



TOWN OF SOUTHBOROUGH
MASSACHUSETTS 01772

9 CORDAVILLE ROAD
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-485-0717 ext. 1

Zoning Board of Appeals

General Application

Special Permit, Variance, & Appeal

Town Clerk Filing Date

Hearing Date

General Application Form

(Please answer all the following – use additional pages as necessary)

APPLICATION INFORMATION

This Application is for (please check one):

Special Permit Variance Appeal from a decision of the Building Inspector/Zoning Officer

Sections of the Zoning Bylaw Applicable to Application:

174-8.C.(2) - two buildings and two uses (new use by-right) on one lot

PROPERTY INFORMATION

Address: 250 Turnpike Road	Map/Lot: 27-2A
Zoning District: Industrial; Residence A	Book/Page: 67212/69
Total Land Area: 4.294 acres	Lot Frontage: 502 feet
Present Use: Self-storage by special permit	
Proposed Use: Self-storage and contractors' yard building	
Check all applicable:	
<input checked="" type="checkbox"/> 100' Wetland Buffer Zone	<input type="checkbox"/> 200' Riverfront Area
<input type="checkbox"/> Disturbing more than 1 acre	<input type="checkbox"/> Flood Plain

BUILDING COMMISSIONER REVIEW (OPTIONAL)

To avoid project delays, this Application and all supporting documentation should be reviewed by the Southborough Building Commissioner prior to filing with the Town Clerk. Please drop off your application and supporting documentation to the Building Department, 9 Cordaville Road, at least 15 days prior to the filing deadline. Incomplete applications will not be signed by the Building Commissioner.

This application has been deemed complete by the Southborough Building Commissioner.

Signature of Building Commissioner:

Date:



Town of Southborough
BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-485-0717 ext. 1

Zoning Board of Appeals General Application Special Permit, Variance, & Appeal

Town Clerk Filing Date

Hearing Date

PROPERTY OWNER/APPLICANT INFORMATION

The undersigned hereby certifies that they have read and examined this application, checklist, and the Board of Appeals Application Instructions and that the proposed project is accurately represented in this Application and supporting documentation, and hereby requests a hearing before the Board of Appeals with reference to the above application.

Applicant Name: Ferris Development Group, LLC

Address: 118 Turnpike Rd., Ste. 300, Southborough, MA, 01772

Phone: 508-281-5600

E-Mail: bcharville@ferrisdevelopment.com

Signature:

Date: 10/26/23

Applicant is: Owner

Agent/Attorney

Other (please explain):

Applicant Name:

Address:

Phone:

E-Mail:

Signature:

Date:

Applicant is: Owner

Agent/Attorney

Other (please explain):

Property Owner Name (if different from applicant):

Address: FD 250 Turnpike, LLC

E-Mail: david@ferrisdevelopment.com

Phone: 508-281-5600

Date: 10/26/23

Property Owner Name (if different from applicant):

Address:

Phone:

E-Mail:

Signature:

Date:

APPLICANT REPRESENTATIVES

Please list any Applicant Representatives who will be present for or will prepare materials for the public hearing(s):

Name	Role (e.g. attorney, architect, etc)	Address	Telephone Number
Brian R. Charville	Attorney	(see above)	508-281-5610
David M. Ferris	Owner's Manager	(see above)	508-281-5600
James Tetreault	Engineer	118 Turnpike Rd., Ste. 200	508-485-0137
John A. "Jay" Ferrera Jr., AIA	Architect	2 Fern Ln., Sterling, MA, 01564	978-407-8848

*NOTE: any such Applicant representatives whose statements or work product are presented to the Board must disclose the nature and extent of any personal interest (beyond payment of customary fees for their services) related to the Application.



Town of Southborough
BOARD OF APPEALS

SOUTHBOROUGH, MASSACHUSETTS 01772

9 CORDAVILLE ROAD
SOUTHBOROUGH, MASSACHUSETTS 01772-1662
508-485-0717 ext. 1

Zoning Board of Appeals

General Application

Special Permit, Variance, & Appeal

Town Clerk Filing Date

Hearing Date

Checklist of Required Materials

Information to be submitted with Application

- Application Fee:** Check payable to the Town of Southborough or online via ViewPoint
- Completed General Application Form & Checklist**
- Project Narrative:** a thorough description of the existing conditions and/or use; the proposed changes; justification of the proposal; and any other relevant information that the Board may need in reviewing the application
- Existing Site Plan that includes the following:** location, square footage, and dimensions of lot and all structures on the property; height; setbacks of all such structures from the property lines; other relevant features such as driveways, parking, easements, streams, wetlands, wells, septic systems, etc. The plan must be prepared and stamped by a registered land surveyor.
- Proposed Site Plan that includes the following:** location, square footage, and dimensions of lot and all structures on the property; height; setbacks of all such structures from the property lines; other relevant features such as driveways, parking, easements, streams, wetlands, wells, septic systems, etc. The plan must be prepared and stamped by a registered land surveyor.
- Building elevations:** show existing conditions and proposed changes drawn to scale. For anything other than one- and two-family residential developments, all architectural plans must be prepared by a registered architect.
- Photographs:** current photographs of the subject property, illustrating the appeal point(s).
- Copy of the deed for the property:** can be obtained from the Worcester County Registry of Deeds
- Certified list of abutters:** as obtained from the Assessor's office
- Electronic files:** to be submitted via ViewPoint, the online permitting software
- OPTIONAL:** Letters of support

Prepare the required documents as follows:

- Town Clerk Application Packet** – deliver to Town Clerk's Office, 17 Common Street
 - One (1) copy application form & checklist
 - One (1) copy of all required & supporting materials (plans no larger than 11"x17")
 - One (1) copy of the Certified Abutters list as obtained from the Assessor's Office
- Zoning Board of Appeals Packet** – submit on ViewPoint
 - Application fee (Checks made payable to the Town of Southborough)
 - One (1) copy application form & checklist
 - One (1) copy of all required & supporting materials (plans no larger than 11"x17")
 - One (1) copy of the Certified Abutters list as obtained from the Assessor's Office
 - One (1) legal ad form



October 26, 2023

VIA VIEWPOINT

Mr. David Williams, Chair
Southborough Zoning Board of Appeals
9 Cordaville Road
Southborough, MA 01772

Re: 250 Turnpike Road
Special Permit for Two Uses & Two Buildings on one Lot

Dear Chair Williams and Board Members,

I represent FD 250 Turnpike, LLC, and write on its behalf to provide this Narrative regarding the Application for Special Permit filed today. Ferris Development Group, LLC is a commercial real estate owner and operator working in MetroWest with a strong presence on the Route 9 corridor. The firms' principal, David Ferris, is a Southborough resident who currently owns and operates 118, 120, 250 and 352 Turnpike Road.

We were last before your Board on an Application for Special Permit in summer 2022 to allow self-storage to occur at 250 Turnpike Road. Following that we obtained Major Site Plan Approval from the Planning Board, and I am pleased to report that the self-storage facility is set to open imminently – you will recall that that work renovated the entire of a preexisting building.

Building on the self-storage use, we now submit an Application for Special Permit to allow a second use and a second building on the property. Specifically we request your permission to allow a **contractors' yard** use inside one (1) new building. This use is by-right in the Industrial zone in which the building (60' x 240') that we propose would be located. We have been working with the Conservation Commission on a pending Notice of Intent to construct the building, and we plan to file shortly with the Planning Board for Site Plan Review in order to complete permitting of the new building.

Again, the Special Permit we now seek would simply allow a second building and the second use – a contractors' yard building coexisting with a self-storage building. Section 174-8.C.(2) of the Southborough Zoning Bylaw says that you **“may, by special permit, allow several different uses if otherwise permitted in the district or several buildings on the same lot if such uses or buildings are deemed to be compatible, meet the requirements of § 174-9 and result in improved circulation and land use patterns.”** As you will see from reviewing our plans, the two uses are compatible (indeed the 10 units inside the new building are intended to expand storage offerings beyond those inside the preexisting building) and there is plenty of room for this new building with relatively light traffic stemming from it.

Permitting

Located in the ID (Industrial District), a Special Permit is required for the proposed use and building pursuant to § 174-8.C.(2) of the Bylaw. Additionally, a Major Site Plan Approval is

necessary pursuant to § 174-10.A.(2) of the Bylaw (essentially modifying the Major Site Plan that the Planning Board approved just last December), and we will be applying to that Board for the same. The Major Site Plan Approval is required (pursuant to § 174-10.B.(2)) due to this project including a new development totaling more than 2,000 square feet. The project is exempt from needing an LID Special Permit because this is a project that will disturb less than one acre. The project is before the Conservation Commission for approval and we anticipate the Commission's hearing closing on October 26, 2023, or November 16, 2023.

Project Highlights

By adding a 14,400 square foot contractors' yard building, FD 250 Turnpike seeks to address a clear market need – midsize, accessible spaces for tradespeople and contractors. The building will be divided into 10 bays of equal size (1,440 sq. ft.), and each bay will have a roll-up door and a walk-in door. New utility connections will be made to preexisting mains. The preexisting septic system will continue to serve the new building just as it serves the old – indeed a portion of the septic field will be decommissioned and the new building built atop it (we have met with Dennis Costello of the Board of Health and gained his approval for our approach). There are no changes proposed to the existing drainage system; we will ensure that all of the flow from the new building's roof is infiltrated by new infiltration systems that we will build, improving upon the existing parking lot paving in the new building's footprint which provides no infiltration at the moment. Parking and loading requirements for the contractors' yard use are met by existing conditions, which easily accommodate the 1 parking space per 1,500 sq. ft. of gross floor area (10 spaces) required pursuant to § 174-12.E.(10).

Special Permit Requirements for Two Uses on a Lot - § 174-8.C.(2)

We emphasize that allowing this Special Permit will keep "like with like" – that is, one type of storage (self) with another (contractors'). In addition, the requested approval is not in conflict with public health, safety, convenience, and welfare. The new use – contractors' yard – is by-right in this very zone and clearly it would not be substantially detrimental or offensive to the neighborhood or destructive of property values therein. Additionally, the benefits of the proposed use to the Town outweigh any adverse effects for the Town or the general vicinity, particularly when considering the following criteria:

- Location. This site is located near uses which are similar to the proposed use or by uses likely to benefit from, rather than be damaged by, the proposed use. Immediately to the west is Eagle Leasing, which has storage containers on site shielded by privacy fencing. Immediately to the east is a single residence on the corner of Parkerville Road, also located in the Industrial zone and screened by very mature vegetation. The applicant is committed to working directly with that abutter to ensure they feel they continue to have adequate privacy through the addition of privacy fencing and new local species plantings if desired. The site is able to accommodate the proposed use without substantial environmental damage from wetland loss, habitat disturbance or damage to valuable trees or other natural assets as we are reusing the existing conditions (a parking lot) and not otherwise disturbing the site.

- Activity Type and Mix. Storage is a much-needed service in any community, and as a non-residential site specifically geared toward contractors and tradespeople (although open to any paying tenant) we believe this use will contribute to the diversity of amenities available locally and be a benefit to the Town and surrounding communities.

- Visual Consequences. There will be limited visual consequences resulting from this proposal, as the site already exists and the new building would be narrowly visible from Route 9. Last year's Major Site Plan Approval required fencing to the south and east of the preexisting parking lot, and the applicant intends to modify that fencing in order to provide a visual buffer with respect to viewing the new building from the south or east. Most of the proposed construction would be narrowly visible from public ways. The preexisting parking lot area is well set back from Route 9 as it stands, is well screened by existing vegetation, is mostly not readily visible from public ways, and will have the added benefit of privacy fencing.

