

SOUTHBOROUGH CONSERVATION COMMISSION  
THURSDAY, FEBRUARY 15, 2007  
TOWN HOUSE 2<sup>nd</sup> FLOOR MEETING ROOM  
MEETING MINUTES

The Conservation Commission of the Town of Southborough held a meeting on Thursday, February 15, 2007 at 7:15 p.m. at the Town House 2<sup>nd</sup> floor meeting room.

Members present were: John Leeds, Rhonda Russian, Richard Upjohn, Mark Possemato, Louis Bartolini, Ann Leavitt and Phil Bevins.

The meeting commenced at 7:15 p.m. with John Leeds as chairperson. Ms. Russian joined the meeting at 7:30 p.m.

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**CONTINUED NOTICE OF INTENT – 185-191 MILL STREET, MARLBORO, ASSESSORS MAP 91, LOT 6 (SOUTHBOROUGH) AND ASSESSORS MAP 104, LOT 31 (MARLBORO): CONTINUED NOTICE OF INTENT – 170 WOODLAND ROAD, ASSESSORS MAP 9, LOT 110:**

Mr. Leeds opened the hearing at 7:15 p.m. Ms. Russian was recused and absent from the hearing. Mr. Leeds explained why the hearing was unable to be closed last meeting. Representing applicant Tom Teager of Fore Kicks, Inc. was engineer Tim Paris of Connorstone Engineering. Mr. Paris stated that he understood the Commission had decided to hold off on making a decision on the proposal until the Engineering Report and the Order of Conditions from the Marlboro Conservation Commission had been approved and issued. Mr. Paris also gave an overview of the plans. Mr. Leeds stated that the Order of Conditions issued will include a restriction of vehicles associated with the construction of the project from accessing the site via Phipps Road in Southborough, as requested by the abutters. There were no further comments from Commission members, and questions were opened to the audience.

Don Folkes of 22 Stowe Road asked to have the deed state that drains on the site must be maintained longer than 3 years. Mr. Paris clarified that drain inspections will occur 3 times per year for the first 3 years, then once per year for subsequent years. Seeing no further questions from the audience, Mr. Leeds closed the hearing.

**CONTINUED JOINT MEETING WITH PHASE II STORMWATER COMMITTEE FOR REVIEW OF THE STORMWATER & EROSION CONTROL BYLAW REGULATIONS:**

Mr. Leeds opened the meeting at 7:30 p.m. Present were Peter Bemis and Ed Estella of the Phase II Stormwater Committee, Donna Jacobs of MetroWest Growth Management Committee, Town Engineer John Woodsmall, and residents Lee Bartolini, Jack Bartolini, Michael Bartolini and Anthony Bartolini. Ms. Jacobs reviewed where we stood in the process of finalizing the Regulations. Mr. Possemato stated he found them difficult to understand and that the average homeowner might be overwhelmed by the Regulations. Mr. Woodsmall agreed that limiting duplication and overlap between the permits required by the town should be considered, and the process needs to be understandable. Mr. J. Bartolini expressed concern that subdivision standards were being forced on smaller projects. Ms. Russian felt that the most critical element is having the forms and applications simplified and to establish a transparent process. Mr. Possemato would like to see the abbreviated process to be all conclusive. The Topsfield Stormwater Regulations were distributed and will be reviewed prior to the next meeting. They appear to be more straightforward and simple, and might be used as a model. Ms. Jacobs stressed that the Regulations approval process has been lengthy and until

the Regulations are in place, the Bylaw cannot be implemented. She agreed to incorporate the edits discussed, and to attend one additional meeting. Mr. Leeds closed the meeting at 8:40 p.m.

**CONTINUED NOTICE OF INTENT – 170 WOODLAND ROAD, ASSESSORS MAP 9, LOT 100:**

Mr. Leeds opened the hearing at 8:40 p.m. Present on behalf of applicant Joe Tassia was Peter Bemis of Engineering Design Consultants. Mr. Bemis described the project revisions to the plans and agreed to the Commission's request that a 3<sup>rd</sup> party engineering consultant be retained to review the plans. Mr. Bemis stated that he had taken soil samples on the site, did survey work and located connections for alternate circuits to address the abutter water problems, and he submitted a letter formally approving the Commission's request to hire an independent engineer.

