

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: Conservation Commission
Date: July 21, 2022
Time: 7:00 PM
Location: 140 Main St. – Marlborough City Hall – 3rd Floor (Memorial Hall)

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH

2022 JUL 15 PM 3:18

ALL MEETINGS ARE IN PERSON AT CITY HALL

Mask Advisory-Marlborough Board of Health advises all community members to wear a face-covering when indoors in crowded areas and/or if you are at high risk of severe COVID-19 disease

Public hearings:

Approval of minutes: The minutes of July 7, 2022.

- 7:00 Request for Determination of Applicability**
377 Simarano Dr. - IPG Photonics Corp.
Proposes to do drainage improvements at the west entrance courtyard next to wetlands.
- 7:10 Request for Determination of Applicability**
31 Red Spring Rd. – Arthur Vigeant
Proposes to remove trees near wetlands.
- 7:15 Notice of Intent (continued from July 7th) (review draft conditions)**
309 Stevens St. - Marcel Maillet
Proposes to construct a single-family house next to wetlands.
- 7:25 Notice of Intent 212-1251 (Continued from June 16, 2022) (review draft conditions)**
Ken's Foods – I D'Angelo Dr.
Proposes to construct two additions and expand 3 parking areas near wetlands.

Violation updates:

- 541 Pleasant St. – Review proposed mitigation

Discussion/Correspondence:

- Beaver Solutions Estimate – Cider Knoll Dam 2
- SVT Newly protected parcel in Marlborough – Wayside Inn Rd.
- Mosquito Control Project – 364 South St. – review and comment

Next Conservation Commission meetings: (August 4, 2022-no meeting) August 18, 2022 and Sept. 1, 2022

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.



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.



- Applicant:

IPG Photonics Corporation	rsenecal@ipgphotonics.com	
Name	E-Mail Address	
50 Old Webster RD		
Mailing Address		
Oxford	MA	01540
City/Town	State	Zip Code
774-200-8484		
Phone Number	Fax Number (if applicable)	
- Representative (if any):

Bruce Saluk & Associates, Inc		
Firm		
Bruce Saluk PE;PLS.	Bruce@Salukassoc.com	
Contact Name	E-Mail Address	
576 Boston Post Rd East		
Mailing Address		
Marlborough	MA	01752
City/Town	State	Zip Code
508-485-1662		
Phone Number	Fax Number (if applicable)	

B. Determinations

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



WPA Form 1 - Request for Determination of Applicability
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):

377 Simarano Drive	Marlborough
Street Address	City/Town
116/10	1
Assessors Map/Plat Number	Parcel/Lot Number

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

Proposed work consists of drainage improvements at the west entrance court yard at 377 Simarano Drive(See Locus on Sheet C1).

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

Title	Date
C1-Drainage Improvements	4/16/22(Rev 5/6/22)
Title	Date
C2-Details	4/16/22(Rev 5/6/22)
Title	Date

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

This work is needed to remedy significant frost heaving conditions that were witnessed in this area during the winter. Heaving of the sidewalk adjacent to the building was causing rain water to flow back into the building. All main sidewalk became non ADA compliant for cross slope. The patio surface became undulated during the winter,

The Proposed solution is the Remove the unsuitable subbase and replace it with 20" depth of MassDOT crushed stone for all the sidewalks and the patio. The sidewalks not adjacent to the entrance will set lower by 6" to assure no flow to the building will occur. An 8 x 6' Vestibule will be added at the entrance to keep the building dry.



WPA Form 1- Request for Determination of Applicability

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

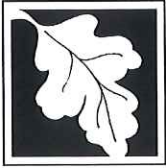
C. Project Description (cont.)

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:

IPG PHOTONICS CORPORATION
Name
50 Old Webster RD
Mailing Address
Oxford
City/Town
MA
State
01540
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.

Bruce Saluk
Signature of Applicant
5/24/22
Date

Rick Sencal, AIA
Signature of Representative (if any)
June 1, 2022
Date

DRAINAGE OUTLINE NOTES:

1. The layout and connection of the storm drain system and associated work shall conform to the applicable City Construction Standards and the Mass. Div. Standard Specifications for Highways and Bridges, 1988 as amended.

2a. Storm Drain Manholes shall be reinforced precast concrete manholes conforming to ASTM Specification Section C78, Grade 4000, and shall be reinforced with steel reinforcement bars in accordance with ACI 318-05.

2b. Storm Drain Manholes shall be reinforced precast concrete manholes conforming to ASTM Specification Section C78, Grade 4000, and shall be reinforced with steel reinforcement bars in accordance with ACI 318-05.

3. Provide pipe joint a maximum of 3" from manhole walls.

4. Reinforcing for all concrete shall conform to ASTM Specification Section A 185 and shall include reinforcing in all spiral of near sections. Reinforcing shall be placed in accordance with ACI 318-05.

5. In the event that rock is encountered, the contractor shall excavate to a minimum of 12" below the rock and the rock.

6. Suitable bedding material shall be select excavated material from which riven material, lumps, peat, rocks, vegetation, trash, rocks, and stones larger than 6-inches have been removed.

7a. Compaction of bedding material between sections of pipe shall be done in 12" layers, or less, as required to prevent trench settlement. The contractor shall be responsible for excessive trench settlement following final paving.

8a. Utilities shown on this plan are shown from available municipal and utility Co. records. Information and are shown as approximate only. There may be existing lines which are not shown. The contractor shall be responsible for contacting the proper utility companies & dig-safe prior to beginning any construction on the site. The contractor shall be responsible for the location of any utility lines.

10b. The elevation datum is MVD 88.

11a. Prior to construction, the contractor shall submit shop drawings for the proposed storm drain system and associated work to the City Engineer for review and approval. Refer to the Standard and Specifications for Highways and Bridges, 2022 as amended.

13a. Prior to start of construction, the contractor shall confirm adequate pipe separation exists at the proposed drain crossing. Determine the elevation of the proposed drain vs. the existing storm drain. Report in writing to the City Engineer.

13b. Refer to hole drilling at the existing DMH shown for the proposed 8" drain, the contractor shall determine the elevation of the existing 8" water main at the pipe crossing, notify the engineer if any pipe adjustments are required.

14a. Cap the existing 12" diameter roof drain clean out below the sidewalk. The contractor shall provide a clean out flush with sidewalk compliant with ADA requirements. Clean out body and cover shall be made of galvanized steel. The contractor shall provide a "lock" stop about 6" from the clean out with pressure tight seal.