- Access. We anticipate the second use will result in a net decrease of the amount of traffic to this location as compared to the current approved use. The applicant's commissioned traffic study indicates that the new building – *combined with the 55,000 sq. ft. self-storage center* – will generate only 105 daily trips. This contrasts with the average of 536 daily trips expected from the previous office use of the property. The second use should have little to no impact on existing traffic patterns on Route 9 due to the nature of contractors' yards / storage bays being a low-frequency use. Additionally, the site currently benefits from a desirable existing layout which will minimize any impact to traffic patterns, specifically there is an extended driveway ramp beginning on the Eagle Leasing parcel which provides a buffer against Route 9 traffic and leads directly to an acceleration/deceleration lane which begins at the western edge of the subject property and continues to Parkerville Road. This combination of adjacent driveway ramp and third lane effectively creates a minimally used buffer which runs the entire length of the property and will make for easy vehicle entry and departure. Additionally, we are propose to remove the security gate near the mouth of our east parking lot which will eliminate any concern of vehicles queuing on Route 9. All pedestrian and vehicular movement to, from and within the site will be safe and convenient and arranged so as not to disturb abutting properties.

- Development Rate. As a by-right commercial use the contractors' yard building will not result in any increased demand on the Town to provide off-site services, including schools, water or local road capacity.

For all of the above stated reasons, we believe that this proposed second building and second use is in harmony with the intent of the Bylaw, will be an added benefit for the community, and will continue to restore commerce to this portion of Route 9.

Please do not hesitate to contact me if you have any follow-up questions regarding this matter.

Yours sincerely,



Brian R. Charville, Esq.
Chief Operating Officer & General Counsel

Worcester South District Registry of Deeds

Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number : 24850
Document Type : DEED
Recorded Date : March 04, 2022
Recorded Time : 10:00:55 AM

Recorded Book and Page : 67212 / 69
Number of Pages(including cover sheet) : 4
Receipt Number : 1427068
Recording Fee (including excise) : \$16,229.00

MASSACHUSETTS EXCISE TAX
Worcester District ROD #20 001
Date: 03/04/2022 10:00 AM
Ctrl# 235161 28892 Doc# 00024850
Fee: \$16,074.00 Cons: \$3,525,000.00

Worcester South District Registry of Deeds
Kathryn A. Toomey, Register
90 Front St
Worcester, MA 01608
(508) 798-7717

**Recording Requested By,
And After Recording
Please Return to:**

**Brian R. Charville
Ferris Development Group, LLC
118 Turnpike Road, Ste 300
Southborough, MA, 01772**

*of three million five
hundred twenty five
thousand and 00/100*

QUITCLAIM DEED

BLDG Mass/Lex LLC, a Delaware limited liability company having a place of business at %
BLDG Management Co., Inc., 417 Fifth Avenue, 4th Floor, New York, New York 10016
("Grantor") for consideration paid of ~~\$3,525,000.00~~ Dollars grants to **FD 250 Turnpike, LLC**
a Massachusetts limited liability company, having an office at 325 Donald Lynch Blvd., Ste. 205,
Marlborough, Massachusetts, 01752 ("Grantee") with Quitclaim Covenants, the land, together
with the improvements thereon, in Southborough, Worcester Country, Massachusetts, commonly
known and numbered as 250 Turnpike Road, being more particularly bounded and described on
Exhibit A attached hereto and incorporated herein by reference.

Subject to and with the benefit of all easements, agreements, restrictions, covenants and
other matters of record, in so far as the same are in force and applicable.

Grantor is not taxed as a corporation for federal income tax purposes.

For Grantor's title, see deed dated November 30, 2007 and recorded with the Worcester
County Registry of Deeds at Book 42198, Page 35Q.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed as a sealed
instrument as of the 1 day of March, 2022.

BLDG MASS/LEX LLC,
a Delaware limited liability company

By: 
Name: Lloyd Goldman
Title: Authorized Signatory

STATE OF NEW YORK

County of New York, ss

On this 1 day of March, 2022, before me, the undersigned notary public, personally appeared Lloyd Goldman, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name is signed on the preceding or attached document, as an authorized signatory of BLDG Mass/Lex LLC, a Delaware-limited liability company, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public

Notary name printed: Jeannine Cacace

My commission expires: 2/24/2023

JEANNINE CACACE
Notary Public, State of New York
No. 01CA6087741
Qualified in Richmond County
Commission Expires Feb. 24, 2023

EXHIBIT A

The land and buildings thereon located in Southborough, Worcester County, Massachusetts, described as follows:

A certain parcel of land with the buildings thereon, situated on the southerly side of the Boston and Worcester Turnpikes and the westerly side of Parkerville Road in the Town of Southborough, Worcester County, Commonwealth of Massachusetts, said parcel being described as follows:

Beginning at the Northwesterly corner of the premises at the Boston & Worcester Turnpike;

Thence N 85°24'45" E, by Boston & Worcester Turnpike, on two courses, measuring 316.00 feet and 189.91 feet to land now or formerly of Margaret Fyrberg;

Thence turning and running S 02°38'06" E, by said Fyrberg land, 124.71 feet;

Thence turning and running N 85°26'22" E, by said Fyrberg land, 178.12 feet to Parkerville Road;

Thence turning and running S 01°02'16" E, by said Parkerville Road, 125.00 feet;

Thence S 00°20'25" E by said Parkerville Road, 200.01 feet to land now or formerly of Thomas F. and Florence Kittridge;

Thence turning and running S 89°11'07" W by said Kittridge land, 290.40 to a point;

Thence turning and running S 00°48'53" E by said Kittridge land and by land now or formerly of David H. Davidson and William P. and Jean Marie Gandteau, 448.61 feet to a point;

Thence turning and running N 78°59'55" W by land now or formerly of John W. and Beth A. Wittcoff Pendergast and Michael S. and Lynne L. Bellotti and John A. and Marguerite T. Bartolini, 375.40 feet to a point;

Thence turning and running N 00°26'35" W by said Bartolini land, 207.29 feet to a point;

Thence turning and running N 81°03'30" by land now or formerly of said John A. and Marguerite T. Bartolini 34.87 feet to a point;

Thence turning and running N 01°50'45" W by land now or formerly of Alvin and Morton Eagle, 107.07 feet;

Thence N 00°03'40" W by said Eagle land, 456.27 feet to the point of beginning.

Being the same premises shown on a plan entitled "Plan of Land, Boston and Worcester Turnpike, Southborough, Mass. Owned by Timothy K. Kanna, Prepared for A.J. Lane Const. Co." dated May 31, 1984, drawn by E. J. Flynn Engineers, Inc. and recorded with the Worcester County Registry of Deeds in Plan Book 521, Plan No. 90.

ATTEST: WORC Kathryn A. Toomey, Register

















250 Turnpike Road
Southborough, MA

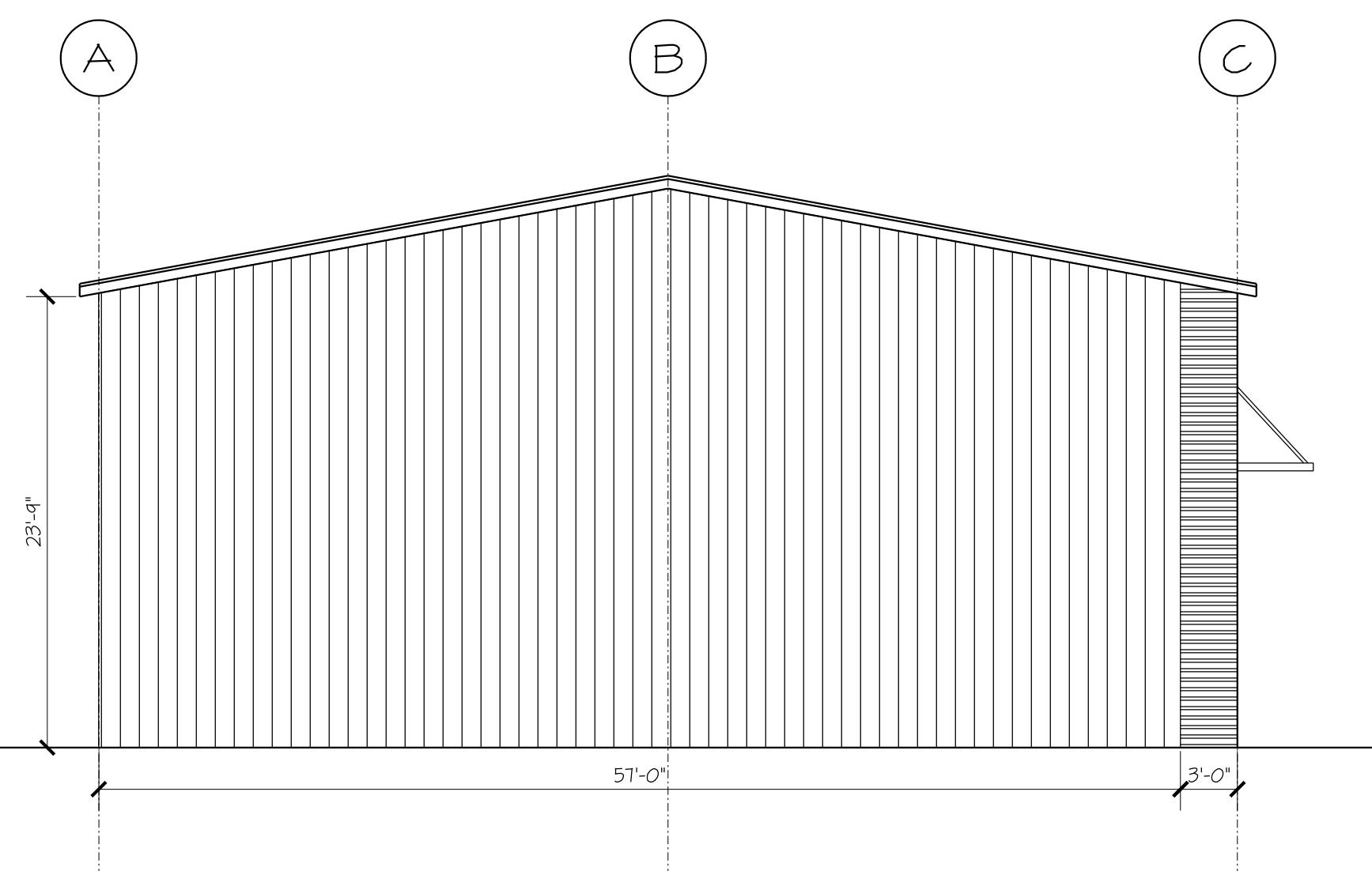
New Construction



J FERRERA ASSOCIATES INC.
Architecture • Design • Planning
2 Fern Lane - Sterling, MA 01564
tel: (978) 407-8848
email: jaferrera@comcast.net

