

**Town of Foxborough  
Conservation Commission Minutes  
June 28, 2010**

**Members present:** Bob Boette (Chairman), Harold Blomberg, Alan Curtis (Vice Chairman), Doug Davis, Judi Johnson, Jim Marsh and Eric Nelson

**Also present:** Jane Sears Pierce, Conservation Manager

**Meeting Opened**

Bob Boette opened the meeting, held in the Selectmen's Meeting Room in Town Hall, at 7:00 p.m.

**Routes 495 & 95, Jet Fuel Spill Update, EPA #945638, RTN Tracking #4-22-693**

Edward Giordano from Lessard Environmental, Inc. came before the Commission to provide a report on the clean-up of the 11,000 gallon jet fuel spill which occurred on Sunday, June 27 at approximately 4:00 a.m. The tanker truck that had contained the fuel rolled over and ended up on top of a catch basin at the base of the on-ramp to Rt. 495, losing all of its fuel.

The spill was contained to the middle (depression) of the on-ramp's loop, which has only one outfall to a wetland in the middle of the other side of Rt. 495 at Rt. 95's on-ramp. All culverts have been checked. Sand bags were installed to prevent the spill from migrating into these abutting wetlands; they believe that the fuel has all been contained. The water table in the area is at approximately eight feet, so they may need to dewater the area (utilizing frac tanks) during the soil removal process. They will need to remove trees in the area in order to get to and excavate the contaminated soil, which will then be removed from the site.

No work is allowed on Mass. Highway roads on the day before or the day after a holiday, so they won't be able to work on the clean up during the upcoming July 4<sup>th</sup> weekend. The preliminary cleanup will take at least two weeks, after which they will perform a more detailed assessment and install monitoring wells to determine what risk is left and then a new plan will be developed, moving forward. A letter has been sent to the Health Department and the Board of Selectmen.

The Commission thanked Mr. Giordano for reporting on the cleanup's progress and asked him to keep them informed of their progress.

**Mechanic Street Conservation Property; YMCA's Healthy Futures Community Garden**

Jane and Jim worked together to draft a license agreement for this property, which is conservation land. The MACC Handbook recommends using a license rather than a lease, when allowing agricultural projects on conservation land.

Doug Davis stated that he would rather that the property be used for a "community garden." He would like to see this requirement added to next year's lease.

**Motion** was made by Allan Curtis to grant the YMCA a license for use of one acre of conservation land located on Mechanic Street, next to Buckley Drive, for a Healthy Initiatives Garden and to use and sign the draft license agreement, rather than a lease. Seconded by Judi Johnson. **Vote: 6:1:0.**

**Continued NOI, DEP #157-489, 67 Mechanic Street, Hockomock Area YMCA**

Proposed construction of an outdoor swimming pool, changing rooms, bathrooms, equipment building and sidewalk, all located within the Riverfront Area. John Metcalf, Hockomock Area YMCA's Director of Facilities & Property Management, and his representative, Bill Buckley from Bay Colony Group were present to review their 6/09/10 revisions to the project's plans.

The plan modifications (see sheets 3 and 4 of the proposed plan) included:

- Moving the splash park to the south side of the (current) basketball court;
- Expanding the erosion controls to encompass the entire east parking lot area; and
- Preparing a riverfront enhancement plan

The riverfront enhancement plan, prepared by Briscoe Lang of Pare Corporation in cooperation with Jane Pierce, was reviewed. A copy of the report and plan, both dated June 22, 2010, were distributed. The plan involves the hand removal of invasive plants adjacent to the proposed project area, followed by the planting of 25 new native shrubs along the bank of Robinson Brook.

Mr. Buckley explained that there were now two open DEP files for the same property, requesting that the Commission issue a certificate of compliance for the original order (DEP #157-358). He explained that they had intended to modify the original order, but since the DEP chose to issue a new number for the current project (phase II), it would be easiest to close the original order and pursue this phase of the project under the new file number (DEP #157-489).

Mr. Buckley submitted a Request for Certificate of Compliance for DEP #157-358, stating that to the best of his professional information (and belief) the work was completed substantially in accordance with the approved plans. The Existing Conditions plan (sheet 2 of the current plans), could be used as the (157-358) project's "As-Built" plan; he still needed to submit the \$100 fee.

The additional information, requested by the Commission on May 3, was then reviewed:

1. Square footage calculations in the riverfront area: The project site contains a total of 446,675 s.f. of riverfront area. The project's increase in impervious area is 3,500 s.f., or .9% (and less than the 10% threshold).
2. Effect on stormwater runoff: This is related to the first question. The runoff from the existing basketball/tennis court currently runs directly into the river.

