli said we could administratively approve it so they could start with work. Ms. McDonald said the condition would read that prior to initiation of any concrete plant or concrete site work, a plan would have to be submitted to the Commission and the Town Engineer for approval. Mr. McManus is requesting that the Commission retain full review authority over it, but as a condition to the Order rather than an amendment. The members agreed to make it a condition.

Mr. Beals made a motion to close the public hearing; Ms. Guldner seconded; voted 5-0-1 (Mr. Helwig abstained); motion approved. Conditions: clean out the drainage system after the concrete plant has been removed and prior to occupancy and submit report to the Commission, require copies of the SWPPP Report, and no concrete plant until the Commission and staff reviews and approves the Operation & Maintenance Plan of the temporary concrete plant. Mr. Beals made a motion to issue an Order of Conditions for 425 Whitney Street, Map 15, Parcel 8 with the conditions previously read; Mr. Baldelli seconded; voted 5-0-1 (Mr. Helwig abstained); motion approved.

Notice of Intent – 41 Lyman Street; Map 66, Parcel 14

Applicant: Donnie Satterfield of Crandall-Hicks Company, Inc.
Request: Expansion of existing warehouse building and construction of associated paved areas and stormwater management system and associated site work.
Jurisdiction: Buffer zone of a wetland resource area.

Brandon Barry (Boehler Engineering) and Crandall Hicks reps were present. The existing site is a 64,000 square foot warehouse building for the storage of lawn care and snow removal products. They are planning to expand by 24,000 square feet, building a 100-foot addition off the back of the building. The work proposed is within the 100-foot buffer; there will be no structures within the 30-foot buffer; no work within the 15-foot no touch; the limit of work and erosion controls will be surveyed and staked prior to construction. All MA DEP Stormwater Standards were met. Ms. McDonald asked about the grass pavers which are within the 30-foot. Mr. Barry said they are providing a 10-foot berm for access and maintenance to the basin. Because of the grade change and the retaining wall they can't provide full access around; Mr. Litchfield requested they put in a turnaround and stabilize it. They will be doing a "grassed pavement area". A portion of that is within the 30-foot no structure, but it is not considered a structure. They would like to start work as soon as possible. Mr. Helwig made a motion to close the public hearing; Ms. Guldner seconded; all voted in favor; motion approved. Mr. Helwig made a motion to issue an Order of Conditions for 41 Lyman Street with the condition that trash will be removed from the buffer by hand; Mr. Beals seconded; all voted in favor; motion approved.

Request for Certificates of Compliance:

264 Whitney Street, Map 28, Parcel 54, DEP File #247-508– Mr. Helwig made a motion to issue a Certificate of Compliance for 383 Whitney Street; Ms. Guldner seconded; all voted in favor; motion approved.

383 Whitney Street, Map 19, Parcel 59, DEP File #247-1151 – The yard was cleared to the pond. The homeowner was asked to do an amendment for the installation of a lawn and restoration within the 25-foot (our new setback). Ms. McDonald said he did call and requested to remove trees near the street.

She told him if he was near 100-feet of the wetland he needed to let her know so she could walk the site. A violation email was sent and she is working with him. Continued to the November meeting.

Informal Discussion:

CPC Application: Pond Vegetative Maintenance – Ms. McDonald provided the application and narrative for the members. The Commission is requesting \$60,000. Mr. Helwig made a motion to approve the application; Ms. Marston seconded; all voted in favor; motion approved.

Open Space Committee Update: 0 Green Street; Map 20, Parcel 45 (Land Donation) – There is a proposed land donation by Andrew Silver; it is 9.5 acres; it is close to existing trails. Mr. Helwig made a motion for to meet with Mr. Silver to accept his donation of land at 0 Green Street and obtain more information; Mr. Baldelli seconded; all voted in favor; motion approved.

Correspondence was reviewed

The baseline documentation report was completed for the Bartlett Street Conservation Restriction. The Commission will sign to acknowledge receipt of the report and agree with the conditions presented in the report.

Rawston Trails – Ms. McDonald walked the site. At the kiosk, the signs do say no public access. The lower trail is in place with access from the meadow. The upper forested trail does not appear to have been constructed, leads back to Rawstron Meadow or to Fawcett Orchard Circle. The Commission discussed the current condition and decided no action necessary by the Commission at this time.

Other Business As May Legally Come Before the Commission:

The next meeting is scheduled for November 4, 2019.

Mr. Baldelli made a motion to adjourn; Ms. Marston seconded; all voted in favor; motion approved. The meeting adjourned at 9:17 p.m.

Respectfully submitted,

Melanie Rich
Commission Secretary