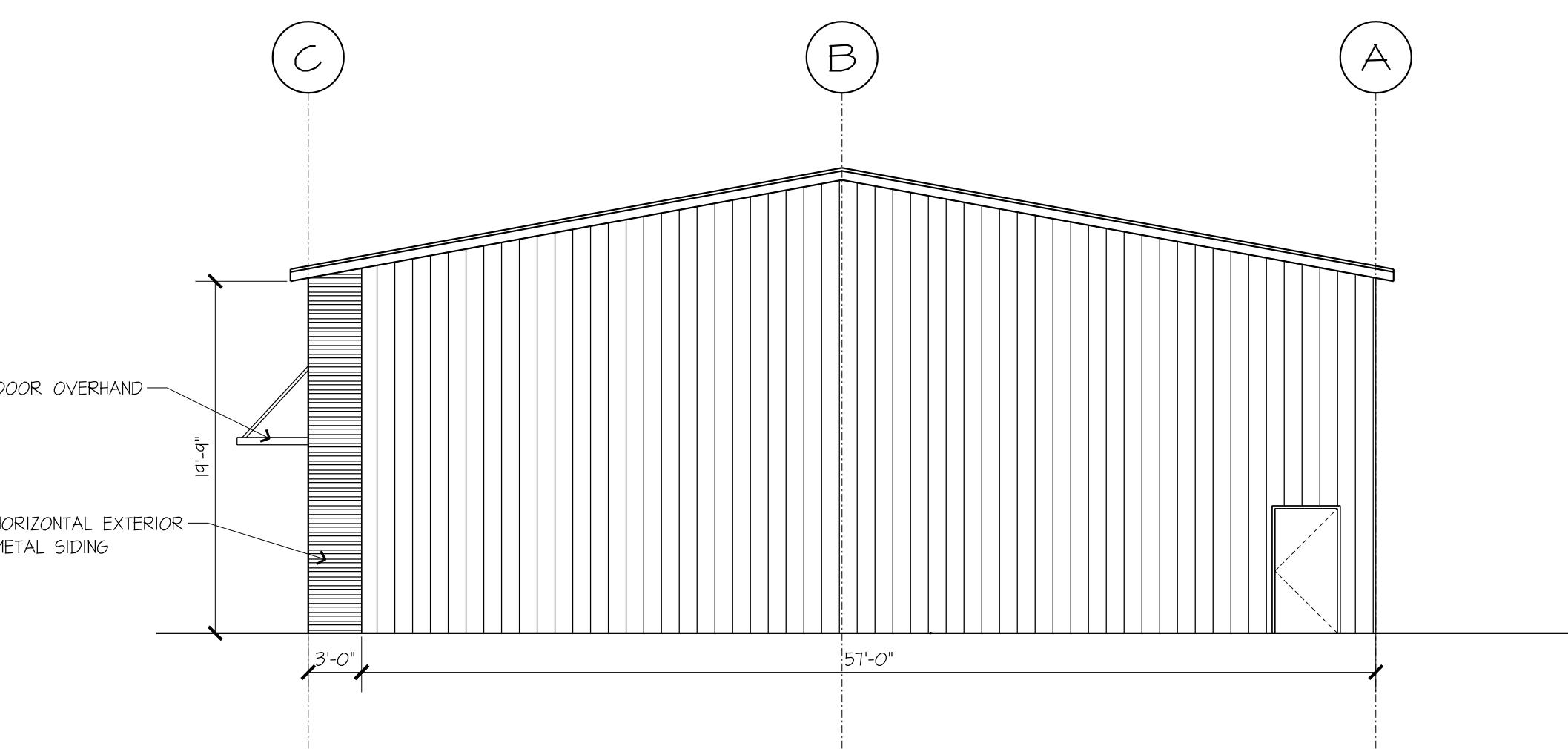
SHEET TITLE:

EXTERIOR
ELEVATIONS



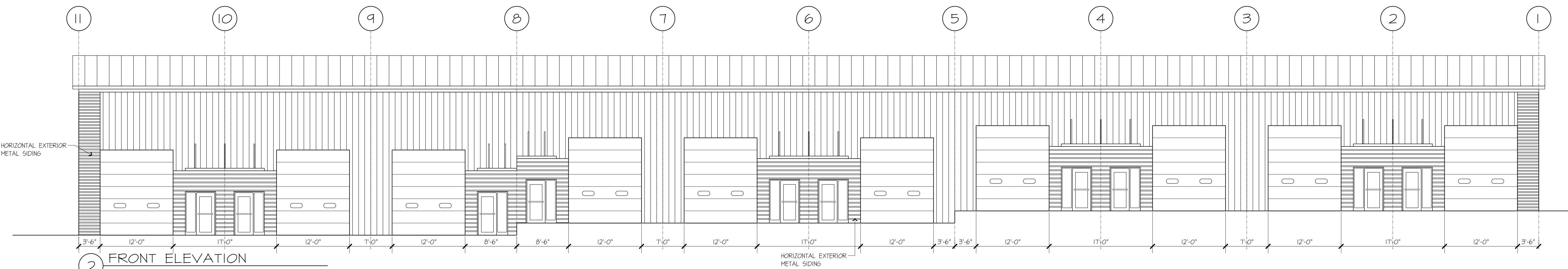
(3) LEFT SIDE ELEVATION

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



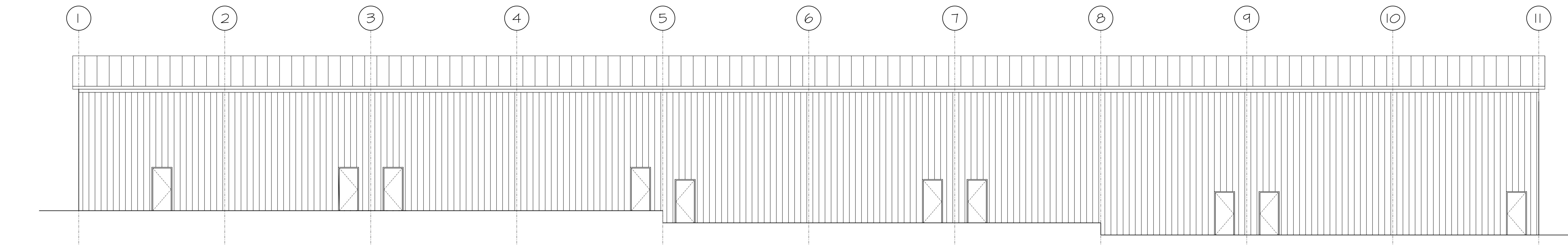
(4) RIGHT SIDE ELEVATION

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



(2) FRONT ELEVATION

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



(1) REAR ELEVATION

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

PROGRESS PRINT

FOR PROGRESS REVIEW AND
ESTIMATING PURPOSES ONLY

Job No.:	23110
FILE:	
DRAWN:	
SCALE:	1/8" = 1'-0"
DATE:	08/25/2023

SHEET IDENTIFICATION:

A-301

NO. DATE DESCRIPTION

250 Turnpike Road
Southborough, MA

New Construction



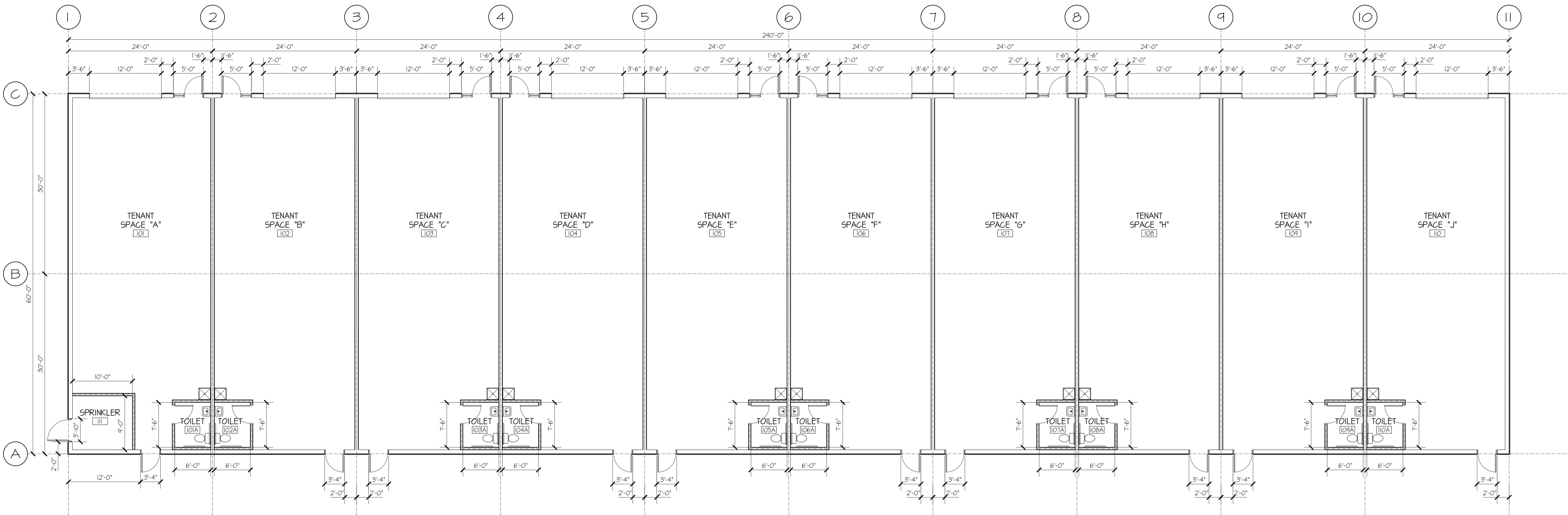
J FERRERA ASSOCIATES INC.
Architecture • Design • Planning
2 Fern Lane • Sterling, MA 01564
tel: (978) 407-8848
email: jaferrera@comcast.net

SHEET TITLE:

OVERALL
FLOOR PLAN

GENERAL KEYNOTES:

- A. ALL DIMENSIONS LOCATED ON THE DRAWINGS ARE TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION. SHOULD DISCREPANCIES OCCUR, NOTIFY THE ARCHITECT FOR FURTHER CLARIFICATION.
- B. ALL MATERIALS, MEANS, AND METHODS AND EQUIPMENT TO BE USED ARE TO COPLY WITH STATE AND LOCAL CODES. CONTRACTOR IS TO FURNISH AND INSTALL LABOR, EQUIPMENT, MATERIALS, SUPPLIES AND SERVICES REQUIRED, NECESSARY OR INCIDENTAL FOR A COMPLETE PROJECT.
- C. MINOR DETAILS NOT USUALLY SHOWN OR SPECIFIED BUT NECESSARY FOR PROPER AND ACCEPTABLE CONSTRUCTION, INSTALLATION, AND FINISHES OF THE WORK, SHALL BE INCLUDED IN THE WORK AS IF IT WERE SPECIFIED OR INDICATED ON THE DRAWINGS.
- D. CONTRACTOR SHALL REVIEW ALL OWNER FURNISHED ITEMS TO DETERMINE COORDINATION AND SCHEDULING DETAILS ASSOCIATED WITH PROJECT.
- E. ALL FINISHES, PAINT COLORS TO BE SELECTED BY TENANT.
- F. CONTRACTOR TO PROVIDE BLOCKING AS REQUIRED, CABINETS / SHELVING/ ETC.



1 FLOOR PLAN

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

PROGRESS PRINT

FOR PROGRESS REVIEW AND
ESTIMATING PURPOSES ONLY

Job No.:	23110
FILE:	
DRAWN:	
SCALE:	1/8" = 1'-0"
DATE:	08/25/2023

SHEET IDENTIFICATION:

A-201

NO. DATE DESCRIPTION

SITE PLAN OF LAND AT 250 TURNPIKE ROAD IN SOUTHBOROUGH, MASSACHUSETTS

TOWN OF SOUTHBOROUGH
PLANNING BOARD ENDORSEMENT
DATE: _____

OWNER & APPLICANT:

FD 250 TURNPIKE, LLC
118 TURNPIKE ROAD, SUITE 300
SOUTHBOROUGH, MASSACHUSETTS 01772

CLIENT NUMBER: 502
JOB NUMBER: 245-502
DRAWING : 250TURNPIKECURRENT.dwg

PREPARED BY

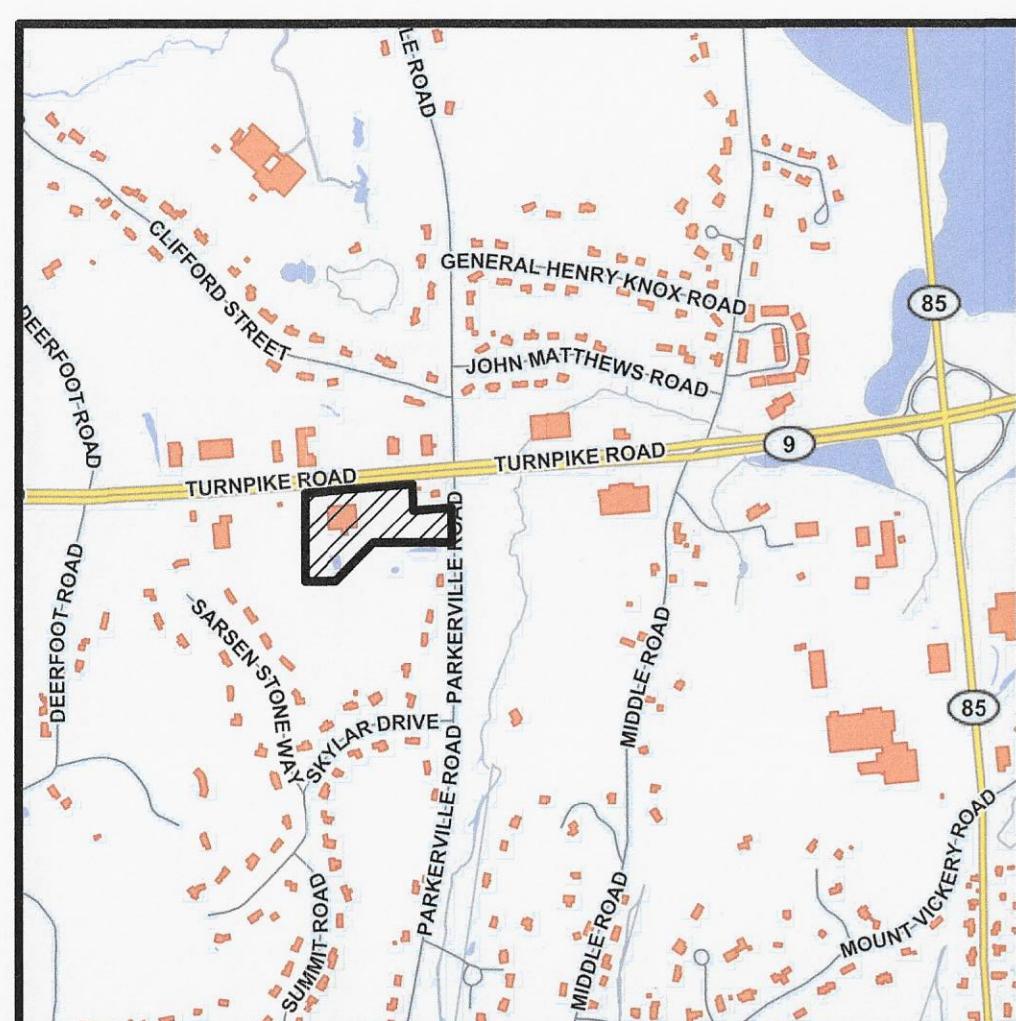
AZIMUTH LAND DESIGN, LLC
118 TURNPIKE ROAD, SUITE 200
SOUTHBOROUGH, MASSACHUSETTS 01772
TELEPHONE (508) 485-0137
EMAIL: jamest@azimuthlanddesign.co

DATE:

JULY 8, 2022
REVISED AUGUST 31, 2022
REVISED OCTOBER 31, 2022
REVISED NOVEMBER 14, 2022
REVISED DECEMBER 2, 2022
REVISED DECEMBER 8, 2022
REVISED DECEMBER 13, 2022
REVISED DECEMBER 16, 2022
REVISED JULY 16, 2023
REVISED AUGUST 18, 2023
REVISED AUGUST 31, 2023
REVISED OCTOBER 16, 2023
REVISED OCTOBER 31, 2023

SHEET DIRECTORY

TITLE SHEET	(THIS SHEET)
EXISTING CONDITIONS PLAN	E1
SITE LAYOUT PLAN	S2
GRADING PLAN	G3
DETAIL PLANS	D4 – D5
LANDSCAPE PLAN(UNCHANGED)	L6



LOCUS MAP

1" = 1,000'



[Signature]
10/13/2023



N/F
DEAN REALTY
INVESTMENT, LLC
54183/296

N/F
PARKHAUS 241, LLC
66866/340

PLAN BOOK 521 PLAN 80

(ROUTE 9)
(1930 STATE LAYOUT)
(PUBLICLY DEDICATED - 120' WIDE)

WORCESTER TURNPIKE

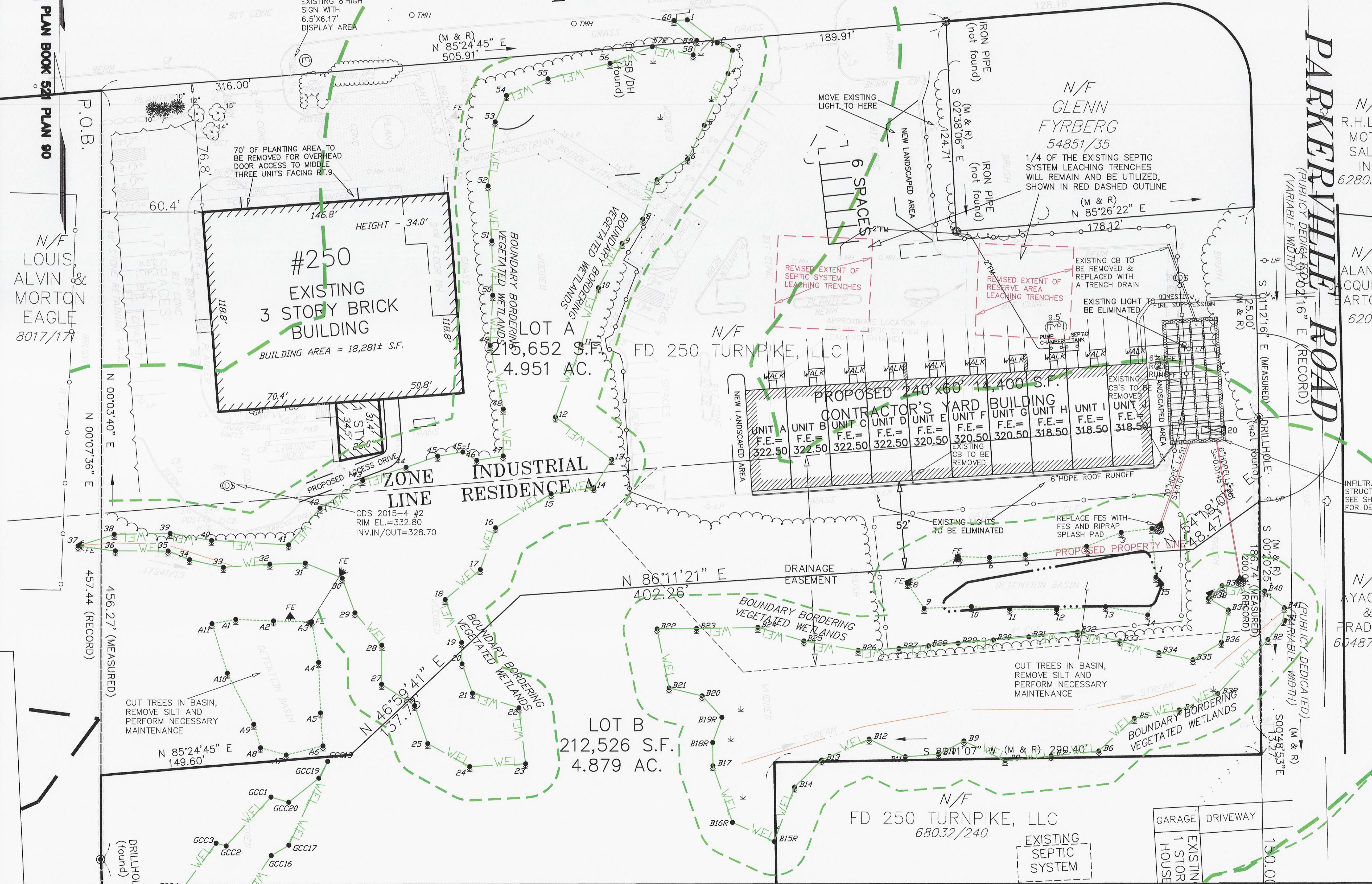


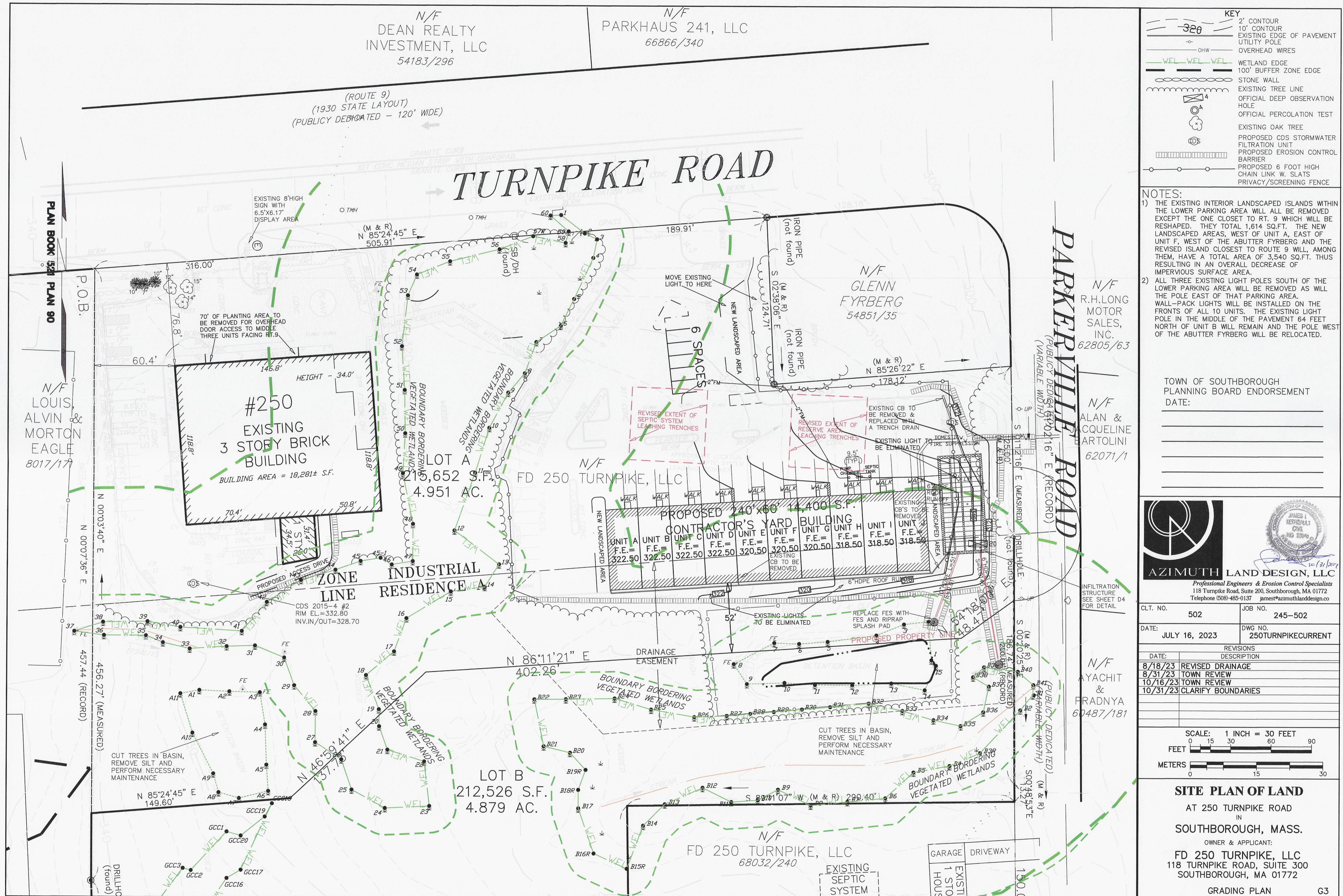
N/F
DEAN REALTY
INVESTMENT, LLC
54183/296

N/F
PARKHAUS 241, LLC
66866/340

(ROUTE 9)
(1930 STATE LAYOUT)
(PUBLICLY DEDICATED - 120' WIDE)