Mr. Possemato questioned why drainage systems that would include all the water were not considered. Tom Faherty of 168 Woodland Road said that the land in back of the property is very wet and by capping off more, infiltration will be reduced. Mr. Faherty expressed concerns that the development of the site, along with the trees being removed, will increase the existing water problem. Mr. Bemis responded that his proposed plans would help with surface water problems, but not with ground water issues, and would improve the water problems so the water is not re-absorbed. Mr. Bemis stated that his soil testing has confirmed the wetland delineation. Mr. Bevins stated that greatly increasing the impervious surface in that area is running counter to Low Impact Development (LID) and other potential improvements that could be made to the site. Ms. Russian suggested that the Town Engineer review the revised plans and offer his opinion on the site development proposal as it relates to the water issues. Ms. Leavitt questioned whether the additional water flowing into the nearby brook will have any impacts to anyone down stream. Mr. Bemis answered that it should not. Mr. Bevins said the infiltration system should be on Mr. Faherty's property, and that all the runoff from site needs to be improved. Pam Arsenault of 33 Ted Lane asked if there would be any recourse if the situation worsens post development. Ms. Russian explained the review process and time periods and the revisions to the plan. She added that the Town Engineer will review not only the plans, but the meeting minutes, the water concerns raised by the abutters, and the broader issue of Woodland Road drainage problems. Mr. Leeds continued the hearing to 3/8/07.

**CONTINUED NOTICE OF INTENT – 20 LEARNED STREET, ASSESSORS MAP 47, LOT 54:**

Mr. Leeds opened the hearing at 9 p.m. Present was applicant Matt Jackson and environmental engineer Robert Murphy. Mr. Murphy updated the Commission on the recent revisions to the plan: haybales have been added to both sides of the road, a 6" layer of 2-3" of stone at the construction entrance to clean off truck tires, house and driveway have been staked. Mr. Upjohn asked that work be held off until spring. Ms. Russian countered that with the additional safeguards, the site should be okay. Mr. Bevins stated that on a similar project on Mt. Vickery Road, contractors parked in the wrong areas and dragged mud onto the roadway. Mr. Murphy said that the site of the former house could be used as a parking area after putting down gravel. Mr. Bevins added that silt bags need to be installed in the catch basins nearby. Mr. Leeds closed the hearing.

**NOTICE OF INTENT – EMC CORPORATION, CRYSTAL POND ROAD AND COSLIN DRIVE, ASSESSORS MAPS 6, 11, 11, 11, 11, 24, 24, 25, 26, LOTS 3, 1, 2, 3, 4, 1, 2, 4A, 9 RESPECTIVELY:**

Mr. Leeds opened the hearing 9:10 p.m. Ms. Russian read into the record an email from Derek Saari of the Westborough Conservation Commission office, and a letter from Beals & Thomas addressed to John Leeds responding to comments by DEP on the proposed project.

Present for the hearing and representing applicant EMC were engineers Dan Feeney and Eric Las from Beals & Thomas. Mr. Feeney started off his presentation with an overview of the site and the proposed project. He stated the property is 445 acres and has been divided on the plans into a Northern and Southern site. Mr. Feeney said the vast majority of acreage is industrial zoned; a small residentially zoned portion exists and there is no work proposed on this area, or on Lot 12 as shown on the plans.

Mr. Feeney stated the components of the proposed plan:

1. relocate the intersection at Crystal Pond Road and Coslin Drive through Whittemore Crossing and onto Flanders Road
2. Washington Street will also be extended to connect to Coslin Drive
3. a 36 foot Roadway waiver has been requested from the Planning Board so as not to encroach on the 20 foot No Disturb Zone, and this request was denied by the Planning Board who required a 44 foot roadway instead.

