

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: Conservation Commission

Date: April 1, 2021 (Thursday)

Time: 7:00 PM

Location: Will be conducted via remote participation and will be recorded

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2021 MAR 29 P 2:35

Agenda Items to be addressed:

"Due to statewide emergency actions limiting the size of public gatherings in response to COVID-19, this meeting will be held virtually with remote participation and will be closed to in-person attendance." The public can participate via Microsoft Teams. The "link" will be posted on the City's and Conservation's websites: <https://www.marlborough-ma.gov/>

A roll call of members present...

Approval of Minutes: March 18, 2021.

Public hearings:

7:00 PM Request for Determination of Applicability

City of Marlborough - DPW

Proposes to construct a new water line connection and new back up pump station facility at D'Angelo Dr. (Map 115 Parcel 10) near wetlands.

7:10 Abbreviation Notice of Intent

587 Bolton Street – Bolton Street Tavern

Proposes to add a covered gazebo and bar gazebo structure on existing lawn area near Ft. Meadow Reservoir.

7:20 Notice of Intent (Continued from March 18, 2021)

146 Phelps St. – Delray Realty Trust

Proposes to construct a barn, driveway, and utilities within 100 ft. of the wetland buffer zone and Riverfront of Mowry Brook.

7:30 Notice of Intent (applicant request to continue to April 15, 2021))

107 Phelps St. - David Franca

Proposes to construct a new house on a vacant lot within the Riverfront Area of Mowry Brook. Map 72, Parcels 11B and 702.

AND

Notice of Intent (applicant request to continue to April 15, 2021)

107 Phelps St. - David Franca

Proposes to construct a driveway across this lot within the Riverfront Area and buffer zone of Mowry Brook. Map 72, Parcel 11A.

Discussion/Correspondence/Other Business:

- Letter from KCO Realty Trust, Kevin O'Malley, dated March 17, 2021 RE: Roosevelt St.
- Yearly Operational Plan 2021

Next Conservation Commission meetings: April 15, 2021 and May 6, 2021.

Adjournment

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Marlborough

City/Town

WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. General Information

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

City of Marlborough Dept. of Public Works
Name
135 Neil Street
Mailing Address
Marlborough
City/Town
MA
State
01752
Zip Code
508-624-6910
Phone Number
tdipersio@marlborough-ma.gov
E-Mail Address
Fax Number (if applicable)

2. Representative (if any):

Engineering Division
Firm
Thomas DiPersio
Contact Name
tdipersio@marlborough-ma.gov
E-Mail Address
135 Neil Street
Mailing Address
Marlborough
City/Town
MA
State
01752
Zip Code
508-624-6910
Phone Number
Fax Number (if applicable)

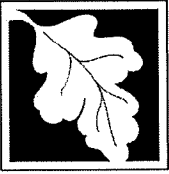
B. Determinations

1. I request the Marlborough Conservation Commission make the following determination(s). Check any that apply:

- a. whether the area depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
c. whether the work depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any municipal wetlands ordinance or bylaw of:

Name of Municipality

- e. whether the following scope of alternatives is adequate for work in the Riverfront Area as depicted on referenced plan(s).



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

D'Angelo Drive	Marlborough
Street Address	City/Town
115	10
Assessors Map/Plat Number	Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

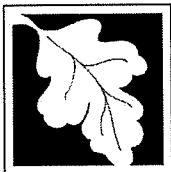
Site area is a portion of the MWRA and City of Marlborough pump station site. Existing conditions are grassed area in and around existing detention basin. Site area is separated from resource area by access roadway and another detention basin.

- c. Plan and/or Map Reference(s):

Overall Site Plan, Cedar Hill Backup Pump Station	3-11-2021
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The applicant proposes to construct a new water connection to the existing MWRA water main, and construct a new backup pump station, with associated piping and appurtenances. The work will involve excavation, pipe and pump installations, backfill, grading, and restoration. A small paved area for access around the new pumps will be constructed as well.



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

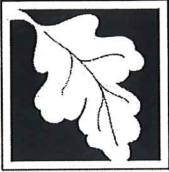
C. Project Description (cont.)

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



WPA Form 1- Request for Determination of Applicability

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

City of Marlborough
 Name
 140 Main Street
 Mailing Address
 Marlborough
 City/Town
 MA
 State

01752
 Zip Code

Signatures:

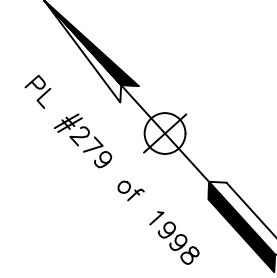
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Thomas D. Perrin Jr.
Signature of Applicant

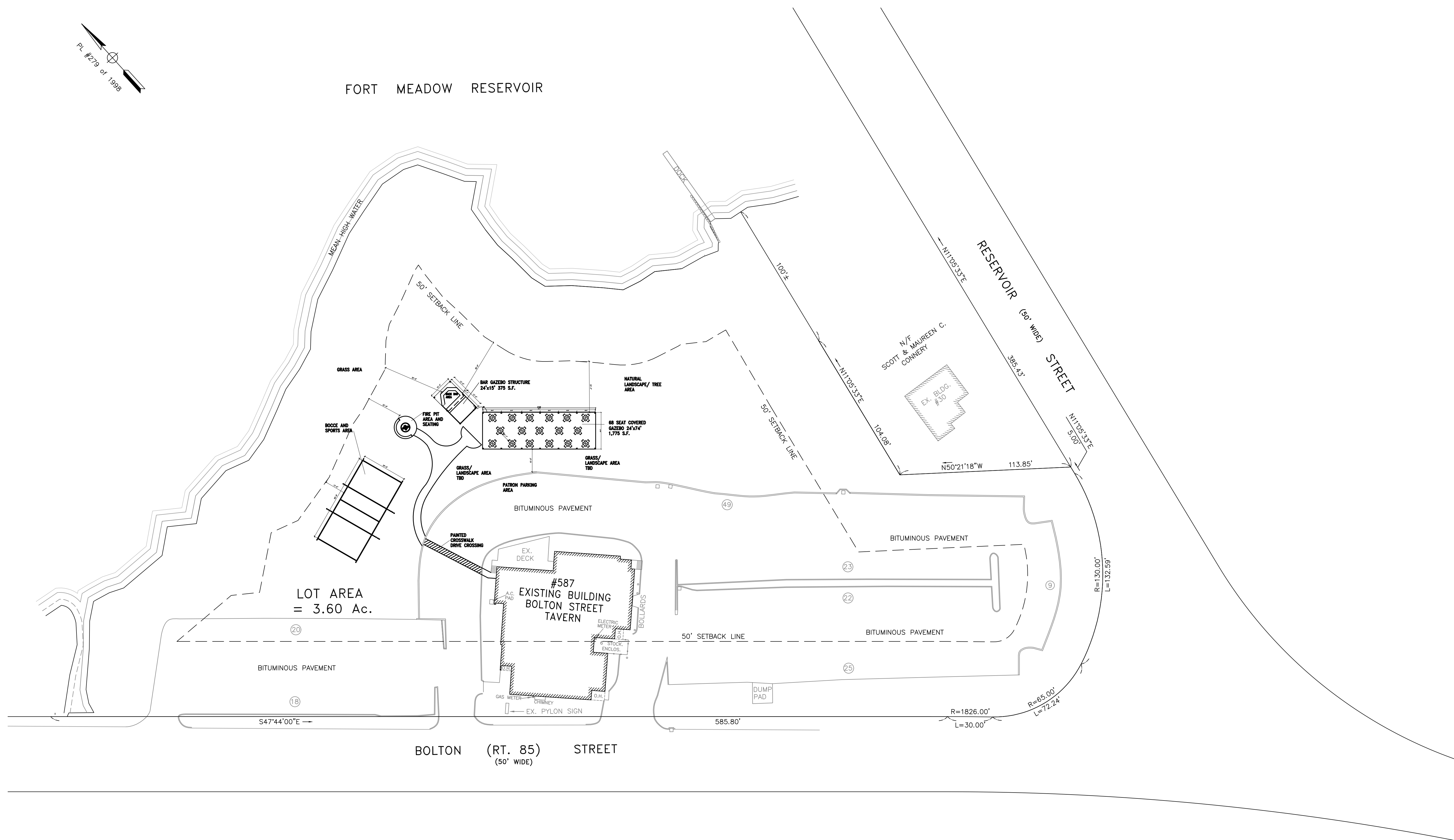
3/19/21
Date

Signature of Representative (if any)

Date



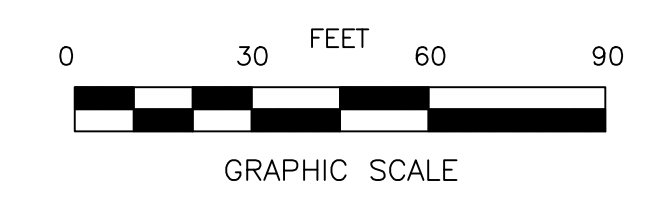
FORT MEADOW RESERVOIR



LOT AREA
= 3.60 Ac.

NOTES:

- 1.) THE PROPERTY SHOWN IS LOCATED IN THE LIMITED INDUSTRIAL ZONE, AND IS LISTED AS ASSESSOR PARCEL 7 ON MAP 30.
- 2.) THE PROPERTY OWNER IS: 587 BOLTON STREET, LLC 19 WESTGATE ROAD, FRAMINGHAM, MA 01701
- 3.) DEED REFERENCES: DEED BOOK 65759, PAGE 100
PLAN NO. 279 OF 1998

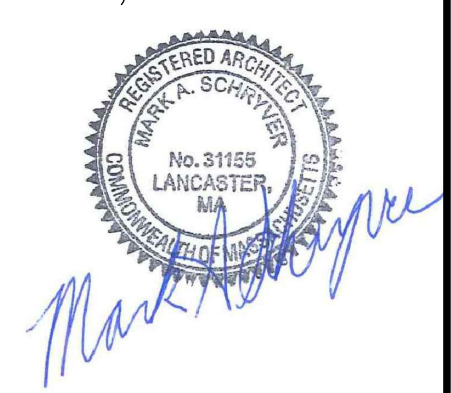


GENERAL NOTES

- 1-ALL WORK TO CONFORM TO STATE BUILDING CODES
- 2-SUPPORT ALL LOADS DURING CONSTRUCTION
- 3-VERIFY ALL WORK WITH BUILDER PRIOR TO START. VERIFY ALL MANUFACTURERS AND PRODUCT SPECS.
- 4-ALL DIMENSIONS ARE FACE OF STUD OR FACE OF FINISH
- 5-VERIFY ALL DIMENSIONS AND ADJUST WORK AS REQUIRED TO MEET FIELD CONDITIONS
- 6-SEE ADDITIONAL DRAWINGS AND SPECIFICATIONS FOR ADDITIONAL INFORMATION FOR CONSTRUCTION
- 7-ALL STRUCTURAL BEAMS : IE. MICRO LAM BEAMS, LVL TO BE INSTALLED 1/4" DOWN FROM SUB FLOOR AT ALL FLUSH BEAM LOCATIONS TO ALLOW FOR SHRINKAGE
- 8-INSTALL SOLID BLOCKING BETWEEN JOIST BELOW ALL BEARING PARTITIONS WALLS
- 9-5310.1.1 MINIMUM WINDOW OPENING AREA. ALL EMERGENCY ESCAPE AND RESCUE OPENINGS SHALL HAVE A MINIMUM NET CLEAR OPENING OF 5.7 SQUARE FEET
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- 13-ALL REQUIRED HEADER SIZES TO MEET OR EXCEED THE STATE BUILDING CODE. REFER TO THE FRAMING DRAWINGS FOR ADDITIONAL INFORMATION.
- 14- ALL CONNECTION HARDWARE : HANGERS AND STRAPS, TO BE SIMPSON BRAND ; GALVANIZED STEEL INTERIOR AND STAINLESS STEEL FOR ALL EXTERIOR APPLICATION
- 16- REFER TO STATE BUILDING CODE FOR THE CODE REQUIREMENTS FASTENER SCHEDULE
- 17- ALL FOUNDATIONS INSTALLED UPON UNDISTURBED SOIL, WITH FOOTINGS INSTALLED 4 FEET MIN. BELOW GRADE
- 18- ALL WINDOWS AND EXTERIOR DOORS TO COMPLY WITH THE STATE EGRESS AND ENERGY REQUIREMENTS.