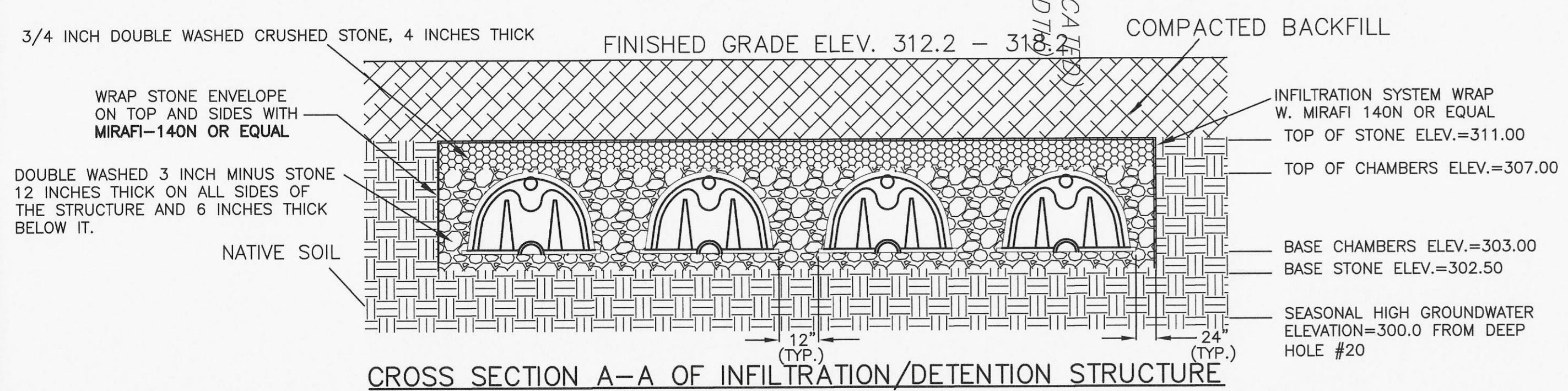
TURNPIKE ROAD





DETENTION BASIN MAINTENANCE PLAN:

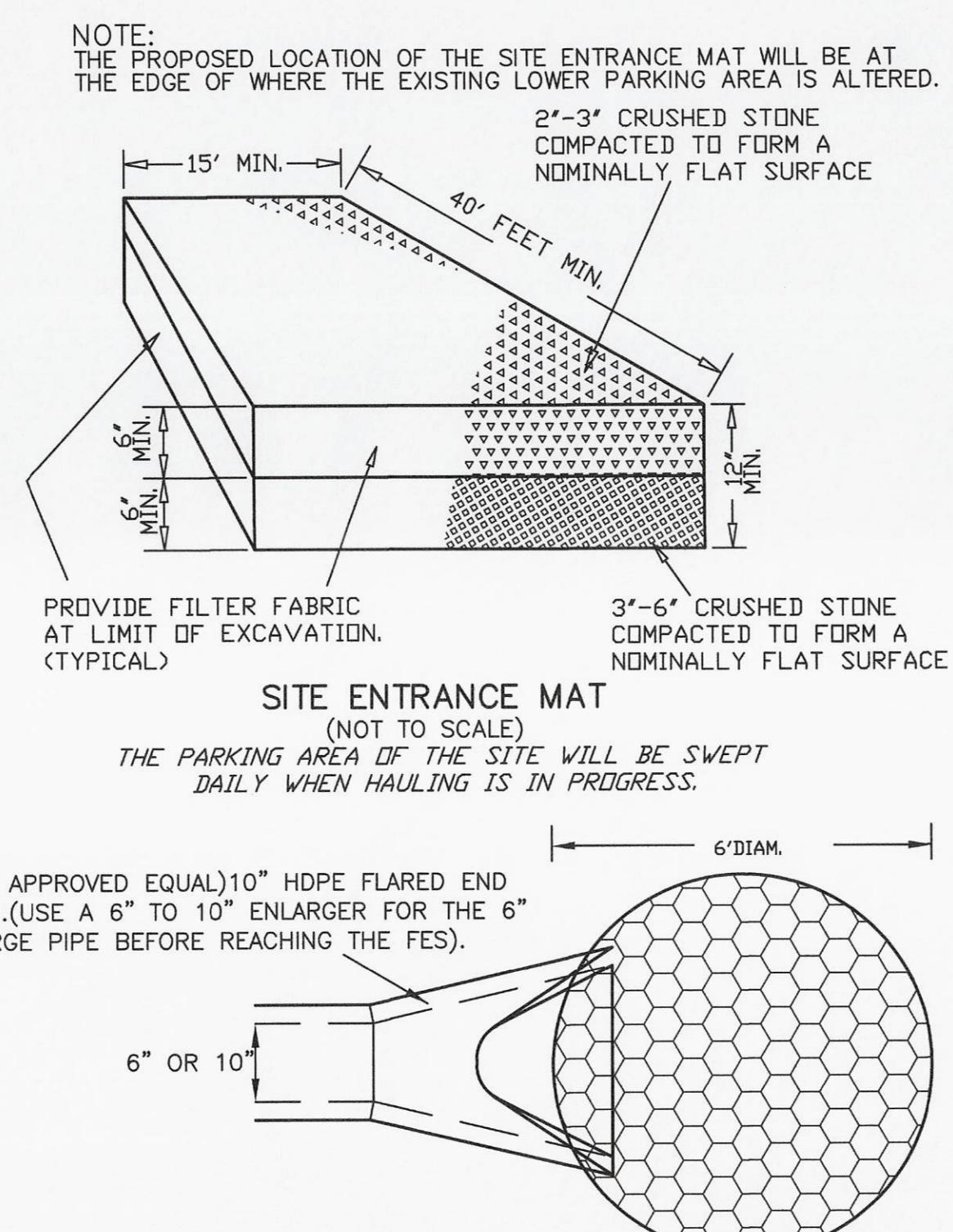
- 1) AS MUCH AS POSSIBLE, WORK WILL BE DONE BY HAND. IF AN EXCAVATOR IS TO BE USED, WOOD CHIPS OR STUMP GRINDINGS WILL BE PUT DOWN OVER ITS PATH THROUGH WOODS TO EITHER BASIN.
- 2) WORK WILL NOT TAKE PLACE BETWEEN MARCH 1 AND JUNE 1, TO AVOID DISPLACING WOOD FROGS IN THE MORE WESTERLY BASIN. IF AN EXCAVATOR IS USED, TO REPLACE A DAMAGED PIPE, A SITE ENTRANCE MAT WILL BE INSTALLED OFF THE EDGE OF PAVEMENT. THE WORK WILL BE EXECUTED IN THE FOLLOWING SEQUENCE:
 - A. TREES WITHIN BOTH BASINS AND ON THEIR DIKES SHALL ALL BE CUT BY HAND OR CHAINSAW BUT NO STUMPS SHALL BE REMOVED. CUT TREES SHALL BE REMOVED IN AS LEAST DISRUPTIVE A FASHION AS POSSIBLE.
 - B. ANY DEPOSITS OF SILT > 1 INCH DEPTH BLOCKING THE INLET OR OUTLET PIPES SHALL BE REMOVED, BY HAND, IF POSSIBLE, USING SHOVELS AND WHEELBARROWS.
 - C. LOAM SHALL BE PLACED OVER ANY AREAS WHERE SILT IS REMOVED AND THESE AREAS SHALL BE SEEDED WITH NEW ENGLAND PLANTS INC.'S EROSION CONTROL/RESTORATION MIX FOR DETENTION BASINS AND MOIST SITES AT THE RATE OF 1 LB PER EACH 1,250 SQ.FT.
 - D. ANY BLOCKAGES SHALL BE REMOVED FROM OBSTRUCTED PIPES. IF A PIPE IS CRUSHED AND HAS TO BE REPLACED, THE SOUTHBOROUGH CONSERVATION COMMISSION AGENT WILL BE INFORMED BEFORE THAT WORK BEGINS.



- 1) THE DETENTION/INFILTRATION STRUCTURE SHALL CONSIST OF 76 CULTEC R902HD CHAMBERS (OR APPROVED EQUAL) INSTALLED IN 4 ROWS OF 19 CHAMBERS, ALL WITHIN AN EXCAVATED FOOTPRINT HAVING AN AREA OF 2,433 SQUARE FEET (33' WIDE X 73.73' LONG). THE STONE ENVELOPE WITHIN WHICH THE CHAMBERS WILL BE INSTALLED WILL BE 8.5 FEET DEEP. THE CHAMBERS WILL BE INSTALLED WITH 12 INCHES BETWEEN ROWS AND WILL HAVE AT LEAST 24 INCHES OF CRUSHED STONE BETWEEN THEM AND THE SIDES OF THE INFILTRATION AREA.
- 2) THERE SHALL BE FOUR FEET OF DOUBLE WASHED CRUSHED STONE OVER THE CHAMBERS AND 6 INCHES BELOW THEM. IF UNSUITABLE MATERIALS SUCH AS FILL, MULCH, TOPSOIL (A HORIZON SOILS) OR SUBSOIL (B HORIZON SOILS) ARE DISCOVERED BELOW THE PROPOSED BASE STONE ELEVATION IN THE AREA OF THE SYSTEM, THAT UNSUITABLE MATERIAL SHALL BE REMOVED AND REPLACED WITH MORE DOUBLE WASHED CRUSHED STONE.
- 3) STANDARD CULTEC INSPECTION PORTS SHALL BE INSTALLED AT THE CHAMBERS WHERE STORMWATER IS DISCHARGED INTO THE INFILTRATION STRUCTURE, WHERE IT IS DISCHARGED FROM THE STRUCTURE AND IN THE MIDDLE OF THE SYSTEM IN THE LOCATIONS SHOWN.
- 4) THE 6" AND 10" HDPE OUTLET PIPES SHALL BOTH BE FITTED WITH AGRI-RAIN CAPS.
- 5) DEEP OBSERVATION HOLE #20 WAS EXCAVATED AND OBSERVED ON JULY 20, 2023. FROM A SURFACE ELEVATION OF 310.5, SEASONAL HIGH GROUNDWATER WAS INDICATED AT A DEPTH OF GREATER THAN 126 INCHES BY THE LACK OF MOTTLING AND ABSENCE OF WEEPING GROUNDWATER. SO, FOR THE PURPOSE OF THE DESIGN OF THE INFILTRATION SYSTEM, SEASONAL HIGH GROUNDWATER IS CONSIDERED TO BE AT ELEVATION 300.0. THE SOILS OBSERVED HAD A LOAMY SAND TEXTURE IN THE C HORIZON.

GENERAL NOTES:

- 1) THERE ARE NO FEMA FLOOD ZONES ON THIS SITE.
- 2) ACCORDING TO THE MASSMAPPER WEB SITE, THERE ARE NO ENDANGERED SPECIES HABITATS AND NO VERNAL POOLS ON OR ADJACENT TO THIS SITE.
- 3) TOTAL SITE ALTERATION IS EXPECTED TO BE 0.9 ACRES.
- 5) THE SITE'S EXISTING SEPTIC SYSTEM WILL CONTINUE TO BE USED AS WILL THE SITE'S CONNECTION TO THE MUNICIPAL WATER SYSTEM.
- 6) DEPTH TO SEASONAL HIGH GROUNDWATER WAS TYPICALLY 40" AT DH'S 13-19. AT DH 20, IT WAS AT LEAST 126 INCHES BUT THAT WAS WITH 60 INCHES OF FILL PRESENT.
- 6) ADJACENT PROPERTIES ARE SERVED BY TOWN WATER NOT PRIVATE WELLS. THE TOWN WATER IS PURCHASED FROM THE MWRA NOT DERIVED FROM PUMPED WELLS.
- 7) THE EXISTING BUILDING HAS A SERVICE CONNECTION TO THE WATER LINE IN BOSTON TURNPIKE. THE EXACT LOCATION OF THAT SERVICE LINE IS UNCERTAIN.
- 8) NOT INCLUDING STONE IMPORTED TO SURROUND THE CHAMBERS IN THE INFILTRATION SYSTEM, THE NET BALANCE OF MATERIAL ON SITE IS A NEED TO IMPORT JUST 40 CUBIC YARDS OF ORDINARY BORROW.