15a. Provide 24" x 60" ADA detectable warning panel at center of entrance shown. Panels shall comply with MassDOT and ABB specifications.

EROSION CONTROL NOTES:

1.) Prior to commencing work, the contractor shall familiarize himself with site soil types, and provide the appropriate erosion control plan to the contractor. The contractor shall be responsible for providing the contractor with the appropriate measures that include siltation fence, siltation ditches, wellies, sedimentation traps, etc. as necessary to contain soil and excess runoff on the site.

2.) Install siltation fencing and/or siltation wellies prior to commencing work on the work area to stabilize. Throughout the course of construction until the work area is stabilized.

3.) Siltation fence shall be located where shown. Acceptable products for siltation fence is Marfil, Inc., Charlotte, NC, Model 100K, or equal.

4.) Silt socks are required at all existing & proposed CE's that resolve flow from the construction zone.

5.) Approval from the Marlborough Conservation Commission is required for work within the 100 FT wetland buffer.

LIGHTING NOTES:

1.) REMOVE & REPLACE EXISTING BOLLARDS WITH BOLLARDS BY LUMINA LIGHTING MODEL KB28 LED 16C 40K 5W PE H35 0800.

2.) LUMINAIRIES & HARDWARE SHALL COMPLY WITH THE MANUFACTURER'S SPECIFICATIONS.

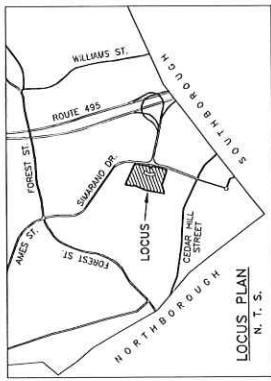
3. ALL MATERIALS SHALL ELECTRICAL CODE IN THE EVENT OF CONFLICT WITH ANY OTHER CODE OR ORDINANCE, THE MORE STRINGENT STANDARD SHALL APPLY.

4. ALL UNDERGROUND WIRES SHALL TO BE IN PVC SCH 80 CONDUIT.

PLANTING NOTES:

1.) ALL DISTURBED AREAS NOT DESIGNATED FOR SHRUB PLANTINGS SHALL BE PLANTED WITH LOAM & SEED. PROVIDE 4" LOAM AND SEED MIX COMPLYING WITH TOLERANCE FOR PURITY AND GERMINATION ESTABLISHED BY OFFICIAL SEED ANALYSIS OF NORTH AMERICA.

2.) RETAIN EXISTING SHRUBS AND PROVIDE BARK MULCH IN THE PLANTED AREAS.

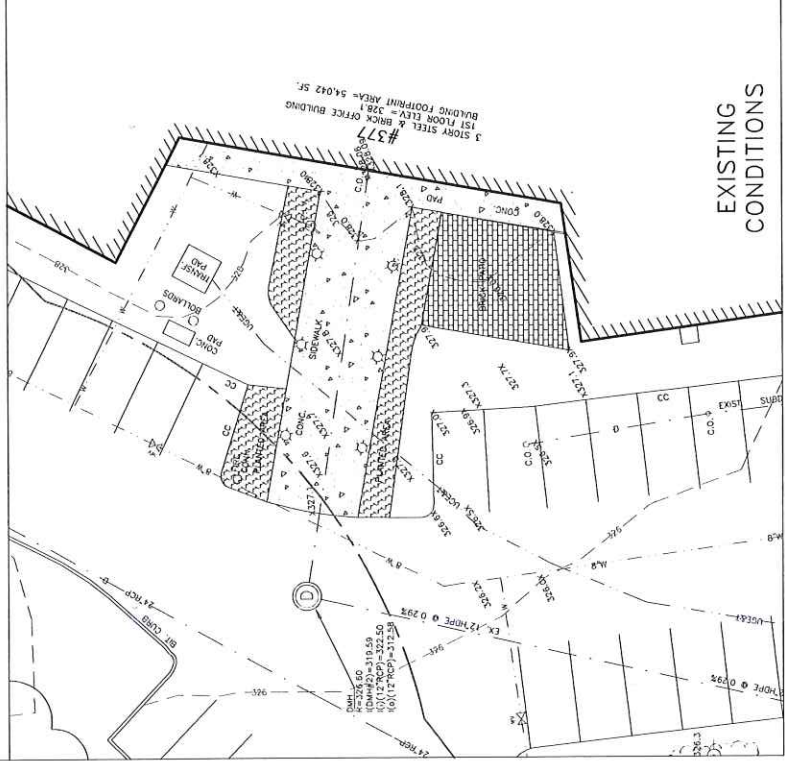
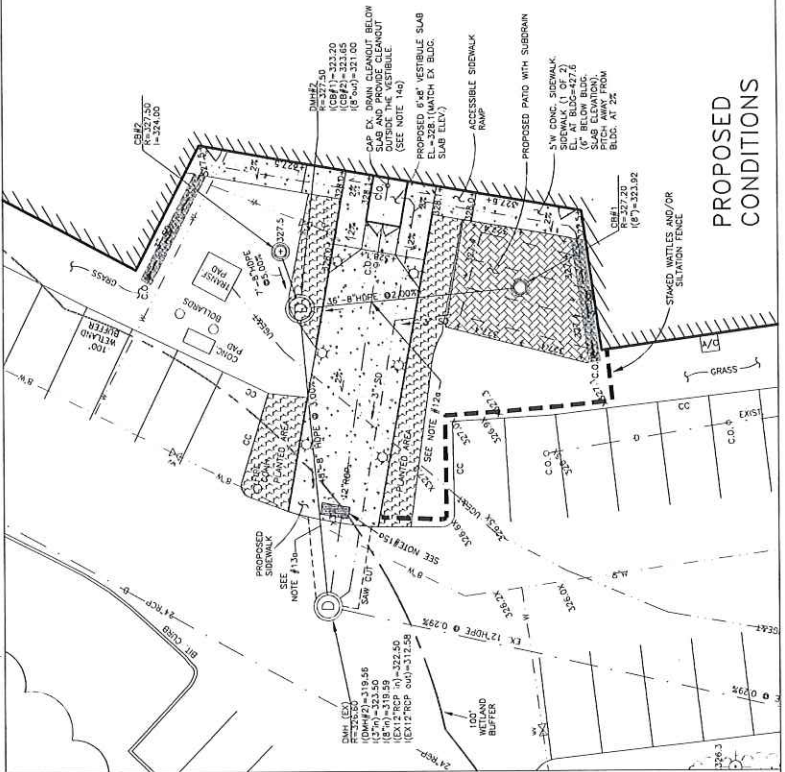
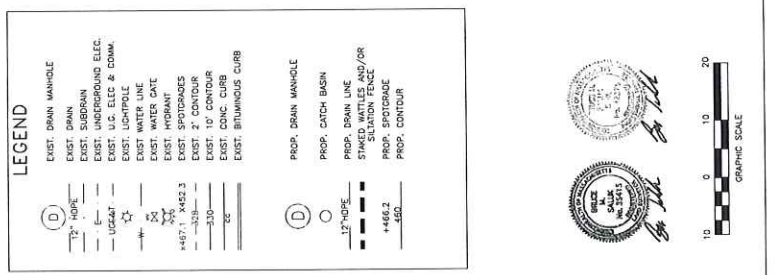