OUTDOOR SEATING AND ENTERTAINMENT GAZERO STRUCTURE

587 BOLTON ST.
MARLBOROUGH, MA



DATE : 3.3.21

PROPOSED OVERALL SITE PLAN

SCALE: 1/32" = 1'-0"

PERMIT SET A1

GENERAL NOTES

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OUTDOOR SEATING AND ENTERTAINMENT GAZEBO STRUCTURE

587 BOLTON ST.
MARLBOROUGH, MA



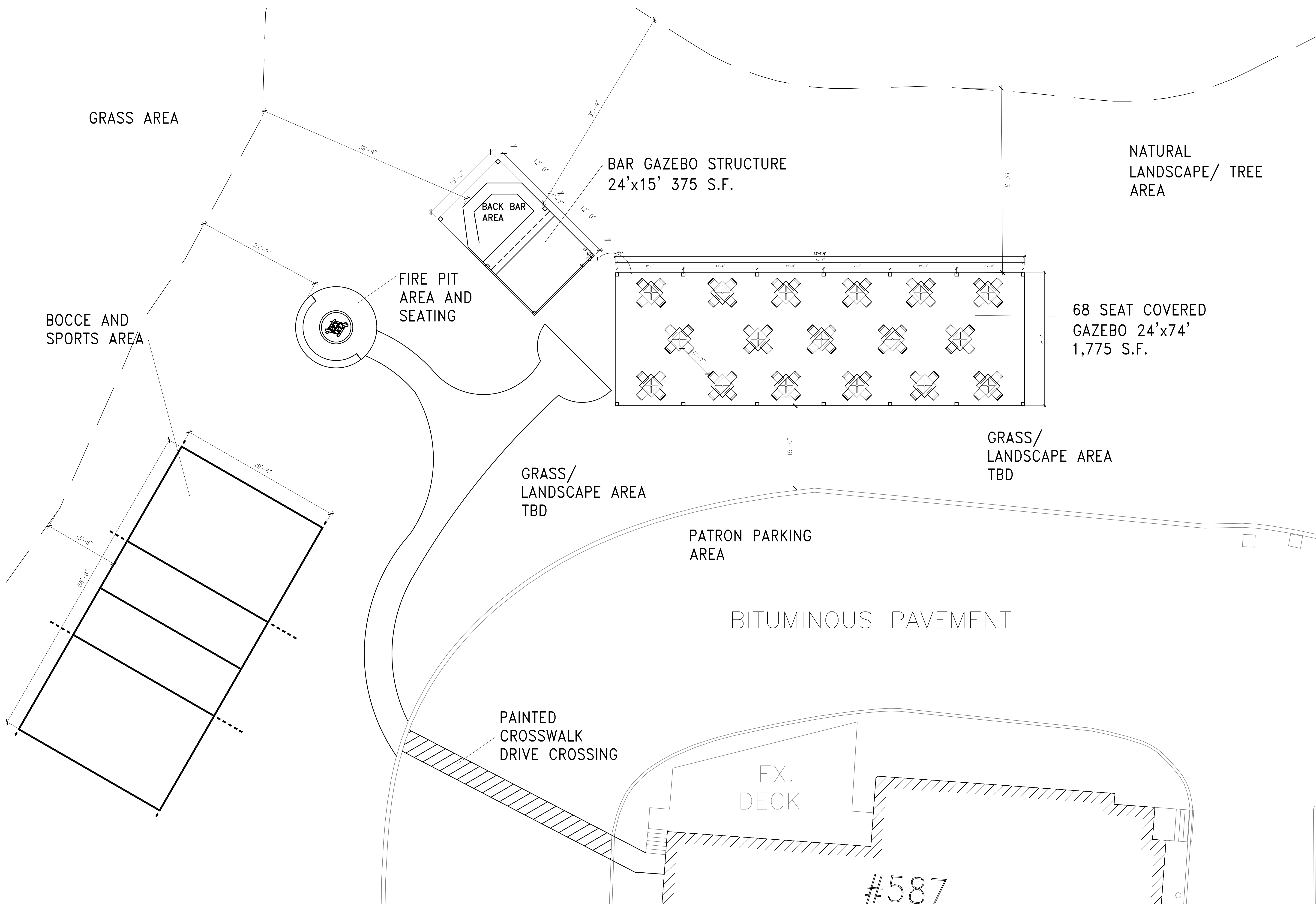
DATE : 3.3.21

ENLARGED SITE PLAN

SCALE: 1/8" = 1'-0"

PERMIT SET

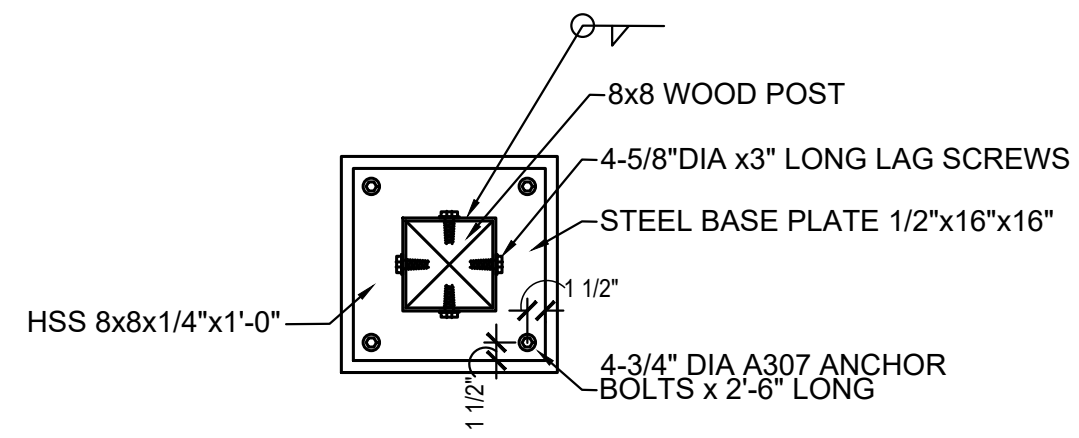
A2



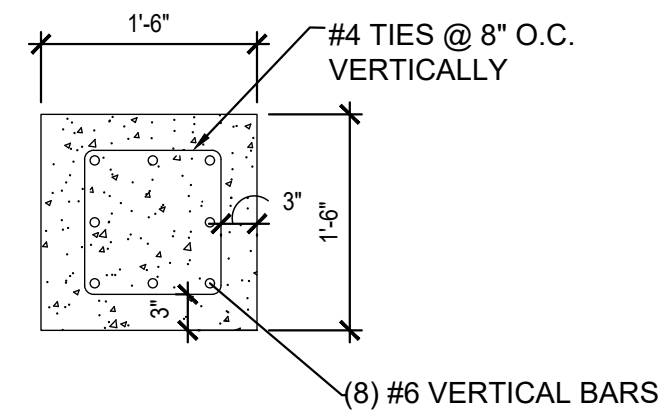
#587

FOOTING SCHEDULE:

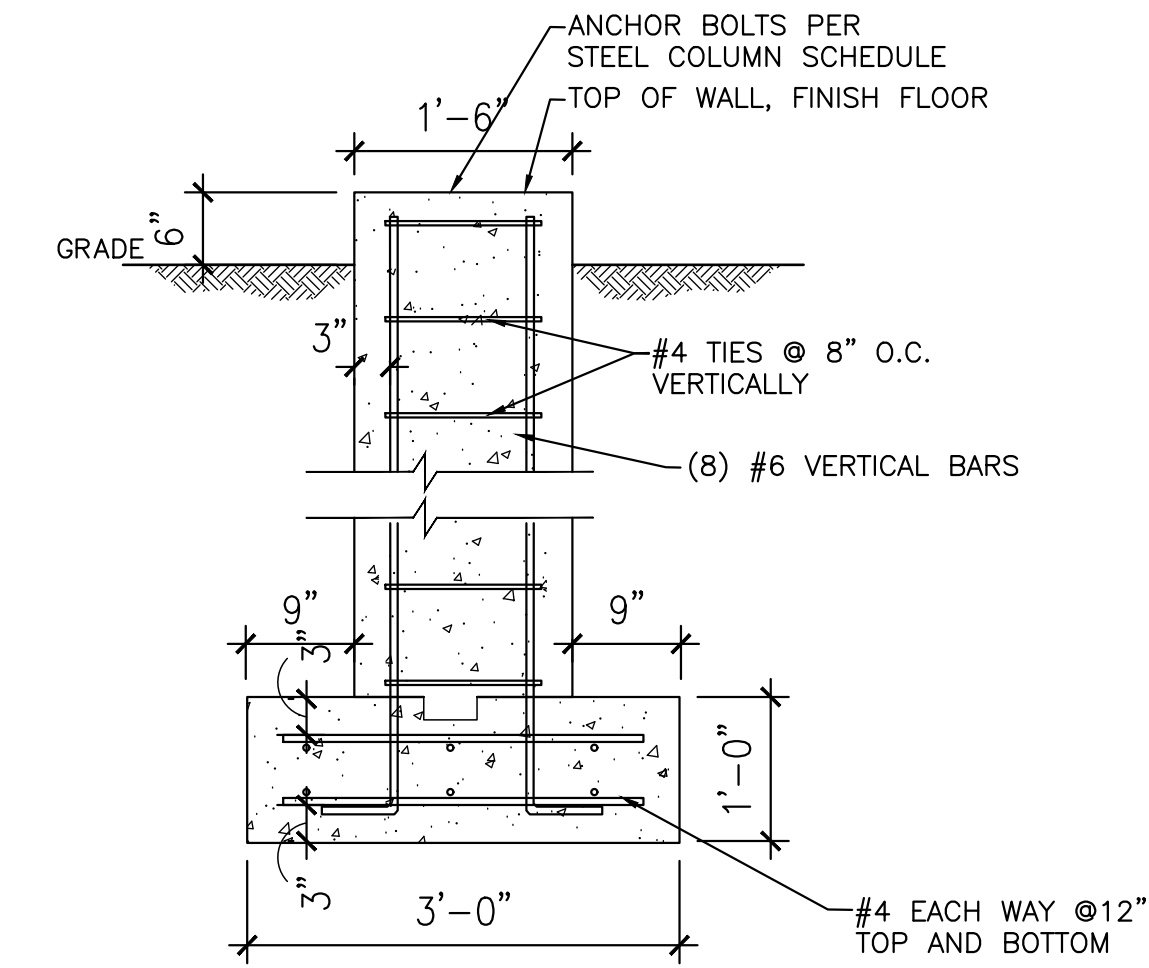
F3 3'-0" x 3'-0" x 1'-0" #4@12" TOP & BOTTOM EACH WAY
 F3.5 3'-6" x 3'-6" x 1'-0" #4@12" TOP & BOTTOM EACH WAY