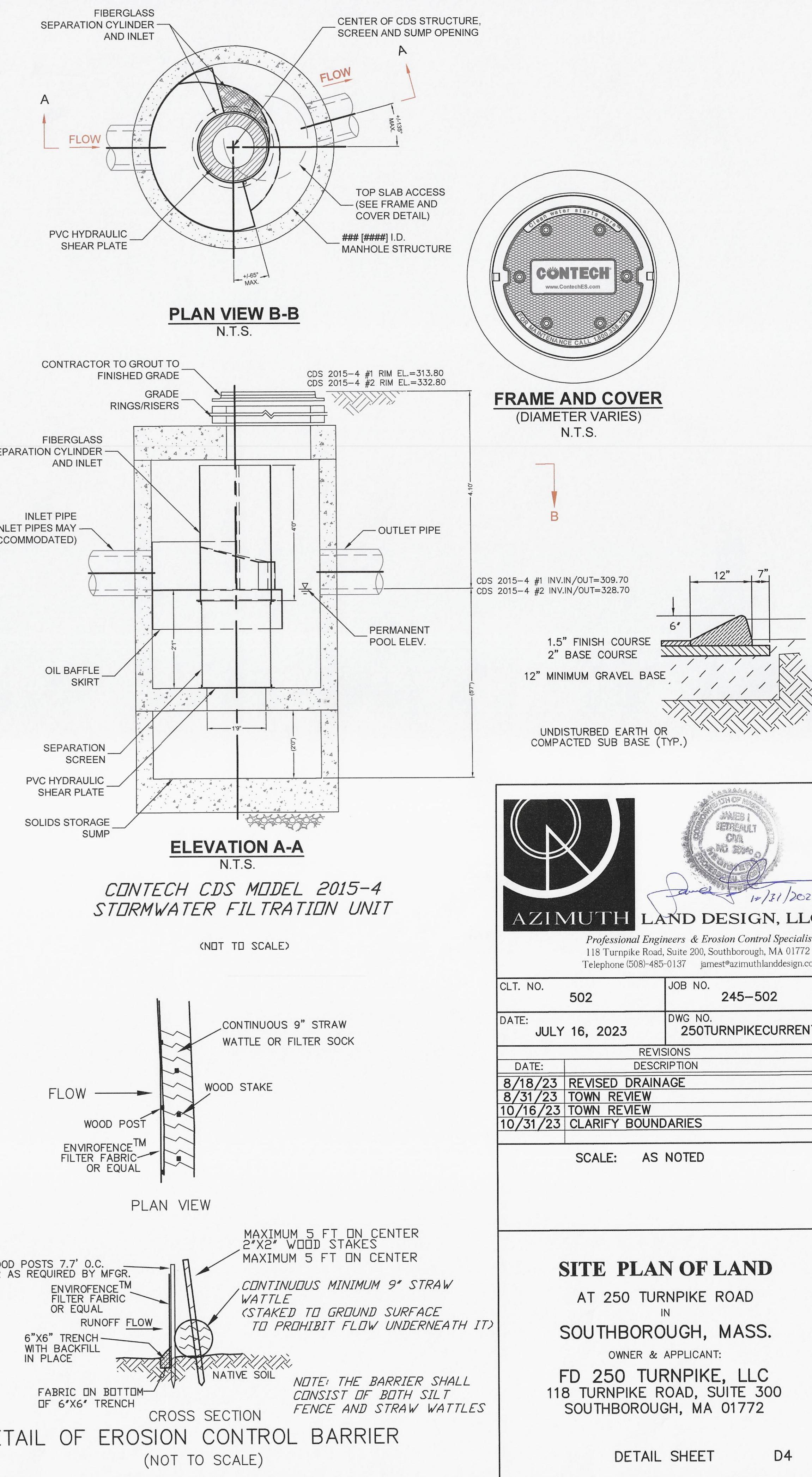


THE 6' DIAMETER RIP RAP SPLASH PAD SHALL CONSIST OF A LAYER OF STONE 12 INCHES IN THICKNESS OR MORE, PLACED UPON A BED OF SAND AND GRAVEL 6 INCHES IN THICKNESS. THE STONES SHALL BE SIZED SO THAT NOT LESS THAN 60 PERCENT SHALL HAVE ONE DIMENSION 8 INCHES OR MORE. THE STONES SHALL BE LAID SO THAT THE OUTER RING OF THEM IS 4" TO 6" HIGHER THAN THE STONES IN THE CENTER. AFTER BEING LAID, THE STONES SHALL BE CAREFULLY CHINKED BY HAND TO MAKE A REASONABLY SMOOTH AND SHAPED SURFACE.

FLARED END SECTION WITH SCOUR PROTECTION (NOT TO SCALE)

SEPTIC SYSTEM CAPACITY

THE EXISTING SEPTIC SYSTEM, WITH 17 TRENCHES 85 FEET LONG, WAS DESIGNED TO HAVE A CAPACITY OF 3,616 GPD. PROPOSED SEPTIC FLOW GENERATION FOR THE SELF-STORAGE FACILITY WILL BE 15 GPD FOR ONE EMPLOYEE ON SITE IN A WAREHOUSE FACILITY W. NO CAFETERIA. FOR THE CONTRACTOR'S YARD BUILDING, ESTIMATE 20% OF SPACE AS OFFICE USE, THAT'S 2,800 S.F. WHICH WILL GENERATE 75 GPD/1000 S.F. OR 210 GPD. IF WE GENEROUSLY ASSUME EACH UNIT WILL AVERAGE ONE EMPLOYEE IN THE WAREHOUSE SPACE THAT'S ANOTHER 10X15=150 GPD. THE NET TOTAL FOR THE SITE IS 15+210+150=375 GPD OR 1/10 WHAT THE EXISTING SYSTEM IS DESIGNED TO RECEIVE. WE WILL USE 1/4 OF THE EXISTING SYSTEM'S TRENCH AREA.



POLLUTION PREVENTION PLAN

FOR

250 TURNPIKE ROAD, SOUTHBOROUGH, MA

PROJECT DESCRIPTION

This is a proposal to redevelop a portion of this site, as a contractor's yard building used primarily for storage but with the possibility of some office space use.

Construction will take place in a single phase and is expected to last from late summer of 2023 into the fall of 2024. Total site alteration will be approximately 41,500 S.F. or 0.9 acres.

Construction Process
Before construction begins, erosion control barriers consisting of silt fencing attached to posts and backed by staked straw wattles will be placed at the limit of work as shown on the Grading and Drainage Plan, Sheet G3.

The first step of the construction process will be the cutting of any trees within the limits of proposed development. After this has been accomplished in the demarcated areas, clearing and grubbing will take place and loam will be stockpiled (preferably in the location of the proposed CDS unit).

The time of construction requiring the most attention and care occurs between the stripping of natural overburden and the stabilization of construction areas. Cut and fill areas create additional risk by increasing the possibility of stormwater runoff causing erosion.

The contractor will, to the extent possible, leave natural cover untouched at the edges of the property. The contractor will limit to the shortest time possible the time that areas are exposed. Landscaping will be completed as early as weather and building construction allow. During the times between clearing and landscaping, soils will be stabilized with a combination of stump grindings, wood chips, hay/staw mulch, temporary grass seeding and other measures as necessary to prevent any significant erosion of soils.

Soil stockpile shall be surrounded by staked silt fence placed at least 5 foot off the toe of slope of the stockpile.

In conjunction with the site grading process, a number of sedimentation control procedures will be followed. The object of the procedures is to prevent the erosion of soils and the transport of sediments to adjacent properties or to wetland resource areas on and off site.

Stabilization

Temporary and permanent stabilization of disturbed surfaces is the most reliable method of preventing the erosion and transport of site soils. Toward that end, the areas that are disturbed will be provided temporary stabilization within two weeks after the last disturbance when:

- Work is not complete in that area,
- Work will remain incomplete for a period of three weeks or more, and
- The planting season has not been reached in areas which will be re-vegetated.

Permanent stabilization will take place when:

- Work is complete in that area and
- The planting season has been reached and areas can be revegetated.

Best Management Practices Employed

To guard against the transport of soils offsite several Best Management Practices (BMP's) may be employed. erosion control barriers, sediment sumps, temporary settling basins, straw bale check dikes, swales, a site entrance mat, flocculants in both crystal and block forms, and organic media for capture of silt below flocculants may be used on this site as appropriate. All of these measures are temporary. The site's permanent protection against erosion and the deposition of sediment off site at resource areas is the permanent stabilization of formerly exposed surfaces with pavement, lawn and other landscaping.

Soils

According to the Web Soil Survey report of this site, the soils underlying this site consist primarily of Woodbridge series soils categorized as hydrologic soil group C soils and Canton series soils categorized as hydrologic soil group B soils.

Resource Areas
There multiple bordering vegetated wetlands on site, one associated with an intermittent stream flowing to Route 9, another associated with an intermittent stream flowing to Parkerville Road.

SITE PLAN DEVELOPMENT

As part of the Site Plans submitted to the Town of Southborough, Azimuth Land Design, LLC has prepared this erosion and sediment control plan calling for permanent and temporary erosion control measures. The site has no existing drainage system connection to the system in the State Highway layout and none is proposed.

PHASING

Construction of the project will take place in one phase. Total site alteration will be approximately 0.9 acres.

POLLUTION PREVENTION SITE PLAN

Various Best Management Practices (BMP's) are described herein and/or shown on the Grading Plan or the Detail Sheets and will be used to prevent or to mitigate erosion and pollution.

INSPECTION AND MAINTENANCE OF EROSION CONTROLS

1. At all times, siltation fabric fencing, straw wattles and stakes sufficient to construct an erosion control barrier a minimum 25 feet long will be stockpiled on the site in order to repair established barriers which may have been damaged or breached.

2. The Developer will designate an Inspector a person or entity other than the site supervisor. The Inspector must be accessible seven days a week and be responsible for inspecting and coordinating the maintenance and repair of all erosion control systems on the site.

3. An inspection of all erosion control measures shall be conducted by the Inspector at least once each week until the completion of construction of the subdivision. The Contractor shall inspect all erosion control systems daily and shall notify the Inspector of any breaches or failures. In case of any noted breach or failure, the Contractor shall immediately make appropriate repairs.

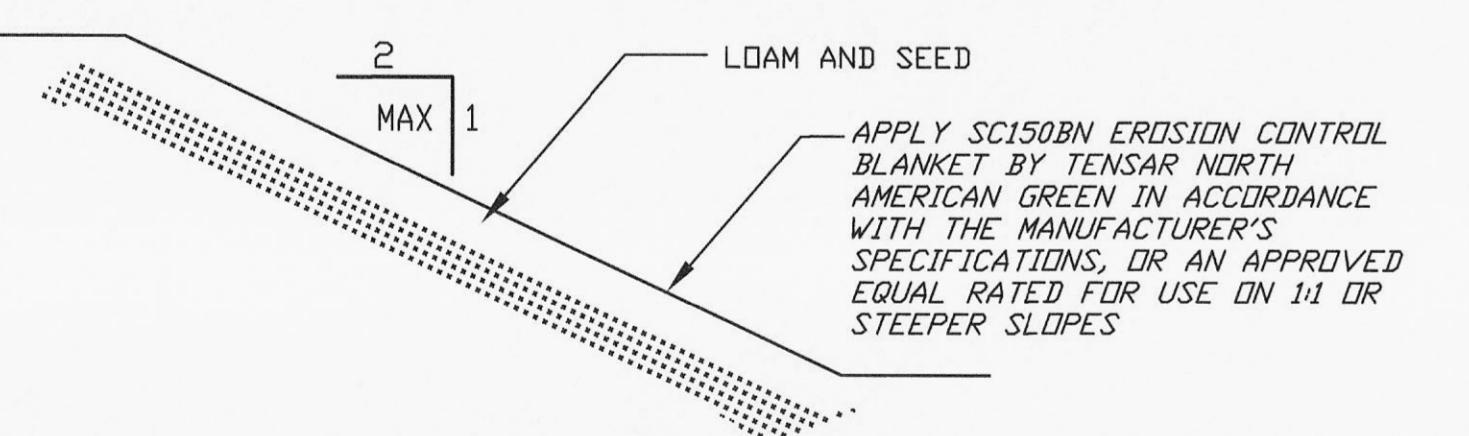
4. The Inspector shall inspect all erosion control systems on the site before, during and after any storm event reaching one of the following thresholds:

- a. Any storm in which rain is predicted to last for 12 consecutive hours or more.
- b. Any storm for which a Flash Flood watch or warning is issued.
- c. Any single storm predicted to have a cumulative rainfall greater than 1/2 inch.
- d. Any storm event not meeting the previous three thresholds but which would mark the third consecutive day of measurable rainfall.