PREPARED BY:
BRUCE SALUK & ASSOC., INC.
CIVIL ENGINEERING & LAND SURVEYING
525 WASHINGTON ST
MARLBOROUGH, MA 01524
TEL: 508-485-1652
FAX: 508-481-9528

DRAINAGE IMPROVEMENTS
377 SIMARANO DRIVE
MARLBOROUGH, MA

DATE: APRIL 16, 2022
PREPARED FOR:
99 PHOENIX CORPORATION
50 OLD WEBSTER ROAD
OXFORD, MA 01540

C1
SCALE: 1" = 20'
GRAPHIC SCALE



NO.	DATE	REVISION
1	02/21	ISSUED FOR PERMITTING
2		
3		
4		
5		
6		
7		
8		
9		
10		

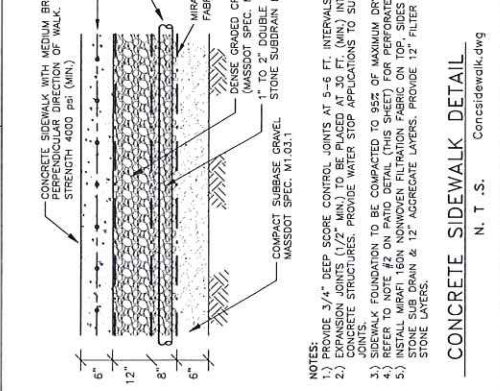
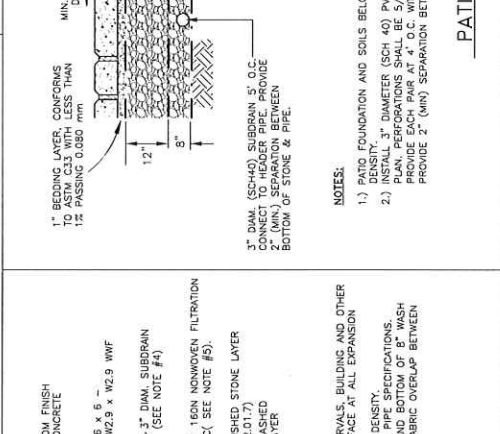
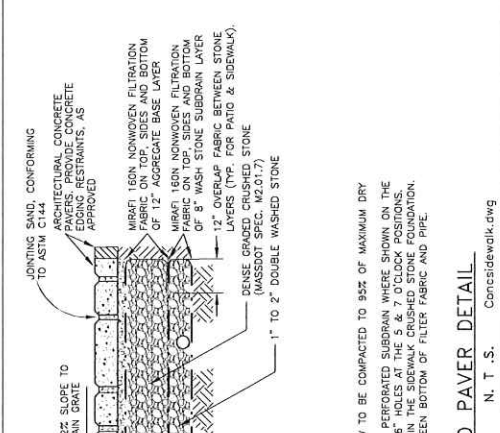
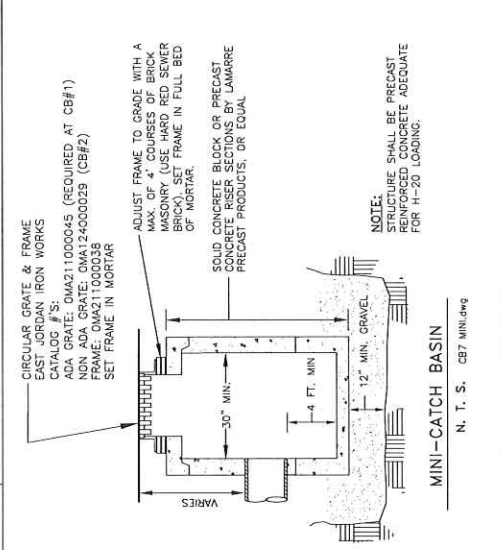
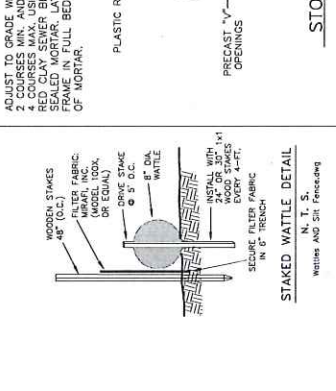
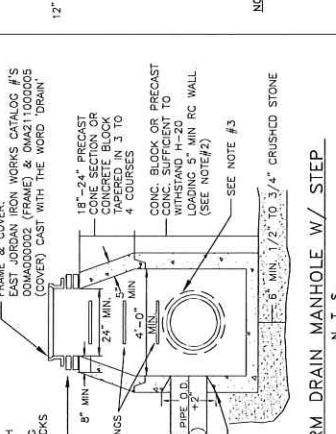
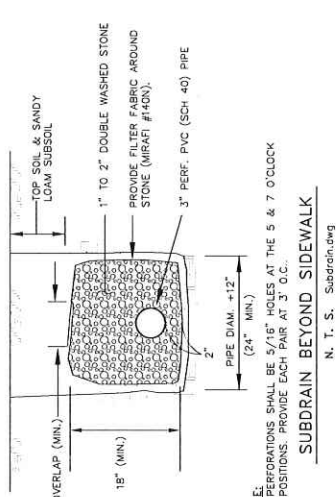
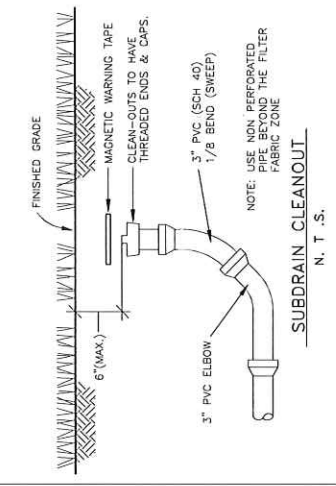
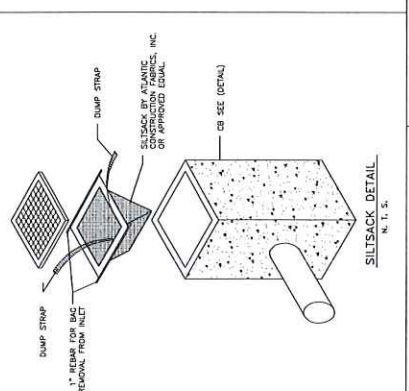
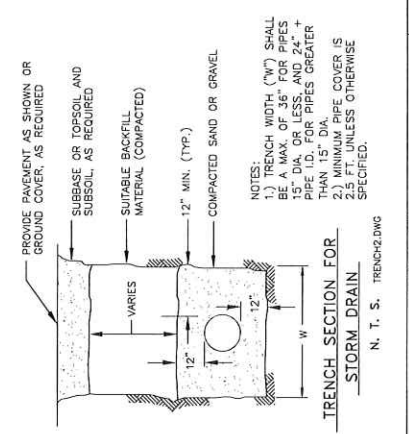
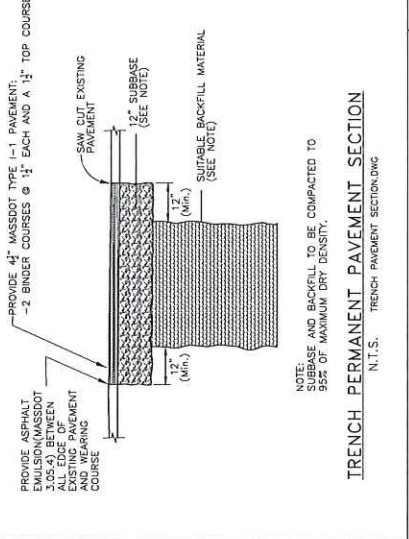
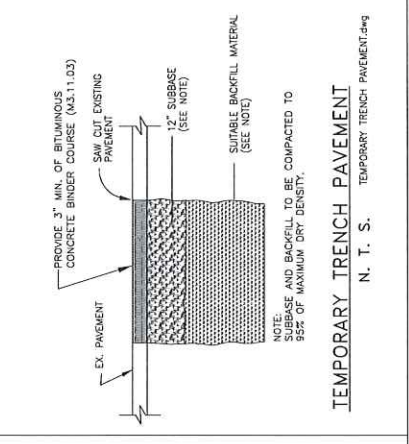
PREPARED BY:
 BRUCE SALUK & ASSOC., INC.
 515 BOSTON ROAD
 MARLBOROUGH, MA 01752
 TEL: 508-485-1852
 FAX: 508-481-9529