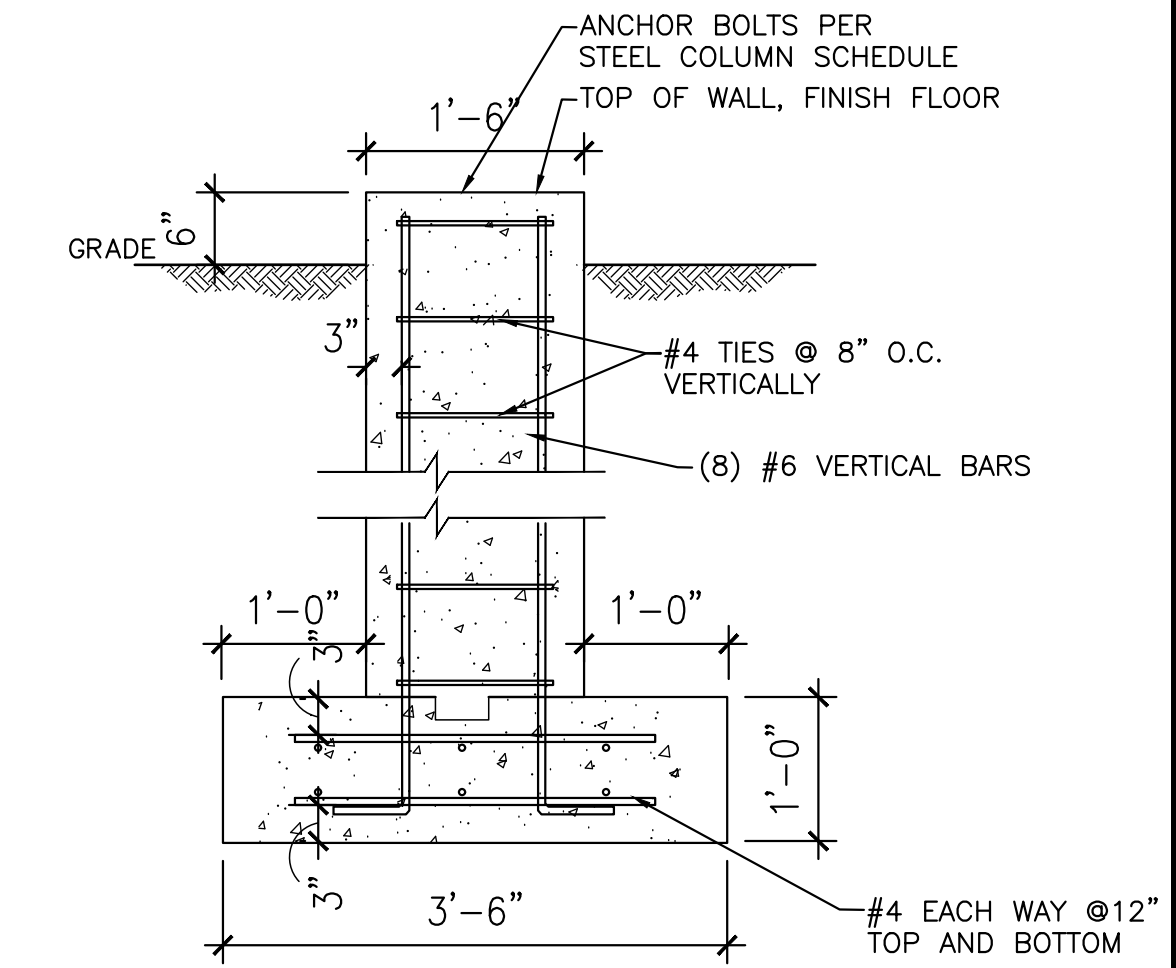
2
A3
SCALE: 3/4"=1'-0"



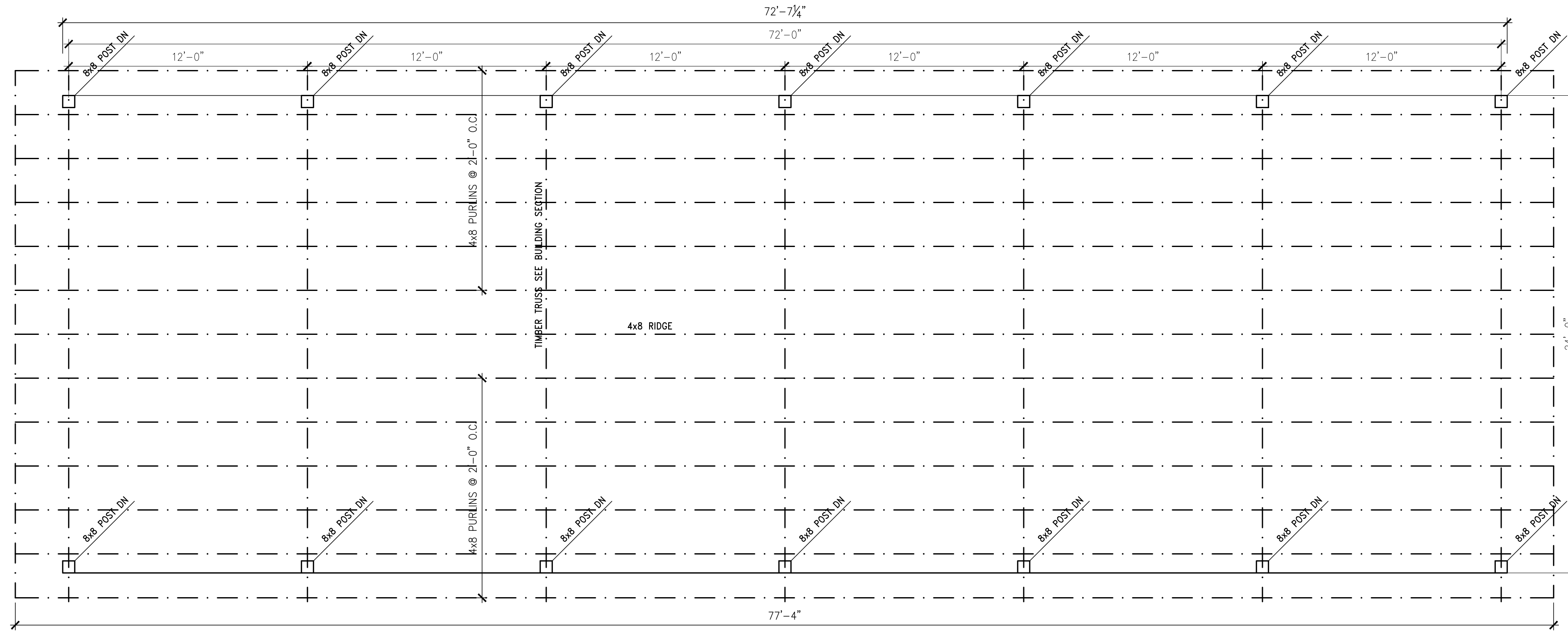
1
A3
SCALE: 3/4"=1'-0"



PIER F3.0 SECTION
SCALE: 3/4"=1'-0"

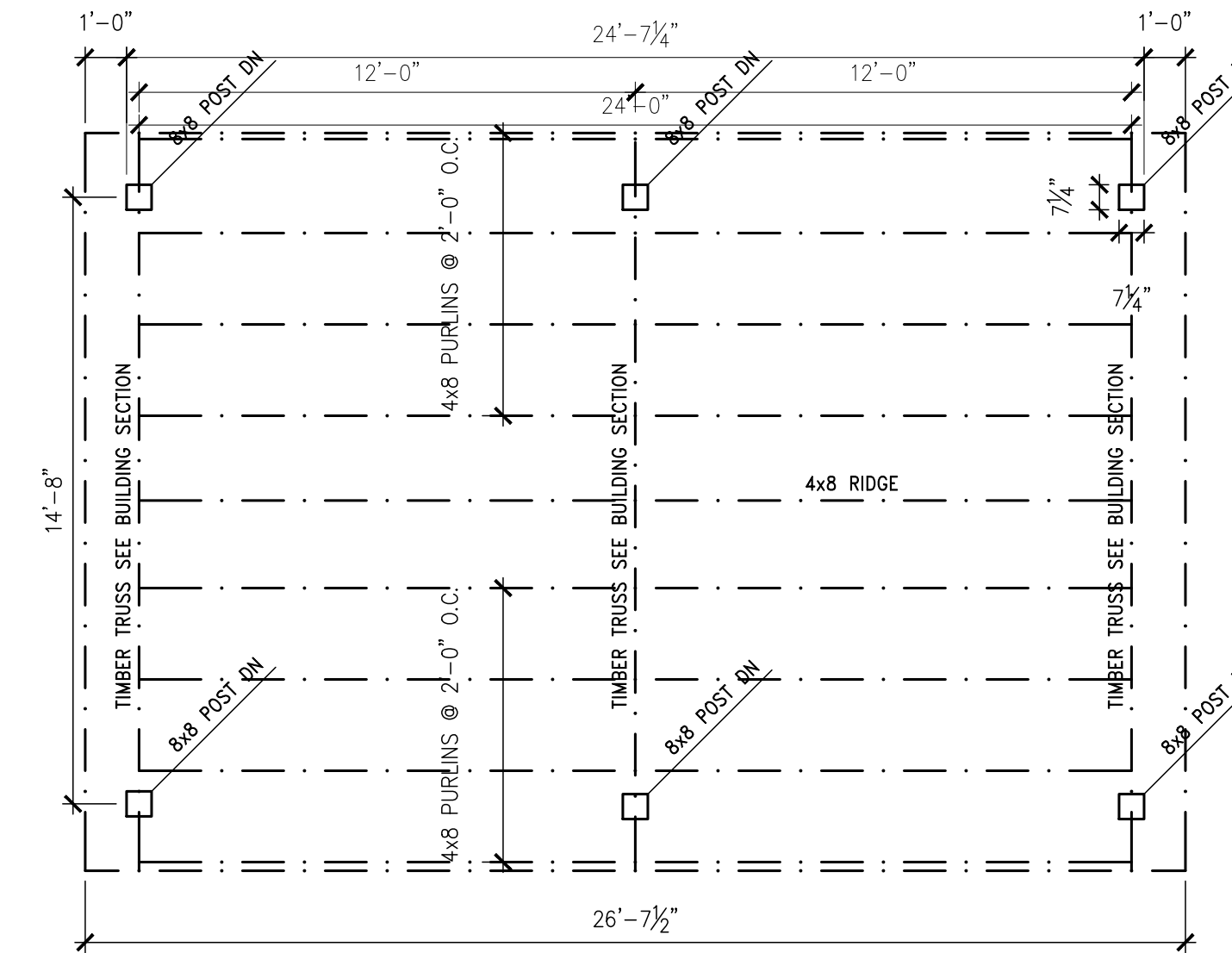


PIER F3.5 SECTION
SCALE: 3/4"=1'-0"