Once the pool is constructed, approximately 7,000 s.f. of that area will be a pool and splash park, so stormwater from that area will be captured and recycled by the pool's filtration system. Since the proposed project will result in a net increase of only 3,500 s.f. of impervious area, and 7,000 s.f. of impervious (pool) area will no longer discharge directly into the river, *there will be a net decrease of 3,500 s.f. of stormwater runoff into the river.* Therefore, the rate and volume of runoff will be less than the existing conditions.

3. Pool filtration system: The pool filtration system will be a cartridge system that will not require backwashing. The cartridges will simply be replaced when water quality demands it. The system's chemicals will be stored in the new mechanical building, in the pool area's SW corner.

At the end of the season, the pool's chlorine levels will be allowed to drop to zero, then the pool will be drained using a portable pump. The pump's outflow will discharge into the detention basin, where it will be infiltrated back into the ground. A copy of the Board of Health's approval for this design was provided for the Commission's files.

4. Construction Pollution Prevention Plan: The first phase of the project was constructed under a CPPP, prepared by Bay Colony; this document will remain in effect, with some minor site-specific modifications, including designating the vehicle and material storage area, to be located in the lower parking lot adjacent to the construction site. The erosion control barrier was extended mainly for this purpose. The CPPP will also include the requirement that sedimentation barriers will be installed in the catch basins, located next to the new pool, to prevent any silt from running into Robinson Brook during construction.

**Motion** was made by Allan Curtis to close the hearing for DEP #157-489. Seconded by Jim Marsh. **Vote: 6:0:1** *Judi Johnson abstained since she did not attend the May 3 meeting.*

### **DEP #157-429, 138 and 174 Main Street, Extension Permit (State and Town)**

**Motion** was made by Harold Blomberg to issue a one year Bylaw Order of Conditions Extension Permit and a three-year State Order of Conditions Extension Permit for DEP #157-429. Seconded by Allan Curtis. **Vote: 7:0:0**

### **10 Fairbanks Road Rental Property**

Judy Leahy reported that the tenants had failed to keep to their commitment to pay June's rent on June 15, adding that they have not responded to her telephone calls and letter.

The Commission agreed that the lease agreement with these tenants will not be renewed and that the tenants will be notified by certified mail that they must vacate the premises by July 31, 2010. The letter will also notify the tenants that access to 10 Fairbanks Road will be required on Tuesday, July 20 at 11:00 a.m. It was agreed to wait to advertise the residence's availability until the property has been inspected.

### **New Desktop Computer**

Jane asked for the Commission's approval to purchase a new desktop computer for Judy, since her current lap top computer is extremely slow, particularly when attempting to use GIS applications, and the monitor is difficult to see. The new computer should have sufficient processor speed, RAM and hard drive space to be able to handle GIS applications.

The Commission gave their okay to purchase a new office computer (using/encumbering FY10 funds), sized to accommodate ArcView 9 GIS software as indicated in the Mass Conservation Mapping Assistance Partnership Program (MCMAPP) grant overview (minimum requirements are Intel PC, Windows 2000 or XP, 512 MB RAM and 1GHz processor).

### **Norfolk County Mosquito Control; Proposed Work near Bleachery Pond Dam**

The Commission reviewed a letter from the Norfolk County Mosquito Control Board, outlining work that the Highway Department had requested off of Morse Street near Bleachery Pond. Bob Swanson, Foxborough's Highway Department Superintendent, had asked NCMC to perform water management operations to help increase the river's flow around and through the Morse Street culvert in order to take pressure off the dam. This work, as described in the NCMC letter, involves "channelization" of the area.

The Commission indicated that they needed more information, and asked Jane to invited Bob Swanson and Bill Hocking to attend the Commission's July 19 meeting.

### **June 14, 2010 Minutes**

**Motion** was made by Eric Nelson to accept the June 14, 2010 meeting minutes, as presented. Seconded by Allan Curtis. **Vote: 7:0:0.**

### **Meeting Adjourned**

**Motion** was made by Harold Blomberg to adjourn. Seconded by Allan Curtis. **Vote: 7:0:0**

The meeting adjourned at 9:00 p.m.

Draft minutes submitted by Judy Leahy: 6/30/10

Reviewed by Jane Pierce: 7/6/10

Approved by Commission: 7/19/10