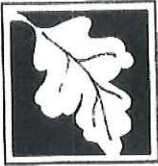
DETAILS
 377 SIMARANO DRIVE
 MARLBOROUGH, MA



PREPARED FOR:
 US DB WEBSTER ROAD
 50 OLD WEBSTER ROAD
 OXFORD, MA 01540
 DATE: APRIL 16, 2022

C2
 STRUCTURAL
 SPECIFICATIONS





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

City/Town _____

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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:

Name Arthur Vigeant E-Mail Address _____
 Mailing Address 650 Pleasant St
Marlborough MA 01754
 City/Town State Zip Code
 Phone Number 508-460-3770 Fax Number (if applicable) _____

2. Representative (if any):

Firm _____ E-Mail Address _____
 Contact Name _____
 Mailing Address _____
 City/Town State Zip Code
 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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C. Project Description

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

31 Red Spring Rd

Street Address

Marlborough

City/Town

30

Assessors Map/Plat Number

10

Parcel/Lot Number

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

Older Cottage next to Fort Meadow Reservoir

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

City of Marlborough GIS map - 31 Red Spring Road

Title

July 13, 2022

Date

Clear trees and remove stumps in highlighted area.

Title

Date

Title

Date

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

Remove trees in an area $110' \times 110' = 12,100 \text{ sq. ft.}$
and grind stumps. This is in anticipation
of renovating or replacing existing
run down dwelling on site.

This request is for tree removal and
stump grinding only.



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).

N/A

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.

N/A

- 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.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

City/Town _____

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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:

Name Steve Vigeant 508-320-4937
Mailing Address 51 Red Spring Rd.
Marlborough MA
City/Town MA 01752
State MA Zip Code 01752

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.

Signature of Applicant [Signature] Date 7/13/22

Signature of Representative (if any) _____ Date _____



31 Red Spring Rd. Clear trees and remove stumps in highlighted area

Marlborough, MA

1 inch = 69 Feet

CAI Technologies
Precision Mapping. Geospatial Solutions.

July 13, 2022

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

21. Prior to the beginning of work, the applicant shall:
 - a. Obtain approval of the City of Engineer for the design of all drainage structures and facilities.
 - b. Properly install all siltation controls according to the plans approved by the Conservation Commission.
 - c. Provide the Conservation Officer with the name and telephone number in writing, of the person who will be immediately responsible for supervision of all work on the project site and compliance with this Order of Conditions. The Conservation Officer shall be notified in the event that the site supervisor or contractor is changed.
 - d. Clearly mark the limits of work in the field and instruct all workers not to work beyond the limits.
 - e. Notify Conservation Officer of the date upon which work will commence.
 - f. Hold a meeting on the project site with the Conservation Officer, the project site supervisor identified in Condition No. 18-C above, and other relevant parties identified by the applicant or the Conservation Commission to review the project and this Order of Conditions. Siltation controls shall be inspected at this time.
 - g. Failure to comply with Condition Nos. 21A-F, as well as Nos. 8 & 9, shall constitute sufficient grounds for the Conservation Commission to order all work to cease until compliance is achieved.
22. The Conservation Officer shall serve as the Commission's agent in all matters pertaining to the interpretation and enforcement of this Order of Conditions. Accepted engineering and construction standards shall be followed in the conduct of all work.
23. Issuance of this Order of Conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.
24. All work shall conform to the Notice of Intent, all plans, and all other documents, records, correspondence, and representations of the applicant as presented to and approved by Conservation Commission.
25. The applicant shall notify the Commission before performing the modified work. If the Commission deems the modification significant, the applicant shall submit an amended Notice of Intent with any necessary documentation and obtain an amended Order of Conditions. The Commission shall reopen the public hearing in accordance with the

provisions of 310 CMR 10.05 (5). The Commission may impose additional or modified conditions to protect the interests of the Wetlands Protection Act.