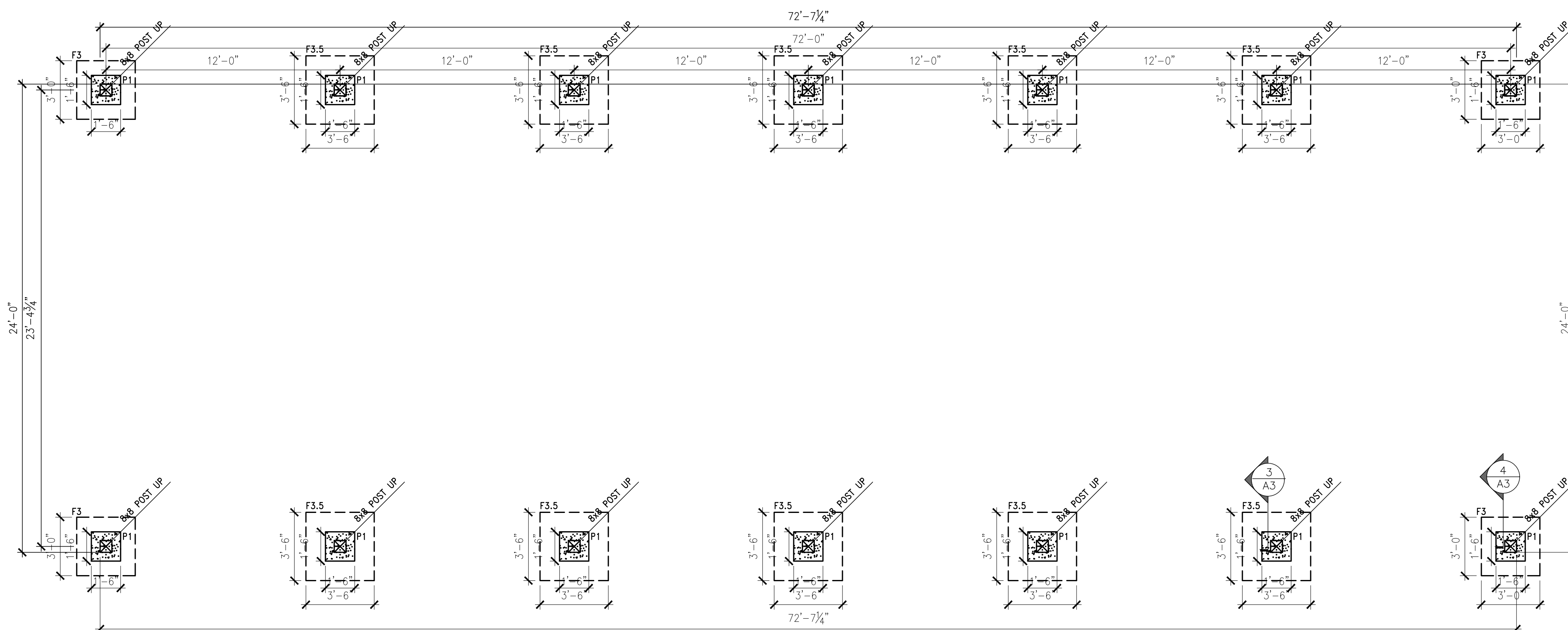
ROOF FRAMING PLAN GAZEBO #1

SCALE: 1/4"=1'-0"



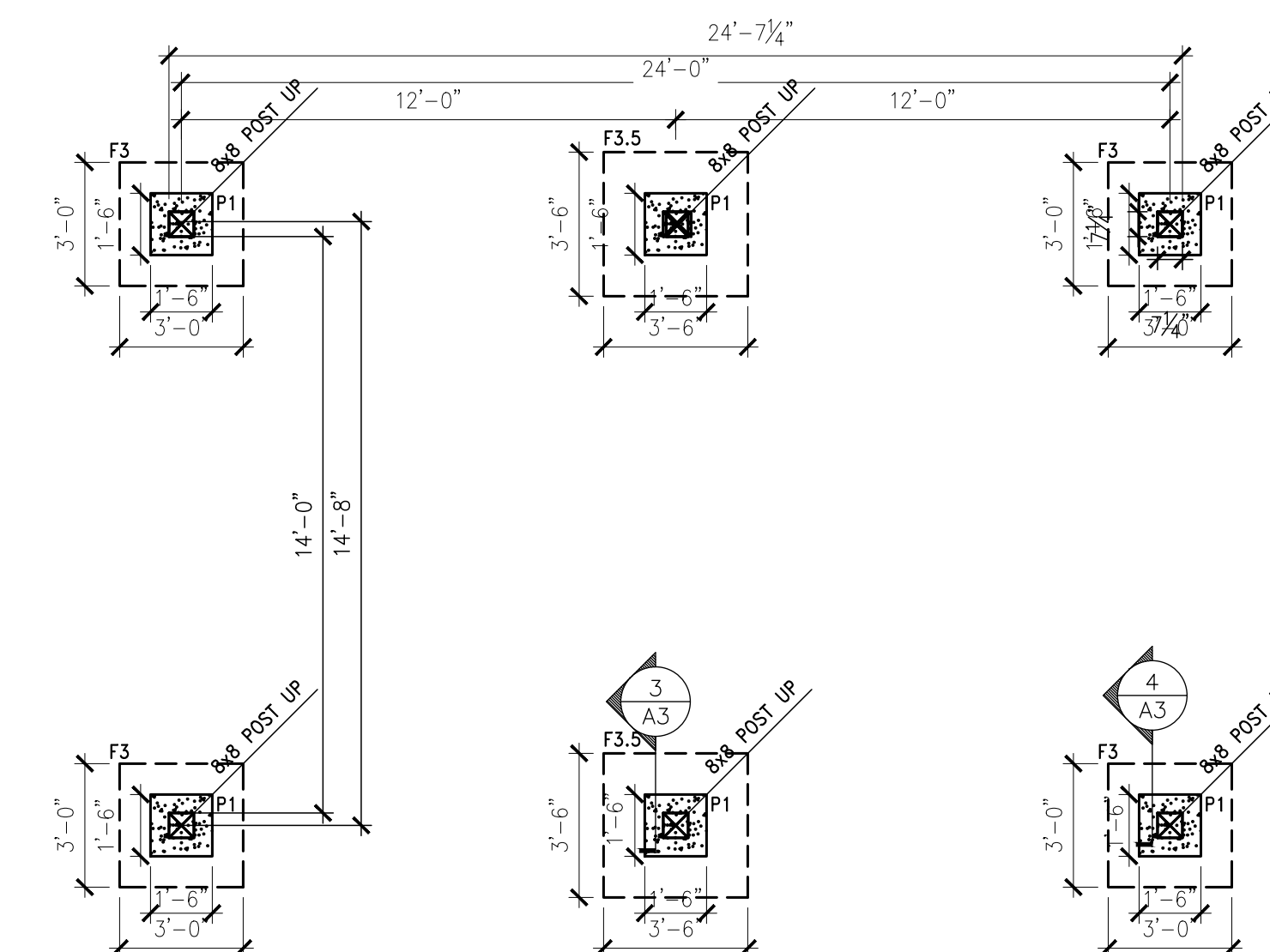
ROOF FRAMING PLAN GAZEBO #2

SCALE: 1/4"=1'-0"



FOUNDATION PLAN GAZEBO #1

SCALE: 1/4"=1'-0"



FOUNDATION PLAN GAZEBO #2

SCALE: 1/4"=1'-0"

OUTDOOR SEATING AND ENTERTAINMENT GAZEBO STRUCTURE

587 BOLTON ST.
MARLBOROUGH, MA



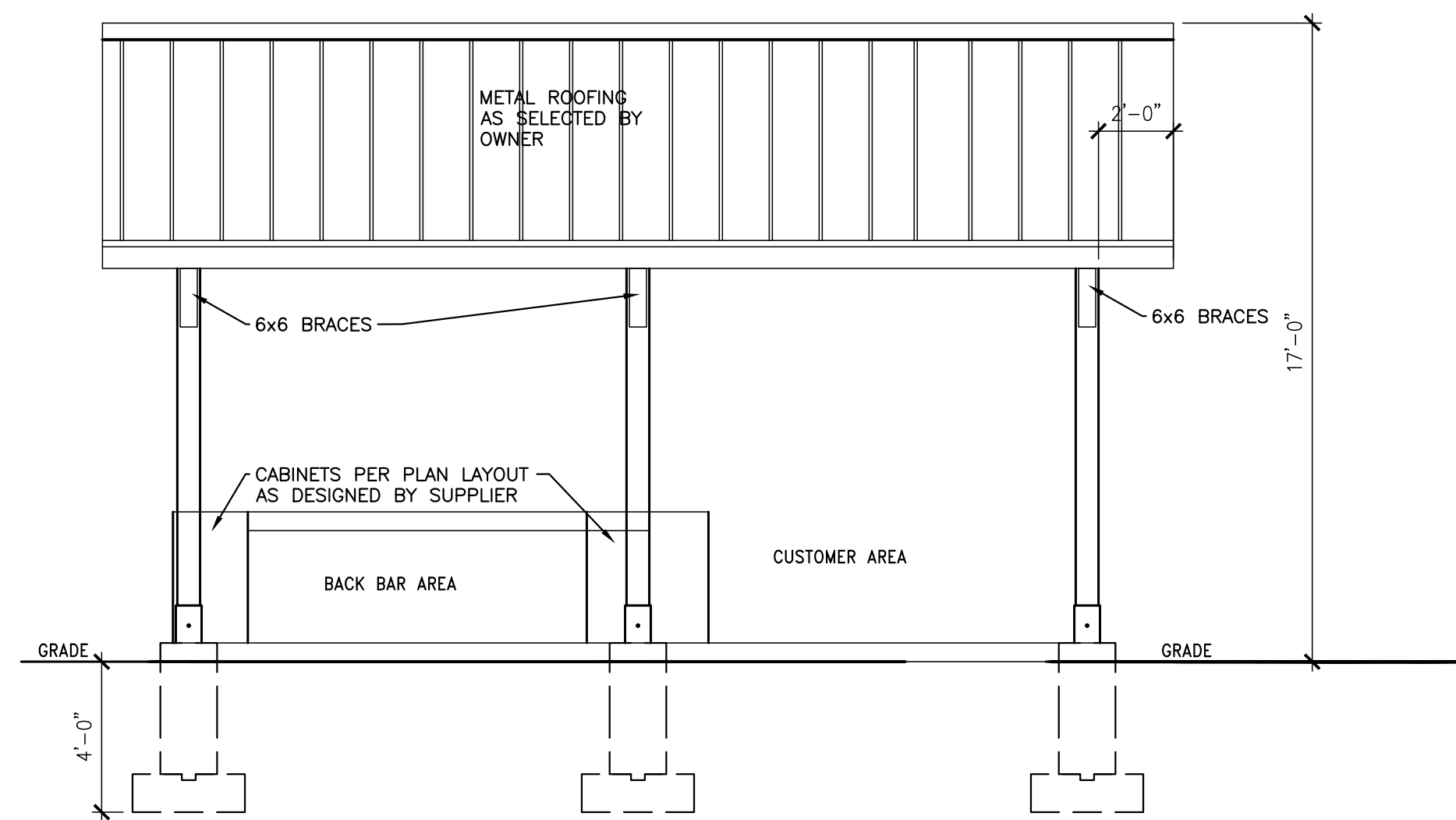
DATE : 3.3.21

ENLARGED SITE PLAN

SCALE: AS NOTED

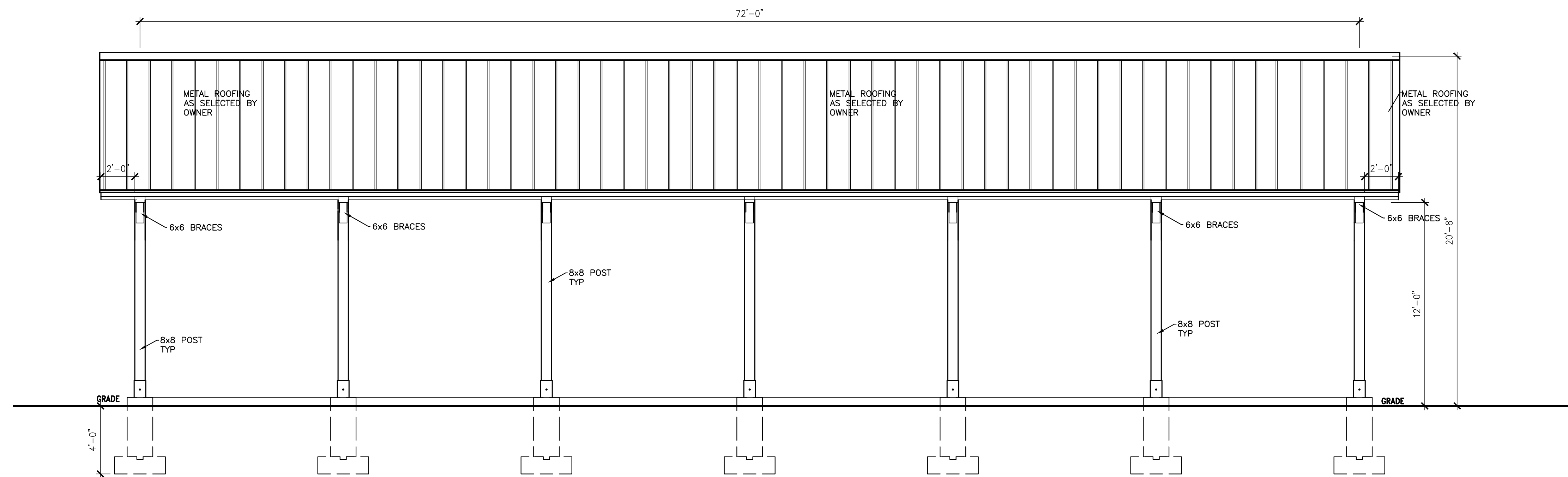
PERMIT SET

A3



GAZEBO #2 SIDE ELEVATION TYPICAL BOTH SIDES

SCALE: 1/4"=1'-0"