Mr. Las then presented an overview of existing wetland resources on the property:

1. identified runoff conveyance pipes to streams and wetlands
2. other resources are forested wetlands; some which drain to the Sudbury River and others to the Sudbury Reservoir

Regarding Area A on the plans, Mr. Las stated that the roadway was widened. In Area B, the only work proposed is related to the new roundabout intersection of private ways Coslin Drive and Crystal Pond Road. Mr. Las stated that the work being proposed within the 100 foot buffer zone is the extended detention basins and a portion of the roundabout. Within Area C, Mr. Las said that work is proposed within 1 foot of wetlands and includes grading associated with the roadway construction. For erosion controls, Mr. Las is proposing silt fence and haybales, catch basin inserts and swales to convey Stormwater to basins. There are six (6) extended detention basins proposed, for a net reduction of 3.7 acres of impervious surface. Mr. Las stated there were no proposed plans for development on the subdivided lots; EMC is only seeking roadway improvements at this time.

Ms. Russian commented that the cumulative impacts of the projects on the wetlands are unknown. Mr. Feeney stated that EMC is undergoing the MEPA process which will provide environmental impact data. He stated that of the twelve (12) lots being created, eight (8) are proposed for development. Mr. Feeney showed the Commission a schematic layout of the EMC campus master plan proposal, which is still in the development phase. Mr. Feeney said that Notices of Intent (NOI's) would be filed with the Commission when the time comes. He stated that the Supplemental FEIR is required for all water-related issues: sewer, wastewater, fire protection. The Commission asked to be provided with copies of the Supplemental FEIR.

Mr. Las indicated that the proposed Stormwater management system will treat all water on site, greater than 80% Total Suspended Solids (TSS) will be removed, and peak flows will be mitigated. Ms. Russian inquired about the wetland impacts of the project to Westborough. Ms. Leavitt asked where the sewage treatment plant would discharge to. Mr. Las replied that pipes through the roadways will discharge it into leach areas. Mr. Feeney stated the sewage treatment plant was not being presented; it is still in concept phase. Mr. Bevins pointed out the inconsistency that although the plan presented has a net gain in impervious area, future construction of the site would include more impervious area. Mr. Upjohn asked if the applicant was aware of the vernal pool on the site, and whether the roadways had been marked in the field. Ms. Russian stated that a formal variance request for work within the 20' No Disturb Zone would need to be submitted. Mr. Upjohn concurred with location of roadway crossing, and requested the wetland flags be restored where gaps exist. Ms. Russian suggested the Commission draft a memo to the Planning Board alerting them that a portion of the proposed roadway is within 1' of a wetland, and if they agree to the roadway width being changed,

it would be 9' away. She also suggested that the town's on-call engineering firm, Fuss & O'Neill, review the entire project on behalf of the Commission, with particular attention to Stormwater issues. She also requested to receive copies of the draft Notice of Intent submitted to the Westborough Conservation Commission.

Mr. Leeds then asked the audience if they had any questions. Andrew Beland of 9 Bantry Road asked about on site production wells, domestic or otherwise, were planned. Mr. Feeney replied that only a fire pond is proposed but the ability exists to drill wells if the water situation changes by the time the buildings are built, although at this time none are being proposed. An unidentified resident asked whether the Commission had reviewed the MEPA submissions, and if they would be commenting on the Supplemental FEIR. She also asked the Commission to consider other engineering firms other than Fuss & O'Neill for review of the plans due to the scale of the project and their prior involvement on behalf of the Planning Board and the Town of Westborough. David Reed of 32 Fairview Drive asked for clarification of the differences in process between the Planning Board and the Conservation Commission. He stated that wetland impacts to Route 9 were presented to the Planning Board, and were not shown or expressed in this presentation. Peter Bemis of 9 Wolfpen Lane asked for clarification that the roadway waiver request is for private ways, and not public roadways. Ed Estella of 21 Woodland Road asked where the open space set asides were.

Mr. Feeney stated EMC's intention to set aside 46 acres to a Conservation Restriction, and 32 acres for publicly accessible open space. Mr. Estella asked if public access would be via a private way, whether a MEPA study would be done for the proposed bridge crossing, and if Crystal Pond Road was a Class A Water Resource.

Mr. Leeds continued the hearing to a date as of yet unknown. It will be determined by the independent engineering review timeline.

### **Other Business:**

1. **Meeting Minutes:** Item was tabled to next meeting.

Upon motion by Ms. Russian, seconded by Mr. Bevins, the Commission voted (7-0) to adjourn the meeting at 10:30 p.m.

Respectfully submitted,

Beth Rosenblum  
Conservation Administrator