26. No excavated material shall be disposed of in violation of any local, state, or federal laws. All stumps must be removed from the site; no burying of stumps on site is permitted.
27. Prior to the issuance of a Certificate of Compliance, the applicant shall submit to the Conservation Commission for review and approval an as-built plan and a letter of compliance stamped by a registered professional engineer. Said plan and letter shall show that all conditions of this Order have been complied with in a satisfactory manner.
28. The Conservation Commission shall be notified in writing at the time of any transfer in the title to the property or any change in contractor/developers prior to issuance of the Certificate of Compliance. The name, address, and telephone number of the new owner shall be included in the notification as well as certification that the new owner has been provided with a copy of this Order of Conditions.
29. Prior to the issuance of a Certificate of Compliance the site shall be stabilized with vegetation or other measures approved by the Conservation Commission.
30. Prior to the issuance of a Certificate of Compliance and after the site has been stabilized, all erosion controls shall be removed from the site. The straw in the straw wattles may be dispersed on site.

Site-specific conditions:

31. Prior to commencement of any work on the site, the wetland flags shall be reestablished in the field, so they are visible. These shall be checked during the preconstruction meeting noted above. Also, at the preconstruction **meeting the trees along the edge of the 30' buffer zone will be evaluated to determine if any of the trees on the edge should stay, especially in the back yard area. Where large specimen trees exist, these shall be saved, and erosion controls placed accordingly.**
32. Prior to the commencement of any work on the site a silt fence and straw wattle erosion control barrier shall be placed on the site according to the approved plan. This barrier shall mark the limit of work, no work or clearing shall occur beyond this point.
33. Erosion control barriers shall consist of straw wattles backed by filter fabric fencing. During construction the driveway shall be stabilized with crushed stone to control tracking of dirt onto the roadway. This shall be maintained until the driveway has been stabilized.

34. **Given the highwater table it is anticipated that dewatering will be necessary. The discharge shall be directed to a sediment trap as detailed on the plan. All efforts must be taken to prevent the discharge of sediment to wetland resource areas.**
35. **Prior to the installation of the infiltration system in the front and the drainage trench system in the back, the Conservation Officer shall inspect the hole and trench once it is excavated and before piping is installed, to ensure it is not on ledge or clay or in the water table and will function as designed.**
36. During the retaining wall construction site contractor and project engineer shall confirm that the filter fabric is installed on the uphill side to prevent fines from weeping through the wall.

Prior to Issuance of Certificate of Compliance

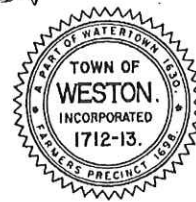
37. Prior to the issuance of a Certificate of Compliance, all disturbed areas shall be stabilized with vegetation or other measures approved by the Conservation Commission.
38. Prior to the issuance of a Certificate of Compliance permanent boundary markers shall be installed to mark the 30-foot no disturbance buffer zone. The permanent markers shall be some type of permanent markers in the ground approved by the Conservation Officer. These shall be shown on the as-built plan and clearly marked on the plan with a note indicating no work shall be performed beyond this point without permission from the Conservation Commission. A copy of the as-built plan showing this 30-foot buffer zone marking locations shall be provided with the written request for a Certificate of Compliance. It shall be attached to and made part of the Certificate of Compliance and shall be recorded. These permanent markers shall provide a guideline to future homeowners as to the limit of work.
39. **Prior to the issuance of a Certificate of Compliance, the following statement shall be incorporated into the deed to this property indicating that:**
 - a. "Any activity located within 100 feet of wetlands that may dredge, fill, remove, or alter the area including removal of vegetation, additions to buildings, decks, etc. is subject to the Massachusetts Wetlands Protection Act. No work of any type is to occur within 100 feet of the wetland boundary without prior permission from the Conservation Commission."
 - b. **"The infiltration basin at the front of the house has been constructed to deal with roof runoff from the. Maintenance of this basin shall follow the maintenance plan attached to the certificate of compliance.**
 - c. "Upon the sale of the property to subsequent owners, the new owner shall provide a letter to the Conservation Commission acknowledging that he/she understands the wetland restrictions bound to this property"

- d. A copy of this deed language shall be submitted to the Conservation Commission for review and approval prior to the issuance of a Certificate of Compliance. A copy of the deed with the above language quoted within, shall accompany the written request for a Certificate of Compliance.
40. Prior to the issuance of a Certificate of Compliance and upon the sale of the property to subsequent owners, the new owner shall provide a letter to the Conservation Commission acknowledging that he/she understands the wetland restrictions bound to this property. A copy of this letter shall accompany the written request for a Certificate of Compliance. This shall be an ongoing condition and shall be recorded in the deed and on subsequent deeds.

ANYTHING ELSE???

END CONDITIONS

Here is the example - 309 Stevens St



TOWN OF WESTON

Weston Planning Board
P.O. Box 378
Town House Road
Weston, MA 02493

Re: Certificate of Understanding, Site Plan Approval, ### Street Name
dated _____.

We the undersigned **Owner, Project Manager and Landscape Contractor**, for ### Street Name, Weston, Massachusetts, do hereby certify that we have received, read and understand all the conditions established in the Certificate of Action for Site Plan Approval with Conditions for, ### Street Name, Weston, Massachusetts; Applicant and Owner: Owner.

We further acknowledge and understand that the Conditions state this "Certificate of Action, Site Plan Approval with Conditions, for ### Street Name, Weston, Massachusetts" is specific to the proposal presented to the Planning Board and documented in the plans and attachments referenced in the Certificate of Action. De minimus changes limited to the exact location of the drainage structures and septic system structures; the exact model and specification of lighting fixtures provided replacement fixtures are of similar design and specifications; and the exact location, species, and planting materials may be approved by the Town Planner upon the recommendation of the Board's consultants. Any other deviation or change to the project, including, but not limited to, changes in the design and/or location of the house, accessory structures, driveway, septic system, "Proposed Limit of Work" line shown on the approved Site Plan, landscaping, exterior lighting, etc., will require the Applicant or his agent to appear before the Planning Board for approval, prior to the change being made under Sections V.B.2. and XI of the Weston Zoning Bylaw and shall include an amendment to the "Certificate of Action, Site Plan Approval with Conditions, for ### Street Name, Weston, Massachusetts" The Applicant/Owners are advised that it is their sole responsibility to obtain any approvals in advance, due to project changes.