GAZEBO #1 SIDE ELEVATION TYPICAL BOTH SIDES

SCALE: 1/4"=1'-0"

OUTDOOR SEATING AND
ENTERTAINMENT GAZEBO
STRUCTURE

587 BOLTON ST.
MARLBOROUGH, MA



DATE : 3.3.21

ELEVATIONS

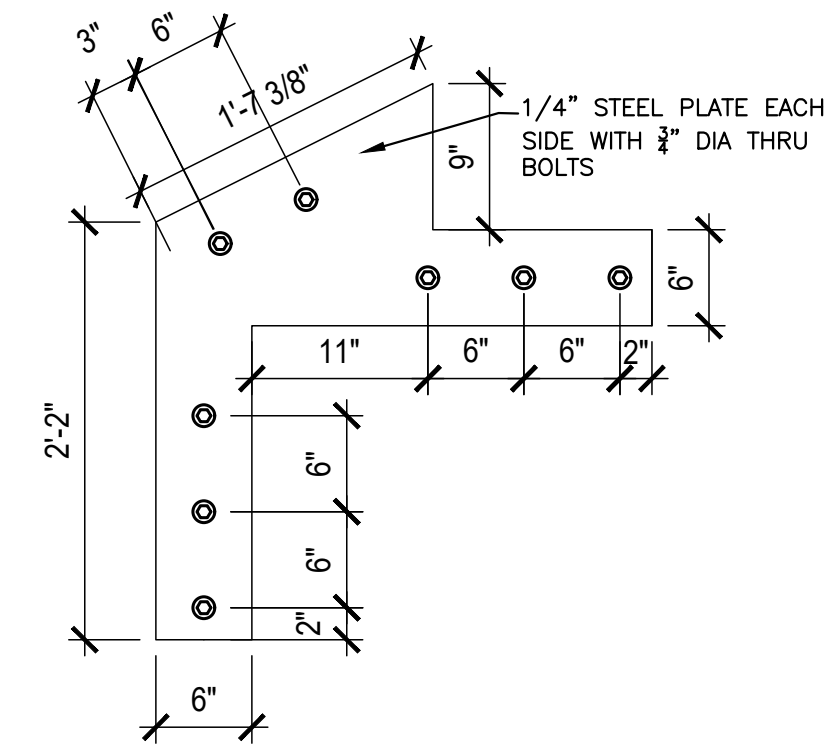
SCALE: 1/4"=1'-0"

PERMIT SET

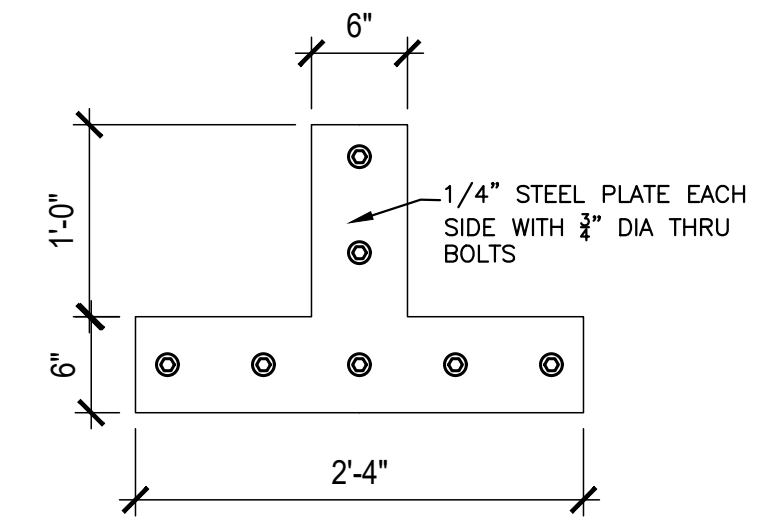
A4

GENERAL NOTES

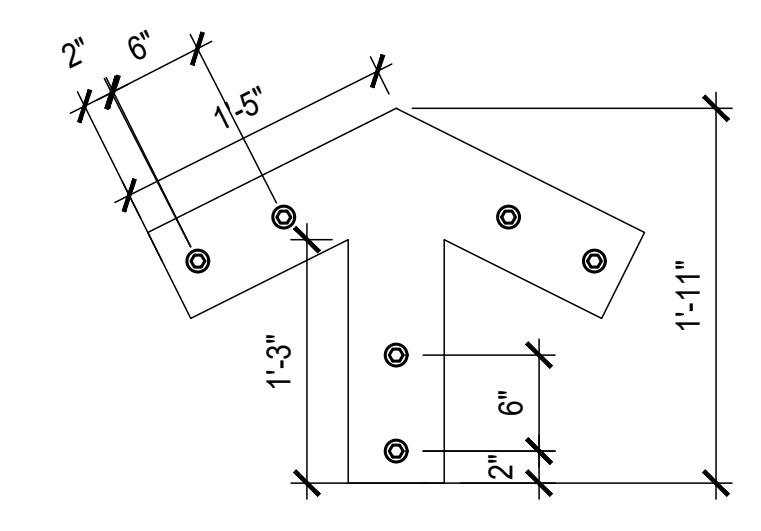
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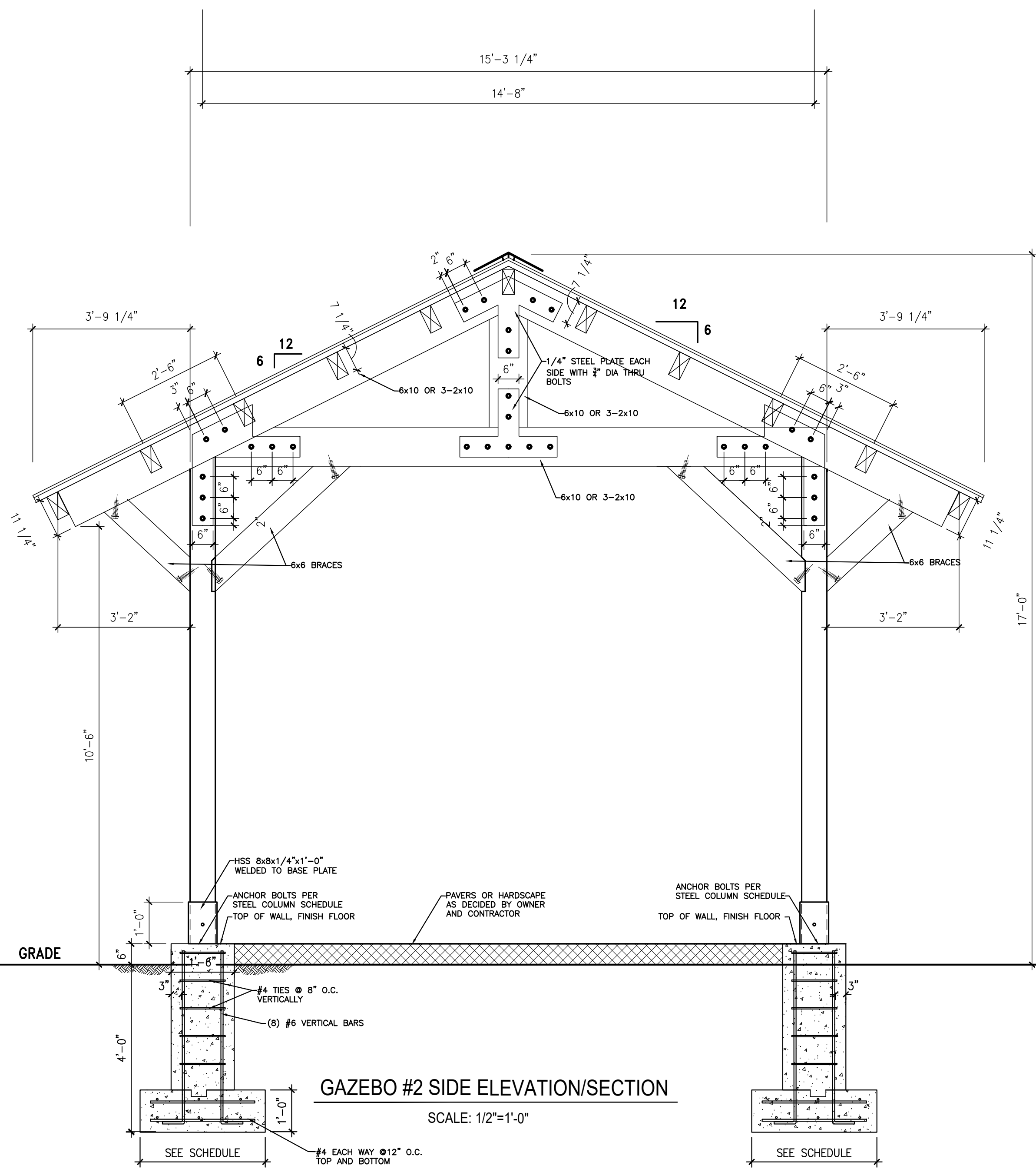
1 EAVE CONNECTOR PLATE DETAIL
SCALE: 1"=1'-0"



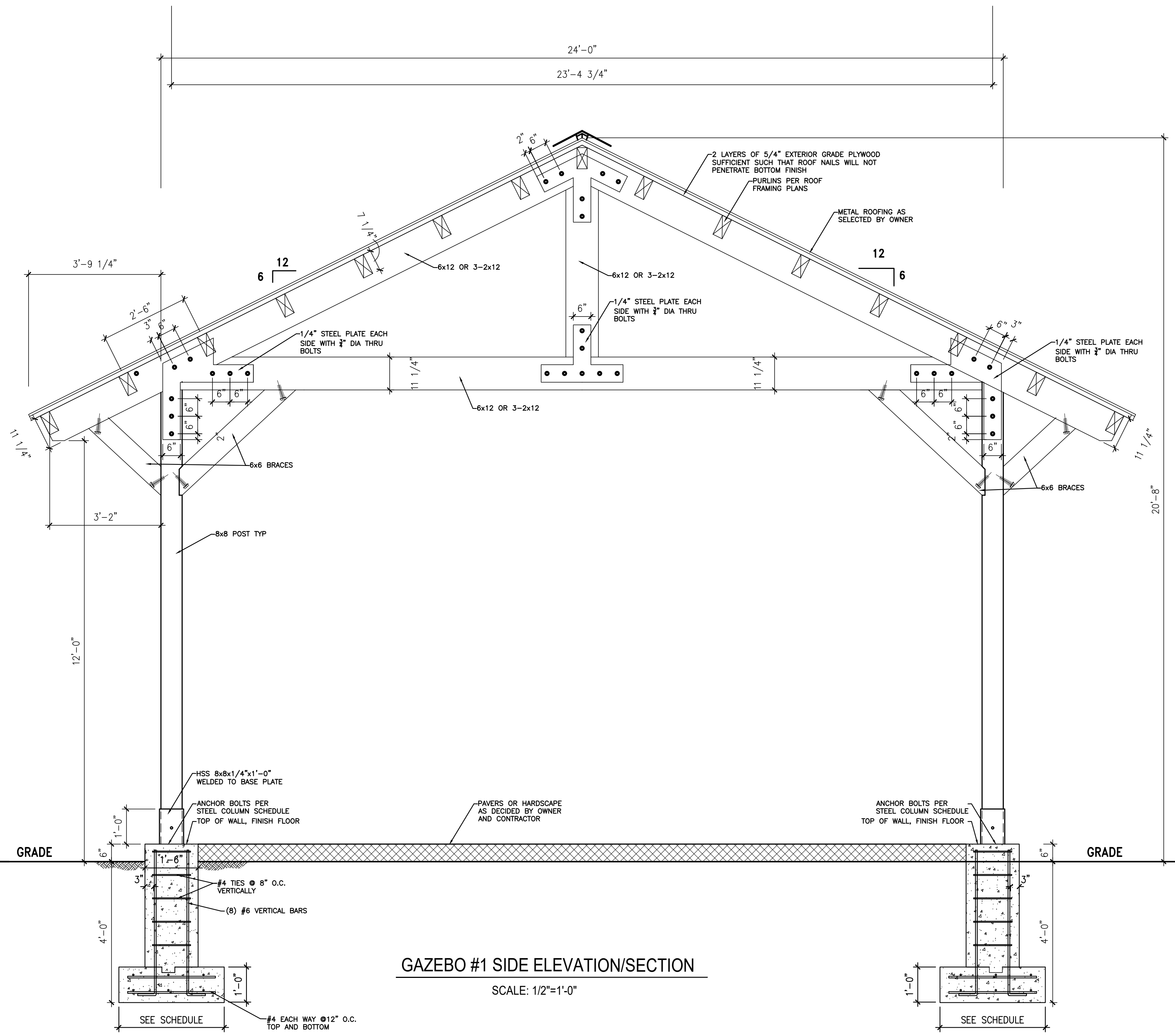
2 VERTICAL BASE CONNECTOR
SCALE: 1"=1'-0"