5. The Inspector shall inspect erosion control measures at times of significant increase in runoff due to rapid thawing when the risk of failure of those measures is significant.

6. In such instances as remedial action is necessary, the Inspector shall cause to be repaired within seven days, any and all significant deficiencies in erosion control measures.

7. The Southborough Conservation Commission shall be notified of any significant failure of erosion control measures and shall be notified of any release of pollutants.



3:1 TO 2:1 SLOPE VEGETATIVE TREATMENT

(NOT TO SCALE)

OTHER LOT AREA DIMENSIONS

PROPOSED LOT A WILL HAVE AN AREA OF 215,319 S.F. PROPOSED LOT B WILL HAVE AN AREA OF 212,859 S.F.

LOT A WILL CONTAIN 36,602 S.F. OF WETLAND RESOURCE AREAS(17.0%).

LOT B WILL CONTAIN 32,607 S.F. OF WETLAND RESOURCE AREAS(15.3%).

THERE ARE NO FEMA RECOGNIZED FLOOD ZONES ON EITHER LOT.

LOT A NOW HAS 103,005 S.F. IMPERVIOUS COVER(47.9%), 16,114 S.F. OPEN SPACE(7.5%) AND 96,200 S.F. UNDISTURBED OPEN SPACE COVER(44.7%).

LOT A WILL HAVE 102,104 S.F. IMPERVIOUS COVER(47.4%), 15,290 S.F. OPEN SPACE(7.1%) AND 97,925 S.F. UNDISTURBED OPEN SPACE COVER(45.5%).

LOT B HAS NOW AND WILL HAVE 4,129 S.F. OPEN SPACE(1.9%) AND 208,730 S.F. UNDISTURBED OPEN SPACE COVER(98.1%).

EROSION CONTROL DEVICES OR PROCESSES

1. Erosion Control Barrier

The erosion control barrier will consist of an approved siltation fabric fencing installed on posts according to the manufacturer's instructions and backed by staked straw wattles. The barriers will be placed between work areas and wetland resource areas in a manner that prevents the passage of soil materials under, around or over it. Sediment will be removed from against the barrier when the accumulated sediment has reached one half of the original installed height of the barrier.

2. Straw Wattle Diversion Dike

Straw wattles will be placed in other locations on the site in order to further prevent the flow of sediment from the site or reduce the velocity of runoff crossing open land or running off stockpile or fill areas. Straw bale diversion dikes will also be placed within developing rills to reduce surface runoff velocities and to shift the path of the water flow. The locations where straw bale diversion dikes are installed will be determined in the field at the Inspector's discretion.

3. Slope Stabilization

Slopes or surfaces that are created due to excavation or filling along the edge of the parking areas will be temporarily stabilized with one or more of the following:

- Straw mulch with tackifier
- Soft wood and hard wood chips or stump grindings.
- Permanent stabilization of slopes and surfaces will employ one or more of the following:
- 6 inches of loam and grass
- Sod
- Riprap
- Erosion control blankets such as Tensar North American Green C125BN or approved equal and vegetation
- Mulch and landscaping plantings
- A combination of grasses, riprap and/or plants and shrubbery

- In any areas that will, unexpectedly, be steeper than 2:1, after construction, the slope will be stabilized by the placement of heavy riprap or by the installation of erosion control matting specifically rated by the manufacturer for use on a 1:1 slope. The riprap slope will be formed by placing heavy stone on a one foot thick layer of gravel that is covered by an approved filter fabric.

4. Diversion Swale

Runoff diversion swales may be provided in order to intercept sheet and concentrated flows above the existing culvert under Main Street. The swales will direct runoff to sediment sumps or temporary settling basins. The swales will be approximately 5 feet wide and one foot deep. Straw bale diversion dikes may be installed on the downhill side of the swales to assist in containing the water flow.

5. Sediment Sumps

Sediment sumps are excavated depressions of 10 foot diameter and 2 foot depth. The sumps will collect runoff from unfinished parking areas and slopes and will allow sediment to settle out before flow continues to an erosion control barrier. Sediment sumps will be cleaned whenever the accumulated sediment has reached one half of the original depth of the sump.

6. Temporary Settling Basins

Temporary settling basins (TSB's) are larger excavations made at locations that will receive significant stormwater runoff flow. They are used to capture and detain stormwater in the construction phase to settle out some eroded material and to lessen the rate of flow of stormwater from construction phase work areas. Temporary settling basins are larger than sediment sumps and shall have silt fence or straw bale dikes at their entrance and exit to control flow. They shall be sized according to the DEP Stormwater management standards which requires that they have sufficient capacity to hold 1 inch of runoff from the watershed contributing flow to them. For example, a TSB receiving flow from 1 acre of land should have a volume capacity of at least 3,630 square feet. TSB's should have flocculant blocks and jute mesh matting at their outlet. TSB's should be cleaned out whenever the accumulated sediment has reached more than 6 inches deep. No TSB shall be located where the proposed infiltration structure is to be located.

7. Flocculants

If the capture of flows in sediment sumps and temporary settling basins does not sufficiently reduce the turbidity of runoff before it leaves the site, flocculant blocks shall be installed at the outlet of any sediment sump, TSB or swale discharge flow to the site's drainage system. Immediately downstream of the flocculant blocks, a suitable organic media such as jute mesh matting shall be installed over stone for runoff that has contacted the flocculant blocks to flow. This will allow capture of silts. In addition, crystal flocculants may be used to reduce turbidity of captured runoff in sediment sumps and temporary settling basins.

8. Dust control

Water shall be applied over exposed soil areas if dust becomes a perceptible problem. Watering may be by truck or other method.

SEQUENCE OF INSTALLATION AND CONSTRUCTION

The following is a sequence for the construction of the project. The actual schedule may vary somewhat from that stated if site or weather conditions require.

An example of a logical change to the schedule would be deviating from the sequence below to allow the laying of berms prior to a freeze in order to better control the site drainage.

1. The Developer will hold a preconstruction meeting with representatives of the Town of Southborough in order to review permits, procedures and construction methods.

2. The Developer will hold a preconstruction meeting with the Engineer, Contractor's employees and the Inspector in order to review permits, procedures and construction methods.

3. Establish a site entrance mat at the edge of pavement being overturned for the contractor's yard construction.

4. Cut trees as necessary for the proposed development but no further. Chip wood and then clear and grub where trees were cut. Perform maintenance work in the two existing detention basins.

5. Stockpile and compact excavated loam in an area surrounded by staked straw wattles or siltation fencing. We suggest the area at the east end of the parking area, where the CDS stormwater filtration unit is to be installed. Place the straw wattles or fencing at least five feet from the base of the loam pile.

6. Begin earthwork to create the new grading south and east of the proposed contractor's yard building. Create sediment traps or temporary settling basins as necessary to capture runoff during the construction phase and prevent pollutants from leaving the site. Also remove top and subsoil and place gravel base for the new access drive at the back of the existing building.

7. Begin construction of the contractor's yard building and also install the proposed infiltration structure, cds stormwater filtration unit and then piping that will convey stormwater from downspouts to the infiltration structure. Prepare new pavement subgrade in the regraded parking and driving surface areas. Remove landscaping on the north side of the existing building for driving access to new overhead doors.

8. Continue construction work inside the contractor's yard building and install utility connections including for the septic system.

9. Install the septic tank, pump chamber and force main line to the trenches for the septic system. Then do all site paving, north and south of the existing building and north of the contractor's yard building.

10. Install proposed landscaping and permanently stabilize exposed slopes with 6 inches of loam and grass, other vegetation and landscaping using North American Green SC150BN erosion control blankets on slopes from 2:1 to 3:1.

11. Finish interior construction of the proposed contractor's yard building and install any signage.

12. Remove accumulated sediment and temporary erosion control measures after all slopes have been permanently stabilized and the risk of erosion has passed.

13. Prepare and submit an as-built survey of the work to the Town of Southborough.

TRAFFIC GENERATION

THE ITE TRIP GENERATION CODE CLOSEST TO THE PROPOSED USE IS NO. 151 "MINI-WAREHOUSE". FOR THIS CODE, DAILY TRAFFIC GENERATION IS EXPECTED TO BE JUST 1.51 TRIPS PER DAY PER 1,000 SQUARE FEET OF GROSS FLOOR AREA. SO THAT MAKES 22 VEHICLE TRIPS PER DAY. THIS IS AN INCONSEQUENTIAL TRAFFIC GENERATION COMPARED TO THE VOLUME ON ROUTE 9 THE SITE'S ONLY ACCESS POINT. FOR THIS REASON, THE APPLICANT WILL ASK THAT THE PLANNING BOARD NOT REQUIRE THE PREPARATION OF A TRAFFIC REPORT FOR THIS DEVELOPMENT.

DIG SAFE:

EXCEPT FOR VISIBLE STRUCTURES (MANHOLES, GATES, POLES, ETC.) LOCATED BY CONTROL POINT ASSOCIATES, ALL UNDERGROUND UTILITIES SHOWN WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM THE VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING OR INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION, OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC & PRIVATE, MUST BE CONTACTED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. AZIMUTH LAND DESIGN, LLC ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. CALL "DIG SAFE" AT 811 or 1-888-DIG-SAFE.

PARKING CALCULATION

SECTION 174-12.E(12) CALLS FOR A WAREHOUSE USE TO BE PROVIDED WITH ONE SPACE FOR EVERY 1,500 SQUARE FEET OF GROSS FLOOR AREA.

SO, THE 14,400 SQ.FT. BUILDING REQUIRES 9.6 PARKING SPACES. EACH OF THE 10 CELLS WILL HAVE ONE LINED PARKING SPACE (AND ANOTHER UNACKNOWLEDGED AVAILABLE SPACE IN FRONT OF THE OVERHEAD DOOR). IN ADDITION, THERE WILL BE 6 MORE SPACES JUST TO THE NORTH ON THE EXISTING PAVEMENT.

SO, 10 SPACES ARE REQUIRED AND 16 ARE PROVIDED.



Professional Engineers & Erosion Control Specialists
118 Turnpike Road, Suite 200, Southborough, MA 01772
Telephone (508) 485-0137 jamest@azimuthlanddesign.co

CLT. NO. 502 JOB NO. 245-502

DATE: JULY 16, 2023 DWG. NO. 250TURNPIKECURRENT

REVISIONS	DESCRIPTION
DATE: 8/18/23	REVISED DRAINAGE
DATE: 8/31/23	TOWN REVIEW
DATE: 10/16/23	TOWN REVIEW
DATE: 10/31/23	CLARIFY BOUNDARIES

SCALE: AS NOTED

SITE PLAN OF LAND

AT 250 TURNPIKE ROAD
IN
SOUTHBOROUGH, MASS.