Owner (Print and Sign) _____ Date _____

Project Manager (Print and Sign) _____ Date _____

Landscape Contractor (Print and Sign) _____ Date _____

✓ 7XX

NOTE: This was a bit rushed, so please edit liberally and add anything I may have missed. Bold and highlighted items are either a question or not standard conditions that you should review to ensure it is appropriate.

SPECIAL CONDITIONS

21. Prior to the beginning of work, the applicant shall:

- a) Obtain approval of the City of Engineer for the design of all drainage structures and facilities.
- b) Properly install all siltation controls according to the plans approved by the Conservation Commission.
- c) Provide the Conservation Officer with the name and telephone number in writing, of the person who will be immediately responsible for supervision of all work on the project site and compliance with this Order of Conditions. The Conservation Officer shall be notified in the event that the site supervisor or contractor is changed.
- d) Clearly mark the limits of work in the field and instruct all workers not to work beyond the limits.
- e) Notify Conservation Officer of the date upon which work will commence.
- f) Hold a meeting on the project site with the Conservation Officer, the project site supervisor identified in Condition No. 20-C above, and other relevant parties identified by the applicant or the Conservation Commission to review the project and this Order of Conditions. Siltation controls shall be inspected at this time.
- g) Failure to comply with Condition Nos. 20A-F, as well as Nos. 8 &9, shall constitute sufficient grounds for the Conservation Commission to order all work to cease until compliance is achieved.

22. The Conservation Officer shall serve as the Commission's agent in all matters pertaining to the interpretation and enforcement of this Order of Conditions. Accepted engineering and construction standards shall be followed in the conduct of all work.

23. Issuance of this Order of Conditions does not in any way imply or certify that the site or downstream areas will not be subject to flooding, storm damage, or any other form of damage due to wetness.

24. All work shall conform to the Notice of Intent, all plans, and all other documents, records, correspondence, and representations of the applicant as presented to and approved by Conservation Commission.
25. The applicant shall notify the Commission before performing any work that materially deviates from the approved plans. If the Commission deems the modification significant, the applicant shall submit an amended Notice of Intent with any necessary documentation and obtain an amended Order of Conditions. The Commission shall reopen the public hearing in accordance with the provisions of 310 CMR 10.05 (5). The Commission may impose additional or modified conditions to protect the interests of the Wetlands Protection Act.
26. No excavated material shall be disposed of in violation of any local, state, or federal laws. All stumps must be removed from the site; no burying of stumps on site is permitted.
27. Prior to the issuance of a Certificate of Compliance, the applicant shall submit to the Conservation Commission for review and approval an as-built plan and a letter of compliance stamped by a registered professional engineer. Said plan and letter shall show that all conditions of this Order have been complied with in a satisfactory manner.
28. The Conservation Commission shall be notified in writing at the time of any transfer in the title to the property or any change in contractor/developers prior to issuance of the Certificate of Compliance. The name, address, and telephone number of the new owner shall be included in the notification as well as certification that the new owner has been provided with a copy of this Order of Conditions.
29. Prior to the issuance of a Certificate of Compliance the site shall be stabilized with vegetation or other measures approved by the Conservation Commission.
30. Prior to the issuance of a Certificate of Compliance and after the site has been stabilized, all erosion controls shall be removed from the site.
31. If the project involves the disturbance of more than one acre of land area, the applicant is also obligated to submit a Notice of Intent to the EPA for the NPDES Construction Permit per EPA's requirements found at the following web site <http://cfpub1.epa.gov/npdes/stormwater/cgp.cfm> [Does this apply??]

SITE-SPECIFIC CONDITIONS

Findings of Fact

This Project was issued an RDA for the front lot expansion which had a small amount of work in the buffer zone to allow that work to proceed before this Order of Conditions was issued. Therefore, this Order of Conditions only pertains to the work at the back of the Ken's Foods facility in the loading dock area. Work includes two additions to the buildings, reconfiguration and expansion of the parking lot, with associated drainage, and landscaped islands. The work encroaches into the Conservation Commission 30' no disturb wetland buffer zone. The applicant provided both an Invasive Species Management Plan and a Mitigation Planting Plan in order to meet the criteria set by the commission to improve this buffer zone habitat. The Commission allowed for the encroachment as long as the mitigation and ongoing management of this buffer zone is implemented.

Impacted resource areas for this project include:

Riverfront- 1,656 s.f. of the outer 200'-outer riparian zone will be impacted which is less than the 10% permissible. In addition a 3,550 s.f. Riverfront Restoration area is proposed shown on the approved plans as the Southern Planting Plan

Buffer zone- the project will impact 2,800 s.f. of the 30' no disturb buffer zone established by the Marlborough Commission policy. This will be mitigated as shown on the approved plans as the Northern Planting Plan.

Prior to construction:

32. Prior to any construction work, the Site Contractor, and the Erosion Control Expert (see condition below) shall come to a regularly scheduled Conservation Commission meeting to discuss the construction sequencing and phasing plan and the means and methods to be used to accomplish the approved plan and the conditions as listed below. The site soils are very difficult to work with and have a high silt content making construction very challenging. The site contractor and erosion control expert shall, at a minimum discuss the following:

- a) Construction sequencing
- b) Erosion control methods and use of temporary sedimentation basins
- c) The use of additional erosion control devices, settling tanks, pumps, soil stabilization methods,
- d) The stormwater controls to be used during the cut and fill operation needs to be clearly spelled out.
- e) The use of temporary swales and management of detention basins during construction to ensure that only clean water leaves the site
- f) Any dewatering system to be used must be discussed.

[Note: If we get the details at this meeting this may not be necessary, and we can replace this section with reference to a sequencing plan to be followed.]