2 RIDGE CONNECTOR
SCALE: 1"=1'-0"



GAZEBO #2 SIDE ELEVATION/SECTION
SCALE: 1/2"=1'-0"



GAZEBO #1 SIDE ELEVATION/SECTION
SCALE: 1/2"=1'-0"

OUTDOOR SEATING AND ENTERTAINMENT GAZEBO STRUCTURE

587 BOLTON ST.
MARLBOROUGH, MA



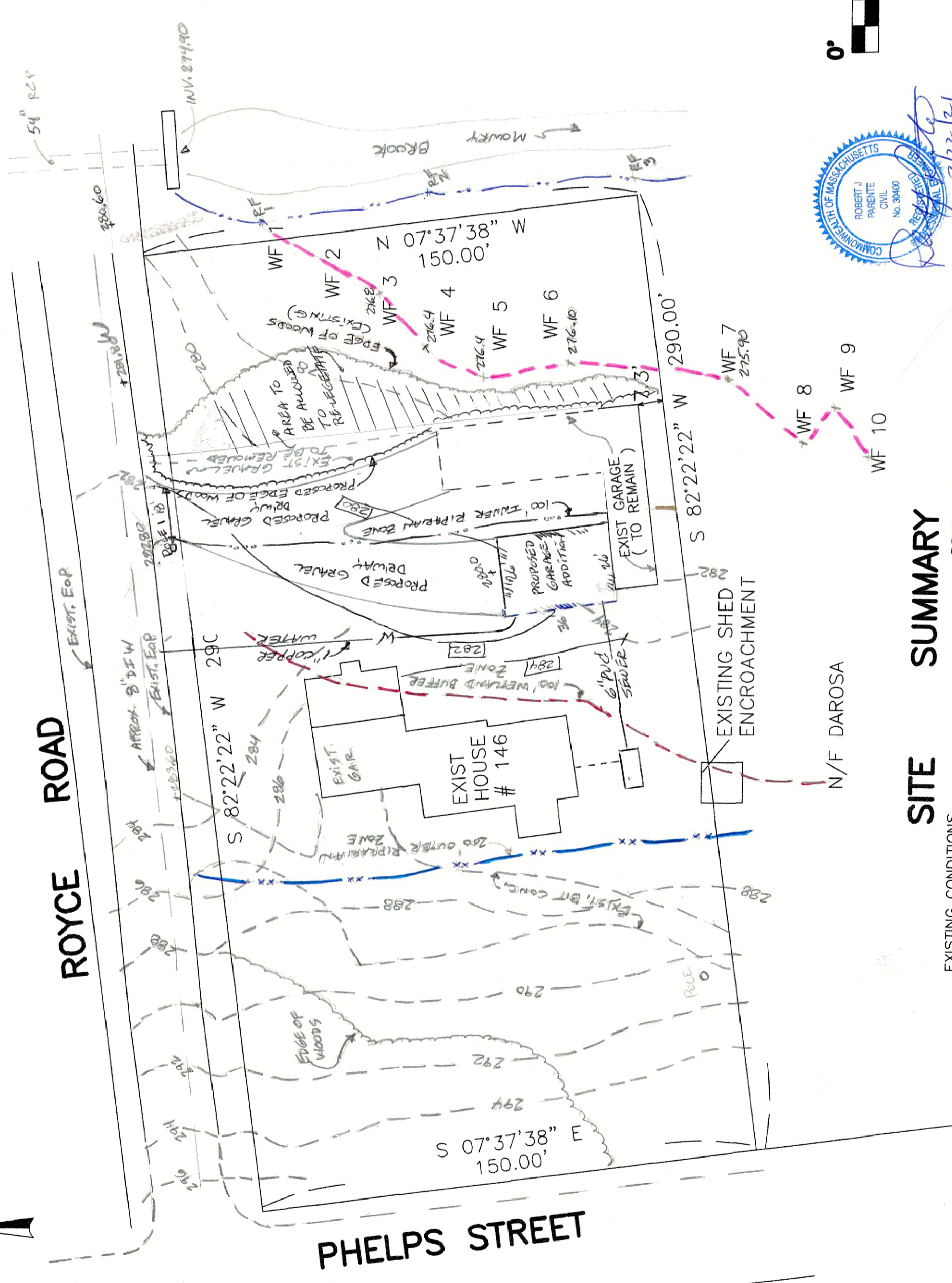
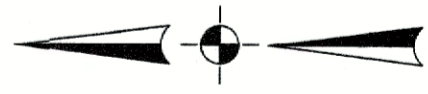
DATE : 3.3.21

SIDE ELEVATION/
SECTION

SCALE: AS NOTED

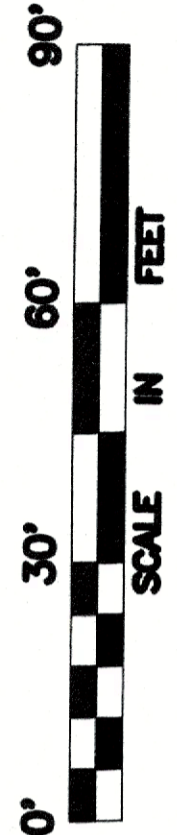
PERMIT SET

A5



LEGEND

- FIRE HYDRANT
- UTILITY POLE
- PK NAIL SET
- IRON PIN FOUND
- SEWER MANHOLE
- DRAIN MANHOLE
- LIGHT POLE
- CATCH BASIN
- BUSH & SHRUBS
- TREES
- SEWER
- WATER
- EDGE OF BWV
- EDGE OF RIVERFRONT ZONE
- LIMIT OF 100' WETLAND BUFFER ZONE
- LIMIT OF 100' INNER RIPARIAN ZONE
- LIMIT OF 200' OUTER RIPARIAN ZONE



SITE SUMMARY

EXISTING CONDITIONS LOT AREA= 43,500 SF	PROPOSED CONDITION LOT AREA= 43,500 SF
INNER RIPARIAN ZONE-13,950 SF	INNER RIPARIAN ZONE-13,950 SF
EXISTING GARAGE- 1750 SF	EXISTING GARAGE- 1750 SF
GRAVEL DRIVEWAY- 1560 SF	GRAVEL DRIVEWAY PROPOSED-1230 SF
LAWN AREA- 4370 SF	LAWN AREA- 1100 sf
OUTER RIPARIAN ZONE- 15,000 SF	OUTER RIPARIAN ZONE- 15,000 SF
EXISTING HOUSE- 2410 SF	EXISTING HOUSE- 2410 SF
PAVED DRIVEWAY- 1560 SF	PAVED DRIVEWAY- 1560 SF
LAWN AREA- 11,030 SF	LAWN AREA- 11,030 SF
TOTAL IMPERVIOUS AREA- 7280 SF	PROPOSED ADDITION- 936 SF
LOT COVERAGE (IMPERVIOUS)- 16%	PROPOSED GRAVEL DRIVEWAY- 1400 SF
	TOTAL IMPERVIOUS AREA- 9588 SF
	LOT COVERAGE (IMPERVIOUS)- 21%

NOTE: HAYBALES AND SILT WATTLES WILL BE INSTALLED ALONG THE EASTERLY EDGE OF THE PROPOSED GRAVEL DRIVEWAY PRIOR TO ANY CONSTRUCTION ON THE SITE FROM THE EDGE OF THE EXISTING GARAGE TO 18' OFF POLE SHOWN.

SITE PLAN OF LAND MARLBOROUGH, MASSACHUSETTS

OWNED BY: DELRAY REATY TRUST
BOOK 71,616 PG. 562

PREPARED BY: RJP CONSTRUCTION & ENGINEERING
21 CHAPIN ST., NORTHBOROUGH MA

DATE: FEBRUARY 25, 2020
REV: FEBRUARY 22, 2021
SCALE: 1" = 30'

KCO Realty Trust
3 Kelly Lane
Hudson, MA 01749

March 17, 2021

TO: Marlborough Conservation Committee
FROM: Kevin C. O'Malley
RE: Roosevelt Street – Marlborough, MA

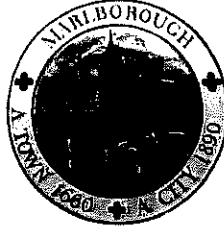
Please accept this letter to inform your committee that I'm the new owner of Lots A and B on Roosevelt Street in Marlborough, MA.

Thank you.

Kevin C. O'Malley

KCO Realty Trust

Rec 3-16-2021



CITY OF MARLBOROUGH
Department of Public Works
Forestry, Parks, & Cemetery Division
135 Neil Street
Marlborough, Massachusetts 01752
(508) 624-6910
Facsimile (508) 624-7699 TDD (508) 460-3610

YEARLY OPERATIONAL PLAN
2021

Prepared and submitted by:

Christopher White,
General Foreman
Forestry, Parks & Cemeteries Division
City of Marlborough
Department of Public Works
135 Neil Street
Marlborough, MA. 01752

January 10, 2021

City of Marlborough
2021 Yearly Operational Plan

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- A- Locus map
- B- Herbicide Fact Sheets Web Site
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- D- U.S.G.S. Quadrangle Map
- E- Floodplain & Wetlands Protection District Map with Sensitive Areas
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- G- Municipal Sign off letters from Chief Elected Official (Mayor), Board of health
- H- Daily Vegetation report

Program Purpose

The purpose of 333 CMR 11.00, Right of Way Management, is to promote the implementation of integrated pest management techniques and to establish standards requirements and procedures necessary to minimize the unreasonable adverse effects on human health and the environment associated with the use of herbicides to maintain streets. These regulations establish procedure, which guarantee ample opportunity for public and municipal agency review and input on the right-of-way maintenance plans.