Erosion Control/Construction sequencing

33. The site contractor and or erosion control consultant shall have knowledge of erosion controls and shall be responsible for regular inspections of the erosion controls on at least a weekly basis and prior to and following (within 24 hours) each storm event of 0.5 inches or more. Necessary repairs and maintenance of the erosion control devices shall be made expeditiously. These inspections shall be described in the reports required in the condition below.
34. The site contractor or erosion control expert will report (by e-mail) to the Commission weekly, during construction, summarizing the work that has been completed, compliance of the project with the Order of Conditions and the status of the erosion controls. It will also include his/her recommendations on actions needed and also report compliance with recommendations. Failure on the part of the developer to implement the recommendations made by the site contractor or erosion control expert will be a violation of the terms and conditions of the permits issued for the project. These weekly reports from the consultants shall begin as soon as the work begins on the site. As construction progresses the reporting may be reduced at the discretion of the Conservation Officer.
35. The applicant, property owner, and site contractor shall be responsible for notifying the Conservation Commission in an expeditious manner if any visible siltation of wetlands occurs. Immediate measures shall be taken to control the siltation source and to restore any impacted areas.
36. The Commission requires that all discharges from the site that drain off site, be below the turbidity reading of 280 NTU's which is the EPA standard for turbidity.
37. Large piles of soil and other materials shall not be stockpiled closer than 50 feet to any wetland resource area without the approval of the Conservation Officer. All large stockpiles must be maintained in a stabilized condition with erosion control in place and approved by the Conservation Officer. Earth material stockpiles shall not be allowed immediately adjacent to perimeter siltation barriers or drain inlets. Long term stockpiles over 30 days will be shaped, stabilized and circled with erosion controls. The site contractor or erosion control expert shall be consulted to ensure that the stockpile locations are not interfering with drainage or erosion control during construction. The Commission understands that the site will shift and change during construction, but the erosion control expert must be on board with all such changes

before they are made to ensure proper coordination. **[Note: are stockpiles anticipated? If not, this can be removed]**

38. If dewatering is necessary, the dewatering system to be used shall be approved by the Conservation Officer and once approved, properly installed. All silty water must be filtered through a dewatering/sedimentation trap system, until the water runs clean. At no point shall silty water be discharged into wetlands or streams or off-site drainage systems without first being filtered.

Infiltration Basins

39. Prior to the construction of the infiltration system, the Conservation Officer shall be notified and shall inspect the infiltration hole area. The site engineer shall confirm that the soils are per design. Once installed, only clean stormwater runoff shall be directed to this system. Prior to backfilling the system, the Conservation Officer shall inspect the system with the site engineer to ensure that it is clean and not able to receive any silty run off which would clog the system once in place.
40. The infiltrator system shall contain at least one inspection port per row to facilitate ongoing future inspections.
41. Snow dumping is only to occur on existing paved areas. All excess snow that doesn't fit on designated areas shall be removed from site. This shall be an ongoing condition and shall be shown on the as-built landscape plan when the project is completed. "No Snow Dumping" signage shall be affixed to the fence/guardrail which is adjacent to the wetland to prevent snow dumping over the wall.
42. All catch basins shall be equipped with gas/oil hoods and 4-foot sumps.

Buffer zone restoration area:

43. The project involves the restoration of a slope from the parking lot to the wetlands which is inundated with invasive non-native plants. This will involve a two-phase approach.
- a) Phase 1 - Removal of invasive plant species along the slope of the Northern Planting Plan area where the long retaining wall is to be constructed. This process shall follow the "invasive Species Management Plan" and the "Mitigation Planting Plan 1 D'Angelo Dr. "of the approved plan documents listed on page _??____. **This work can be done before and independent of Phase 2.**

b) **Phase 2 - the parking lot expansion, drainage and building additions - This work will happen after the phase 1 slope has been cleared and shall follow the construction sequencing plan outlined in the plan sheet**

44. Phase 1. – once invasive plants are removed, they must be disposed of properly. The method and location of disposal shall be provided to the Conservation Office for review and approval before disposal to ensure it is not being dumped somewhere where it can “re-infect” the environment. Different methods will need to be used depending on seed viability etc. [is there something more specific to add here? SuAsCo CISMA reference or another document??]
45. Phase 1 - Ongoing monitoring and maintenance as outlined in the Invasive Species Management Plan shall be followed and shall be in place for 3 years. (Should we elaborate or just reference the plan provided?) Prior to issuance of a certificate of compliance the slope plantings should be more than 75% vegetated and stabilized and have few to no invasive plants in the area.
46. Wall construction - [reference any details provided or add some details here]

Certificate of Compliance

47. Once the project is completed and everything has been stabilized, all erosion controls shall be removed, and site stabilized. Please notify the Conservation Officer for a site inspection when this is complete.
48. Prior to requesting a Certificate of Compliance, the applicant or its agent shall clean all drainage pipes and catch basins and drainage structures of accumulated sediment and debris. All infiltration systems and water quality structures shall also be inspected and cleaned if necessary.
49. Prior to the issuance of a Certificate of Compliance, the Stormwater Management System Operation and Maintenance Plan (“O&M Plan”) titled: _____ shall be, modified if needed, and then attached to the Certificate of Compliance as ongoing conditions.
50. An annual maintenance report shall be provided to the City Engineer and the Conservation Commission by June 1st of each year reporting on the maintenance and operation procedures, outlined in condition above, which have been performed for that year. This reporting requirement will follow the issuance of a Certificate of Compliance.

ANYTHING ELSE???

END CONDITIONS



Sudbury Valley Trustees - newly protected land

Marlborough, MA

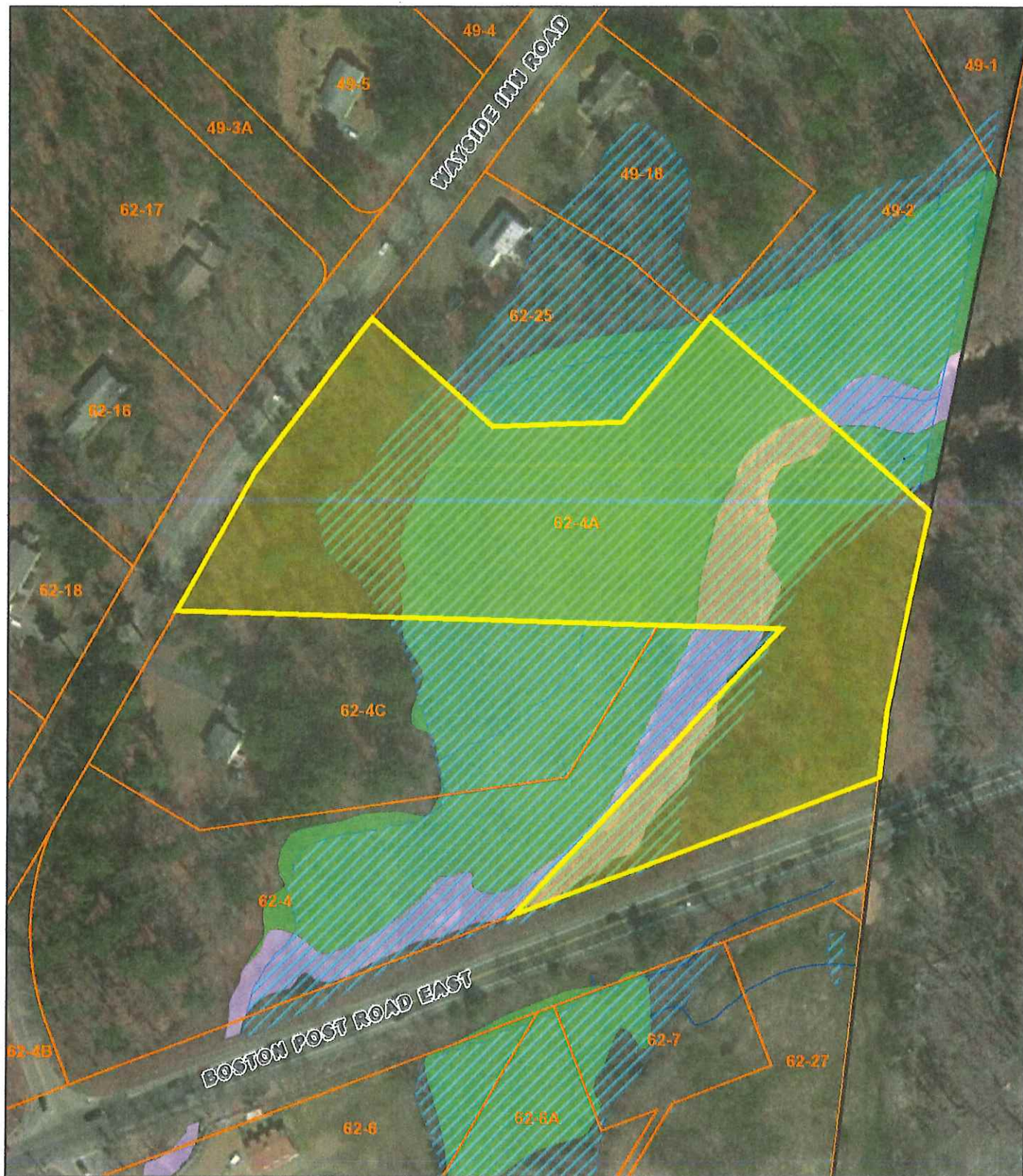
1 inch = 139 Feet



July 11, 2022



www.cai-tech.com



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The Commonwealth of Massachusetts
 STATE RECLAMATION & MOSQUITO CONTROL BOARD
**CENTRAL MASSACHUSETTS
 MOSQUITO CONTROL PROJECT**



111 Otis Street, Northborough, MA 01532-2414
 Telephone (508) 393-3055 • Fax (508) 393-8492
www.cmmcp.org

COMMISSION CHAIRMAN
 RICHARD J. DAY

EXECUTIVE DIRECTOR
 TIMOTHY D. DESCHAMPS

July 11, 2022

Department of Environmental Protection
 Division of Wetlands & Waterways
 627 Main St
 Worcester, MA 01608

RE: CMMCP Water Management Job # 889 Marlboro

Dear Ms. DiPinto:

This notice is provided in accordance with the agreement reached on February 26, 1987 between the Department of Environmental Quality Engineering Division of Wetlands and Waterways Regulation, the State Reclamation and Mosquito Control Board, and the Central Massachusetts Mosquito Control Project.

Please be advised that the Central Massachusetts Mosquito Control Project is proposing water management work in the city/town of Marlboro in compliance with Massachusetts General Laws, Chapter 252. The location of this work is 364 South St. (please see attached topographic map and aerial photograph). This project involves restoration of a pre-existing pond approx (200' round). Approximately 1 -2 ft. of organic material will be excavated (7.5 – 14.5 cu yards) Spoils will be spread in the uplands. In addition an upland drainage ditch will be excavated to remove phragmites which is causing a blockage and creating stagnant water in the ditch. All excavated material will be side cast in the uplands along side the ditch. The project will also include a drainage ditch to be maintained by excavation approx. 200'L X 3'W X 1'D. All access is through the uplands.

The project will be place on our machine schedule after the 30 day comment period is expired. A definite start date has not been determined. As always we invite the DEP, local Conservation Commission, and US Army Corps' inspection and comments. If we do not hear from these parties within 30 days of the date of this notice, we will assume that there are no concerns regarding the proposed activity on this site and work will begin as stated above.

Please feel free to contact our office if we may be of further assistance to you.

Sincerely,

Katrina Proctor
 Wetland Project Coordinator

Enc: Topographic Map
 Aerial Photograph
 CC: Marlboro Conservation Commission

7/11/22

Central Massachusetts Mosquito Control Project
Water Management Program



Marlborough, MA

JOB # 889

Select features of this map courtesy of: Office of Geographic Information (MassGIS),
Commonwealth of Massachusetts Information Technology Division

Note: this map is the sole property of CIMMCP. created Monday, April 6, 2011

SOUTH ST

280 SOUTH ST

290 SOUTH ST

304 SOUTH ST

316 SOUTH ST

330 SOUTH ST

323 SOUTH ST

335 SOUTH ST

345 SOUTH ST

335 SOUTH ST

Pond restoration excavate approx. 200 sf @ 1-2'D.

Red line depicts ditch excavation approx. 200' L X 3' W X 1' D.

Yellow line depicts stream cleaning utilizing hand tools.

1 inch = 125 feet
500

424 SOUTH ST

416 SOUTH S
0 MAPLE ST

428 SOUTH ST

400 SOUTH ST

412 SOL

412 SOL

431 SOUTH ST

413 SOUTH ST

401 SOUTH ST

393 SOUTH ST

381 SOUTH ST

364 SOUTH ST

398 SOUTH ST

386 SOUTH ST

312 SOUTH ST

360 SOUTH ST

335 SOUTH ST

272

272



1:24,000
1 inch = 2,000 feet

Central Massachusetts Mosquito Control Project
 Water Management Program
 Marlborough, MA
 JOB # 889

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 Commonwealth of Massachusetts Information Technology Division

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