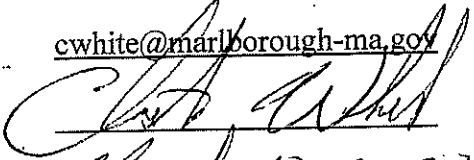
A Yearly Operational Plan or YOP must be submitted to the Department of Agricultural Resources (Department) every year herbicides are intended for use to maintain rights-of-ways (ROW). The YOP provides a detailed program for vegetation management for the year. A five-year Vegetation Management Plan (VMP) has been approved by the Department and is available for review at the Board of Health, Conservation Commission, and office of the chief-elected official of the municipality.

Upon receipt of this YOP, the Department publishes a notice in the Environmental Monitor. The applicant must provide a copy of the proposed YOP and Environmental Monitor notice to the Board of Health, Conservation Commission, and the chief-elected municipal official for the city or town in which the herbicide treatment is proposed. The Department allows a 45-day comment period on the proposed YOP beginning with the publication of the notice in the Environmental Monitor and receipt of the YOP and Environmental Monitor notice by each municipality.

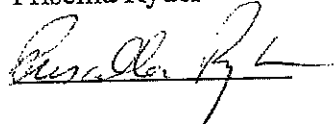
Public notification and herbicide application to the streets is made at least 21 days in advance of the treatment by a separate notice. Notice is made to the Department of Food and Agriculture, the Mayor, City Manager or Chairman of the Board of Selectman, the Board of Health, and the Conservation Commission of the municipality where the streets lie.

Any comments on this YOP should be directed to the contact person listed herein as the person/s supervising the YOP or person/s performing the treatment.

This Yearly Operational Plan, approved by the Department of Agricultural Resources pursuant to the Rights of Way Management Regulations (333 CMR 11.00), has been adopted by the following municipality and agency. As the representative of the municipality and agency, the undersigned hereby acknowledges that the conditions of this Yearly Operational Plan, approved by the Department of Food and Agriculture pursuant to the Right-of-Way Management Regulations (333 CMR 11.00) has been adopted by the City of Marlborough. The undersigned hereby acknowledges that the conditions of this Yearly Operational Plan will be adopted and complied with.

MUNICIPALITY City of Marlborough
NAME Christopher White
AGENCY Marlborough Department of Public Works
ADDRESS 135 Neil Street
 Marlborough, MA. 01752
TELEPHONE (508)-624-6910 ext.33601
Email: cwhite@marlborough-ma.gov
SIGNATURE 
DATE March 10, 2021

Signature of conservation official acknowledging that wetlands in the municipality have been delineated.

CONSERVATION OFFICER Priscilla Ryder
SIGNATURE  Date: 3-10-21

Individual Supervising YOP

Individual supervising implementation and conditions of the YOP

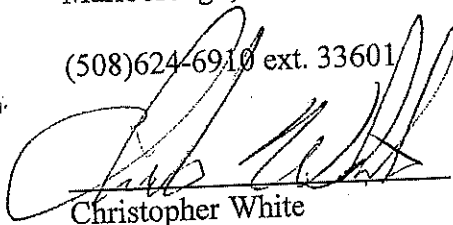
Name and Title: Christopher White
General Foremen Forestry, Parks & Cemeteries
Division
L#31061

Department: Department of Public Works

Address: 135 Neil Street
Marlborough, MA. 01752

Telephone Number: (508)624-6910 ext. 33601

Signature:



Christopher White

Municipal Department Performing Herbicide Treatment

Herbicide treatment will be performed by City of Marlborough Department of Public Works employees. Applicators are certified by the Department of Food and Agriculture in the applicator category. Copies of certifications are on file at the Department of Public Works.

Name and Title: Christopher White,
General Foremen, Forestry, Parks & Cemeteries
Division

Licensed Applicator: TBD

Department: Department of Public Works

Address: 135 Neil Street
Marlborough, MA. 01752

Telephone Number: (508)624-6910 ext.33601

Signature: _____
Christopher White

Herbicides Proposed Including Application Rates, Carriers, Adjuvants

Herbicides that may be used on municipal roadways are limited to the following:
Chemicals For Use Around Sensitive Areas:

<u>Trade Name</u>	<u>EPA reg. No.</u>	<u>Active Ingredients</u>	<u>Guidelines</u>
Roundup Pro	524-475	Glyphosate	See Label
Oust Extra	352-622	Sulfometuron Methyl	See Label
		Metsulfuron Methyl	
Garlon 4	62719-040	Triclopyr 3,5,6 trichloro 2 Pyridinyloxyacetic butoxyethyl ester	See label
Arsenal	241-431	Isopropylamine salt Imazapyr	See Label

Chemicals For Use Outside of Sensitive Area (Generic)

<u>Trade Name</u>	<u>EPA reg. No.</u>	<u>Active Ingredients</u>	<u>Guidelines</u>
Roundup QuikPRO	524-535	Glyphosate/Diquat dibromide	See Label
Roundup PROMax	524-579	Glyphosate	See label
Scythe	62719-529	Pelargonic Acid	See Label

Tank Mixed Adjuvants:

<u>Trade Name</u>	<u>EPA reg. No.</u>	<u>Active Ingredients</u>	<u>Guidelines</u>
Microyl		Paraffin base Petroleum Oil, Sufactant Blend	See Label
LI 700		Methylacetic acid Phosphatidylcholine, alkyl polyoxyethylene ether	See label

The names and active ingredients of the herbicides proposed and the names of any carriers, adjuvant or additives to be used. Herbicide Fact Sheets/Labels for the Herbicides proposed are found in Appendices.

<u>Control Method</u> <u>Application %/ acre</u>	<u>Herbicide(s) Mixture %</u>	<u>Carriers/Adjuvant</u>
Foliar Treatment Per Label	Glyphosate per label Sulfometuron Methyl Metsulfuron Methyl 2.33/3oz-Acre Diquat dibromide Pelargonic Acid Triclopyr Imazapyr	Listed above

Herbicide Application Techniques and Alternative Control Procedures

The herbicide(s) will be applied in accordance with the instructions in the attached manufacturer's information. Alternative control procedures, applicable at the designated "No Spray Zones" will consist of hand cutting, mowing, or selective trimming (mechanical). Other alternative controls will include routine street sweeping along with crack and road repairs.

Foliar Treatment

Foliar treatments involve the selective application of an herbicide diluted in water, to the foliage. Several types of equipment for foliar treatments may be used. These could include: backpack sprayers, hand-held pump sprayers or a motorized truck-mounted sprayer. Foliar treatments with backpack and hand-held pump sprayers are used on low-density target vegetation. The herbicide solution will be diluted to the lowest possible percent that will provide effective control of target species. Motorized application equipment may be used for foliar treatment on areas where the vegetation density is high and the use of a backpack spray may not be as effective. In both cases, the herbicide solution is applied to lightly wet the target plant/ target area. These techniques have few limitations with the exception being reduced effectiveness on tall, high-density target vegetation and will not be used on vegetation over 12 feet in height.

Cut Stump Surface Treatment

Cut stump treatments consist of mechanical cutting of target species using chain saws followed by herbicide treatment applied with a squirt bottle, a hand pump sprayer, or painted on the freshly cut surface of the stump. The cutting procedure is identical to that outlined in the Hand Cutting section of this VMP. Cut stump application can be effective during the dormant period, however may not be effective during times of sap flow (i.e., maples and birches during the months of February through early April), as flowing sap will limit the herbicide from being absorbed into the stump down to the roots. Certain

types of herbicide formulations are limited to freshly cut stumps to be effective. Cut stump treatments will generally be performed to trees greater than 12' tall and re-sprout. All equipment used for vegetation management programs must be maintained in good working condition and should be of adequate design and ability to produce the professional quality of work that the City requires. Because the City recognizes the vast variety and performance of herbicide application equipment, dictating how that equipment should be calibrated to deliver precise amounts of herbicide to effectively control a host of vegetation conditions is difficult. Therefore, the City insists that the applicator provide the most appropriate application equipment, calibrated to effectively and legally control target vegetation.

Both the applicator and/or the City are responsible to ensure that vegetation management activities are conducted in a professional, safe, efficient manner, with special attention directed towards minimal environmental impact. The applicator is qualified, licensed and certified to apply herbicides. "Qualified" means those personnel who have been trained to recognize and identify target and non-target vegetation and are knowledgeable in the safe and proper use of both mechanical and chemical vegetation management techniques. All personnel applying herbicides in Massachusetts must be licensed in the Commonwealth and must work under the on-site supervision of a certified applicator. All contract personnel will also follow all Label instructions regarding Personal Protective Equipment (PPE).

The City will rely on the applicator listed in the YOP for vegetation management applications and requires that applicators comply with all applicable federal and state laws and regulations. These include, but are not limited to, applicable OSHA, FIFRA and DOT regulations, 333 CMR 1-15.00, Rights-of-Way Management, Chapter 132B, Chapter 85 of the Acts of 2000 and 321 CMR 10.00 as managed by NHESP. Herbicides will only be applied in a safe and judicious manner, in compliance with all-applicable State and Federal pesticide regulations.

Applicators will at all-time exercise good judgment and common-sense during herbicide treatment activities, and will immediately cease operations if adverse conditions or other circumstances warrant.

Herbicides will NOT be applied during the following adverse weather conditions:

- A. During high wind velocity, per 333 CMR 11.03
- B. Foliar applications during periods of dense fog, or moderate to heavy rainfall
- C. Foliar applications of volatile herbicides during periods of high temperatures (90 plus degrees Fahrenheit) and low humidity
- D. Cut Stump applications when deep snow (i.e. 6" plus or ice frozen on stem or stump) prevents adequate coverage of target plants to facilitate acceptable control

The applicator or a representative of the City must complete daily vegetation management reports that include:

- A. Date, name and address of vegetation management applicator(s)
- B. Identification of site or work area
- C. List of crew members

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- D. Type of equipment and hours used, both mechanical and chemical
- E. Method of application and description of target vegetation
- F. Amount, concentration, product name of herbicide(s), adjuvants, and dilutants (EPA registration numbers must be on file)
- G. Weather conditions
- H. Notation of any unusual conditions or incidents, including public inquiries
- I. Recording and/or verification of sensitive areas on ROW maps

A Daily Vegetation Management Form is included in Appendices

Target Vegetation

The target vegetation for this YOP will include hazard, detrimental, and nuisance vegetation.

Vegetation management crews will exercise care to ensure that low-growing desirable vegetation and other non-target organisms are not unreasonably affected by the application of herbicides.

Hazard Vegetation

Hazard vegetation poses a risk to public safety and represents vegetation that impedes movement along public ways. Hazard vegetation may obscure sightlines, obscure signs, obscure vehicular movement, create windfall hazards, block storm drains and cause winter shading (causing ice/reduced melting). Hazard vegetation may include but is not limited to trees, tree limbs and shrubs.

Detrimental Vegetation

Detrimental vegetation includes grasses and woody plants that are destructive or compromise the function of infrastructure by growing in cracks along the roadway, pavement/bridge joints, medians/traffic islands, and drainage structures/drainage ways.

Nuisance Vegetation

This category includes vegetation that could cause problems to the general public, employees or contractors and generally include poisonous and noxious plant species. Nuisance vegetation poses a risk to safety and health often due to dermal contact with plants that are poisonous, heavily-thorned or densely colonized. Target vegetation in this category is primarily Poison Ivy and other nuisance vegetation within 10 feet of the edge of pavement.

Description of Methods Used to Flag or Otherwise Designate Sensitive Areas

Sensitive areas as defined by 333 CMR 11.04 are “any areas within Rights-of-Way, including No-Spray and Limited Spray Areas, in which public health, environmental or agricultural concerns warrant special protection to further minimize risks of unreasonable adverse effects.”

The attached map identifies ‘Sensitive Areas Not Readily Identifiable in the Field. With this map and the assistance of the Conservation Commission Agent, sensitive areas will be identified and marked along the ROW prior to any herbicide application. Field Methods will include flagging and/or roadway marking (via paint) of start and stop areas.

“No Spray Zones” have been marked by personnel under the director of the Conservation Officer.

Personnel have been given lists of sensitive areas to be kept in vehicles used in the vegetation control operation

The lists also have the closest permanent marker used to define the boundary limits of sensitive areas (i.e. Telephone pole #'s, building numbers, or road location with distance from culverts or bordering wetland vegetation).

Appendix F provides a narrative of the boundaries to the sensitive “no spray zones” that have been marked on the Flood plains and Wetlands Protection District Map.

Sensitive Area Restrictions (333 CMR 11.04)

Sensitive Area	No Spray Zone	Limited Use Zone	Where Identified
Wetlands and Water Over Wetlands	Within 10 feet	10 – 100 feet; 12 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	YOP Maps and identify on site
Certified Vernal Pool	Within 10 feet	10 feet to the outer boundary of any Certified Vernal Pool Habitat; 12 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	YOP Maps and identify on site
Public Ground Water Supply	Within 400 feet (Zone I)	Zone II or IWPA (Primary Recharge Area); 24 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	YOP Maps
Public Surface Water Supply	Within 100 feet of any Class A public surface water source	100 feet to the outer boundary of the Zone A; 24 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	YOP Maps
	Within 10 feet of any tributary or associated surface water body located outside of the Zone A	10 feet to the outer boundary of the Zone A; 24 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	
	Within 100 feet of any tributary or associated surface water body located within the Zone A of a Class A public surface water source		

Sensitive Area	No Spray Zone	Limited Use Zone	Where Identified
	Within a lateral distance of 100 feet for 400 feet upstream of any Class B Drinking Water Intake	Within a lateral distance of between 100 - 200 feet for 400 feet upstream of intake; 24 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	
Private Water Supply	Within 50 feet	50 – 100 feet; 24 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	In YOP well list and identify on site
Surface Waters	Within 10 feet from mean annual high-water line	10 feet from the mean annual high-water line and the outer boundary of the Riverfront Area; 12 months must elapse between applications; Selective low pressure, using foliar techniques or basal or cut-stump applications	YOP Maps and identify on site
Agricultural and Inhabited Areas	N/A	0 – 100 feet 12 months must elapse between application; Selective low pressure, using foliar techniques or basal or cut-stump applications.	Identify on site
State-listed Species Habitat	No application within habitat area except in accordance with a Yearly Operational Plan approved in writing by the Division of Fisheries and Wildlife		YOP Maps

Procedures and Locations for Handling, Mixing and Loading of Herbicide Concentrates

The herbicide will be mixed in the controlled environment at the Marlborough Public Works Garage located at 135 Neil Street in Marlborough. Although it is expected that all the mixed herbicide will be used, any remaining will be stored at the Marlborough Public Works Garage in accordance with manufacturer's instructions. The absorbent product "Speedi-Dri" will be available for use at the locations of application. If there is a leak in the hose, the pump will be immediately shut off. Equipment used will be washed at the Marlborough Public Works Garage. Herbicides will be handled and applied only in accordance with the label instructions. Applicators will strictly adhere to all mandated safety precautions directed towards the public, the applicator and the environment.

Remedial Plan to Address Spills and Related Accidents

All mixing and loading of herbicides will be conducted at the Marlborough Public Works Garage where the herbicides are stored. Only the amount of herbicide necessary to carry out the vegetation control, based on monitoring results, will be mixed to ensure that there will be no waste and minimize potential problems. The vehicles carrying out the spray operations will be equipped with a bag of absorbent, activated charcoal, leak-proof containers, a broom and a shovel in case of minor spills. A clipboard log of the herbicides on the vehicle will be kept on the vehicle. Herbicide labels and fact sheets will be carried on-site by the applicator.

As soon as any spill is observed, immediate action will be taken to contain the spill and protect the spill area. The cause of the spill must be identified and secured. Spill containment will be accomplished by covering the spill with absorptive clay or other absorptive material or, for large spills, building clay or soil dikes to impede spill progress. Until completely remediated, the spill area will be protected by the placement of barriers and by the delineation of the spill area by crew members. If a fire is involved, care will be taken to avoid breathing fumes from any burning chemicals.

Minor spills will be remedied by soaking up the spill with adsorption clay or other adsorptive material and placing it in leak proof containers, removed from the site and disposed of properly. Dry herbicides, such as granular, will be swept up or shoveled up directly in leak proof containers for proper disposal. All contaminated soil will be placed in leak proof containers, removed from the site and disposed of properly. Activated charcoal will be incorporated into the soil at the spill location per label instructions. Any minor spill will be reported to the Department of Agricultural Resources.

Major spills will be handled in a similar manner as minor spills, except in cases where the spill cannot be contained and/or removed by the crew. In this case the MassDEP Incident Response Unit and the Department of Agricultural resources must be contacted. Emergency first responders (including but not limited to fire and police) will be immediately notified of a major spill and/or any size incident deemed a possible risk to public health, safety and the environment.

MassDEP will be contacted when there is a spill of a regulated quantity, regardless of major or minor spill status and in accordance with 310 CMR 40.0000 Massachusetts Contingency Plan.

Emergency Contacts

In the event of a spill, information on safety precautions and clean up procedures may be gathered from the following sources:

Herbicide label

Herbicide MSDS sheet

Herbicide Manufacturer

DOW (800) 992-5994

Dupont (800) 441-3637

Monsanto (314) 697-4000

NuFarm (877) 325-1840

Massachusetts Department of Agricultural Resource (617)626-1781

Massachusetts Department of Environmental Protection

Emergency Response (888) 304-1133

Department of Public Health

Environmental Toxicology Program (617) 624-5757

Massachusetts Poison Control Center

24-Hour Hotline (800) 222-1222

Chemtrec

(800)424-9300

EPA Pesticide Hotline

(800)858-7378

Massachusetts Poison Control Center

(800)682-9211

City of Marlborough Public Works

(508)624-6910

Marlborough Fire Department

(508)481-2323 or 911

Marlborough Police Department

(508)485-1212 or 911

National Pesticide Information Center

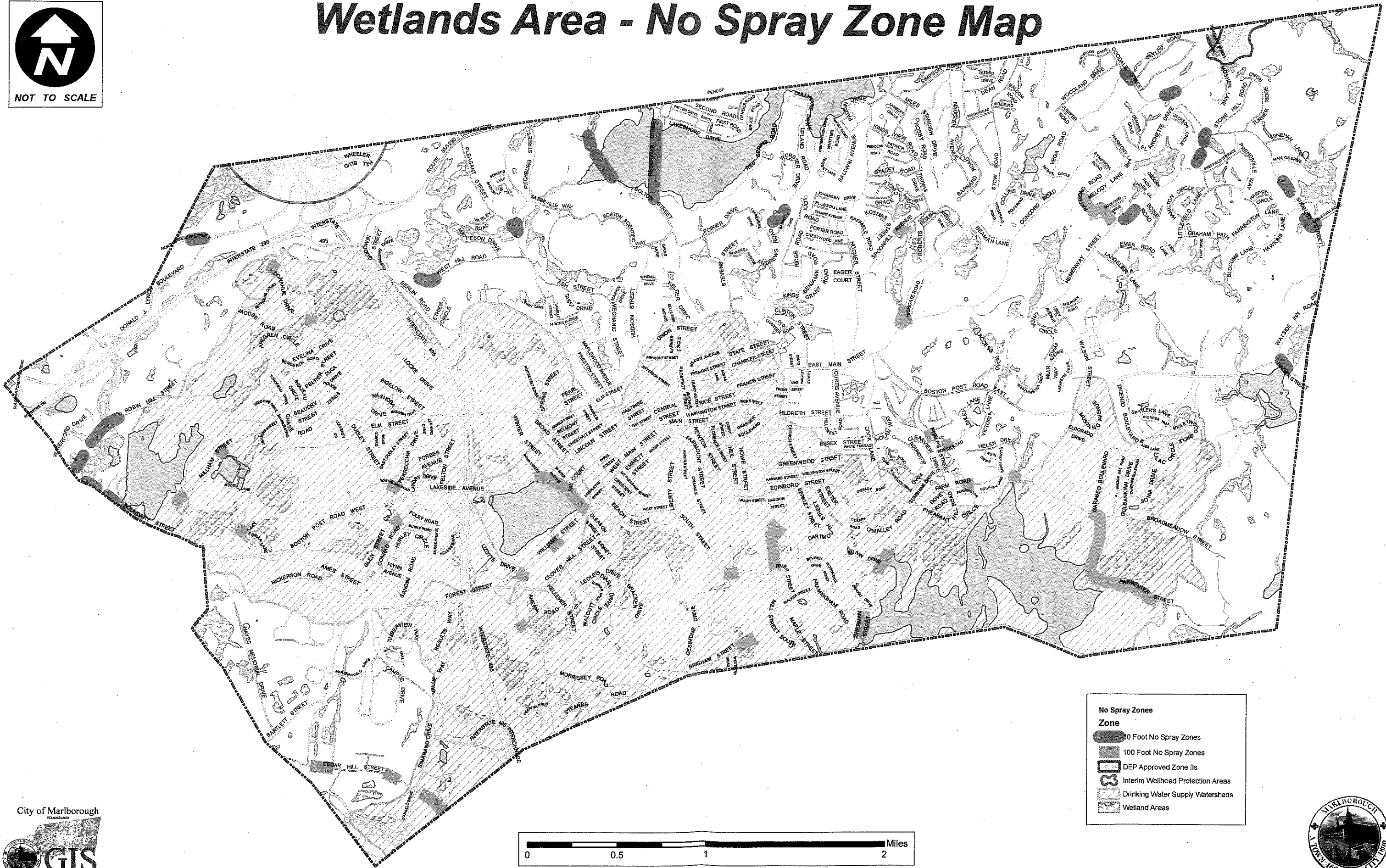
(800)-858-7378

National Animal Poison Control Center

(888)-426-4435







APPENDICES

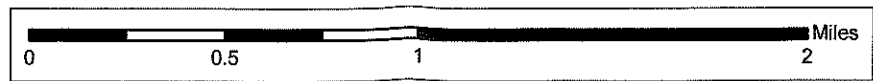
Wetlands Area - No Spray Zone Map



No Spray Zones

Zone

-  0 Foot No Spray Zones
-  100 Foot No Spray Zones
-  DEP Approved Zone IIs
-  Interim Wellhead Protection Areas
-  Drinking Water Supply Watersheds
-  Wetland Areas



File Message Help Tell me what you want to do

Ignore Delete Archive Reply Reply All Forward More Meeting Move OneNote Actions Mark Unread Categorize Follow Up Translate Find Related Select Read Aloud Zoom

Delete Respond Move Tags Editing Speech Zoom

Eversource Turtle Survey Sudbury to Hudson Project

 John Vieira <toolgarden@outlook.com>
 To Priscilla Ryder
 Cc VieiraJr, John

Reply Reply All Forward

Mon 3/15/2021 10:30 AM

You replied to this message on 3/15/2021 4:39 PM.

Hi Priscilla

Hope all is well and that you've been safe! Last year was a tough one.

We completed our report for last year's turtle survey effort in the Memorial Forest and submitted it to Natural Heritage. We had a meeting with Natural Heritage last week to discuss our findings. Based on the status of Eversource's Project, Natural Heritage asked us to continue with survey efforts in 2021. Based on that, I'm again requesting permission to access the City of Marlborough's lands in the Memorial Forest to continue with the study. I will also be contacting other land owners in the area requesting permission to access their land. As with past years, I will give prior notification when we plan to visit the site via email.

Because of our agreement with Natural Heritage, I can't give you our recent report to you directly. If you would like to receive a copy, please contact Lauren Glorioso at Natural Heritage directly. Her contact info is below.

lauren.glorioso@state.ma.us
 508-389-6361

If you have any questions you can send me an email or call me directly at 508-602-0069.

We very much appreciate your past assistance allowing us to continue with this study!

Thank you!!
John Vieira