OWNER & APPLICANT:
FD 250 TURNPIKE, LLC
118 TURNPIKE ROAD, SU



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 0 Parkerville Road
Parcel ID: 27-0000-0046-0
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
125 PARKERVILLE ROAD 27-0000-002-0	FD 250 TURNPIKE ROAD LLC 118 TURNPIKE ROAD STE 300 SOUTHBOROUGH, MA 01772	
250 TURNPIKE ROAD 27-0000-02-A	FD 250 TURNPIKE ROAD 325 DONALD LYNCH BLVD STE 205 MARLBOROUGH, MA 01752	
242 TURNPIKE ROAD 27-0000-003-0	FYRBERG GLENN F 242 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
258 TURNPIKE ROAD 27-0000-004-0	EAGLE LOUIS AND MORTON AND DA MARK TRS EAGLE REALTY NOMINEE 258 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
131 PARKERVILLE ROAD 27-0000-016-A	PALMER JOHN 131 PARKERVILLE ROAD SOUTHBOROUGH, MA 01772	
133 PARKERVILLE ROAD 27-0000-016-B	HOJLO JEFFREY F AND SUSAN F 133 PARKERVILLE ROAD SOUTHBOROUGH, MA 01772	
1 SKYLAR DRIVE 27-0000-016-C	ADELSON RACHEL P TRS RACHEL P ADELSON REV TRUST 1 SKYLAR DRIVE SOUTHBOROUGH, MA 01772	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 0 Parkerville Road
Parcel ID: 27-0000-046-0
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
129 PARKERVILLE ROAD 27-0000-017-0	HARVEY FREDERICK J 129 PARKERVILLE ROAD SOUTHBOROUGH, MA 01772	
3 SKYLAR DRIVE 27-0000-018-0	WITTCOFF BETH A 3 SKYLAR DRIVE SOUTHBOROUGH, MA 01772	
5 SKYLAR DRIVE 27-0000-019-0	FALLON AMANDA M AND DANIEL F 5 SKYLAR DRIVE SOUTHBOROUGH, MA 01772	
7 SKYLAR DRIVE 27-0000-020-0	JAMES W AND HARLEY G MUNSELL TRS SEVEN SKYLAR DRIVE REALTY TRUST 7 SKYLAR DRIVE SOUTHBOROUGH, MA 01772	
9 SARSEN STONE WAY 27-0000-034-0	MAHONEY BRIAN T AND STEPHANIE D CONNORS 9 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
7 SARSEN STONE WAY 27-0000-035-0	SEHGAL MANAV 7 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 0 Parkerville Road
Parcel ID: 27-0000-046-0
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
5 SARSENSTONE WAY 27-0000-036-0	GILMAN ALEX S AND JULIE 5 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
3 SARSENSTONE WAY 27-0000-037-0	MA JONATHAN AND ALLISON 3 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
1 SARSEN STONE WAY 27-0000-038-0	BETELAK RYAN AND CAITLIN 1 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
218 TURNPIKE ROAD 28-0000-009-0	RH LONG MOTOR SALES INC 218 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
8 LEEDS WAY 28-0000-031-0	SHARRON DEREK R AND LAUREN M TRS 8 LEEDS WAY REALTY TRUST 8 LEEDS WAY SOUTHBOROUGH, MA 01772	
9 LEEDS WAY 28-0000-032-0	PAUL SOHAM AND PAYEL GUHA THAKURTA 9 LEEDS WAY SOUTHBOROUGH, MA 01772	
10 LEEDS WAY 28-0000-033-0	AYACHIT MIHIR AND PRADNYA PATIL 10 LEEDS WAY SOUTHBOROUGH, MA 01772	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 0 Parkerville Road
Parcel ID: 27-0000-046-0
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
11 LEEDS WAY 28-0000-034-0	BARTOLINI ALAN AND JACQUELINE 11 LEEDS WAY SOUTHBOROUGH, MA 01772	

This list contains the certified list of owners on record with the Town of Southborough. The Record Owner is the property owner as of July 1st.

A handwritten signature in blue ink that reads "Barbara J. Sauer".

Authorized Signature

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

Date: 10/26/2023
Address: 250 Turnpike Road
Parcel ID: 27-0000-002-A
Distance: 300 feet
Zoning Board of Appeals

Property Location	Owner of Record	Deed Information
125 PARKERVILLE ROAD 27-0000-002-0	FD 250 TURNPIKE ROAD LLC 118 TURNPIKE ROAD STE 300 SOUTHBOROUGH, MA 01772	
242 TURNPIKE ROAD 27-0000-003-0	FYRBERG GLENN F 242 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
258 TURNPIKE ROAD 27-0000-004-0	EAGLE LOUIS AND MORTON AND DA MARK TRS EAGLE REALTY NOMINEE 258 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
255 TURNPIKE ROAD 27-0000-006-0	PICARDI, WILLIAM TRS UNICONN REALTY TRUST 255 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
245 TURNPIKE ROAD 27-0000-008-0	PARKHAUS 241 LLC 180 CANAL STREET STE 301 BOSTON, MA 02114	
241 TURNPIKE ROAD 27-0000-009-0	PARKHAUS 241 LLC 180 CANAL STREET STE 301 BOSTON, MA 02114	
225 TURNPIKE ROAD 27-0000-010-0	LINCOLN VENTURES INC C/O GEORGE K TONNA 2 FOSTER STREET WORCESTER, MA 01608	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 250 Turnpike Road
Parcel ID: 027-0000-002-A
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
251 TURNPIKE ROAD 27-0000-013-0	DEAN REALTY INVESTMENT LLC C/O RAD EXOTICS 50 CENTRAL STREET HUDSON, MA 01772	
TURNPIKE ROAD 27-0000-014-0	DEAN REALTY INVESTMENT LLC C/O RAD EXOTICS 50 CENTRAL STREET HUDSON, MA 01772	
129 PARKERVILLE ROAD 27-0000-017-0	HARVEY, FREDERICK J 129 PARKERVILLE ROAD SOUTHBOROUGH, MA 01772	
9 SARSEN STONE WAY 27-0000-034-0	MAHONEY BRIAN T AND STEPHANIE D CONNORS 9 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
7 SARSEN STONE WAY 27-0000-035-0	SEHGAL MANAV 7 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
5 SARSEN STONE WAY 27-0000-036-0	GILMAN ALEX AND JULIE 5 SARSENSTONE WAY SOUTHBOROUGH, MA 01772	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 250 Turnpike Road
Parcel ID: 027-0000-002-A
Distance: 300 feet
Zoning Board of Appeals**

Property Location	Owner of Record	Deed Information
3 SARSENSTONE WAY 27-0000-037-0	MA JONATHAN AND ALLISON 3 SARSEN STONE WAY SOUTHBOROUGH, MA 01772	
257 TURNPIKE ROAD 027-0000-041-0	DEERFOOT LLC 259 TURNPIKE ROAD STE 100 SOUTHBOROUGH, MA 01772	
0 PARKERVILLE ROAD 27-0000-046-0	FD 250 TURNPIKE ROAD LLC 325 DONALD LYNCH BLVD STE 205 MARLBOROUGH, MA 01752	
218 TURNPIKE ROAD 28-0000-009-0	RH LONG MOTOR SALES INC 218 TURNPIKE ROAD SOUTHBOROUGH, MA 01772	
9 LEEDS WAY 28-0000-032-0	PAUL SOHAM AND PAYEL GUHA THAKURTA 9 LEEDS WAY SOUTHBOROUGH, MA 01772	
10 LEEDS WAY 28-0000-033-0	AYACHIT MIHIR AND PRADNYA PATIL 10 LEEDS WAY SOUTHBOROUGH, MA 01772	
11 LEEDS WAY 28-0000-034-0	BARTOLINI ALAN AND JACQUELINE 11 LEEDS WAY SOUTHBOROUGH, MA 01772	

CERTIFIED COPY



**Town of Southborough
Board of Assessors
Abutters List**

**Date: 10/26/2023
Address: 250 Turnpike Road
Parcel ID: 27-0000-002-A
Distance: 300 feet
Zoning Board of Appeals**

This list contains the certified list of owners on record with the Town of Southborough. The Record Owner is the property owner as of July 1st.

A handwritten signature in blue ink, appearing to read "Barbara Spini".

Authorized Signature

CERTIFIED COPY

COMMUNITY ADVOCATE NEWSPAPER

Legal Ad Billing Agreement

Cindy Merchant, Advertising Sales Consultant

508.736.4332

DATE: 10/25/2023

The Application that I am submitting is to the:

Zoning Board of Appeals
 Historical Commission

Legal notices will be submitted by the Building/Zoning Department staff to the Community Advocate for publication. I hereby acknowledge **responsibility for payment** of the required legal notice(s). I will be contacted directly by Community Advocate representative for payment.



Signature

Brian R. Charville, Esq.

Printed Name

Ferris Development Group, LLC

Company Name (if applicable)

118 Turnpike Rd., Ste. 300

Address

Southborough, MA 01772

City / State / Zip

508-281-5610

bcharville@ferrisdevelopment.com

Phone Number

Email Address

NOTE: Without this form, we are unable to submit the legal notice to the Community Advocate. A delay in the publication of the legal notice may cause a delay in the public hearing.

TOWN OF SOUTHBOROUGH



CONSERVATION COMMISSION

CORDAVILLE HALL · 9 CORDAVILLE ROAD, LOWER LEVEL · SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 281-8984 · FAX (508) 480-0161 · mdanza@southboroughma.com

December 5, 2023

Southborough Zoning Board of Appeals
9 Cordaville Road
Southborough, MA 01772

**Subject: 250 Turnpike – Special Permit for Two Uses & Two Buildings on one lot
Conservation Commission Comment Letter 1**

Zoning Board of Appeals,

In review of the submitted materials by FD 250 Turnpike, LLC for an application of a Special Permit to allow for two uses and two buildings on one lot, the Conservation Department has the following questions and/or comments:

1. The Commission has recently issued both a Stormwater Management Permit (SMP) and Order of Conditions (OOC) for work as described in the application. The issued decisions found that the drainage and proposed work was in conformance with the Wetlands Protection Act, Southborough Wetlands Bylaw, and Stormwater Management Bylaw. The approved plan set is "Site Plan of Land at 250 Turnpike Road;" prepared by Azimuth Land Design; signed & stamped by James Tetreault PE No. 38548; last revised November 13, 2023; scale: 1"=20'.
2. According to the application, the contractors' yard use shall be inside the one (1) new building. Therefore, it appears that no exterior storage or work will commence. The Commission respectfully requests that if exterior work (after construction) or storage is allowed, that the proposed uses be forwarded to the Commission for review.
3. If exterior work or storage is allowed, the Commission would be concerned of contaminants entering the drainage systems and adjacent wetland resource areas with uses that utilize outdoor washing of equipment, trucks, etc., refueling of equipment, and other uses that may prove harmful to the system(s) or environment.

4. The submitted plans do not appear to be the latest revised plans approved by the Conservation Commission. The applicant and ZBA should confirm that the plans are consistent throughout the various permitting boards.

The issued decisions by the Conservation Commission with their related site plans are attached as an addendum to this document. If you have any questions, please do not hesitate to reach out at your earliest convenience.

Sincerely,

Melissa Danza

Melissa Danza
Conservation Agent

**Massachusetts Department of Environmental****Protection**

Bureau of Resource Protection - Wetlands

WPA Form 5 - Order of Conditions

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

Provided by MassDEP:

MassDEP File #:290-1109

eDEP Transaction #:1638906

City/Town:SOUTHBOROUGH

A. General Information

1. Conservation Commission SOUTHBOROUGH
2. Issuance a. OOC b. Amended OOC

3. Applicant Details

a. First Name b. Last Name
c. Organization FD 250 TURNPIKE, LLC
d. Mailing Address 118 TURNPIKE ROAD, SUITE 300
e. City/Town SOUTHBOROUGH f. State MA g. Zip Code 01772

4. Property Owner

a. First Name b. Last Name
c. Organization FD 250 TURNPIKE, LLC
d. Mailing Address 118 TURNPIKE ROAD, SUITE 300
e. City/Town SOUTHBOROUGH f. State MA g. Zip Code 01772

5. Project Location

a. Street Address 250 TURNPIKE ROAD
b. City/Town SOUTHBOROUGH c. Zip Code 01772
d. Assessors Map/Plat# 27 e. Parcel/Lot# 2A & 46
f. Latitude 42.28993N g. Longitude 71.53735W

6. Property recorded at the Registry of Deed for:

a. County	b. Certificate	c. Book	d. Page
WORCESTER		67212	69

7. Dates

a. Date NOI Filed : 7/18/2023 b. Date Public Hearing Closed: 11/16/2023 c. Date Of Issuance: 11/20/2023

8. Final Approved Plans and Other Documents

a. Plan Title:	b. Plan Prepared by:	c. Plan Signed/Stamped by:	d. Revised Final Date:	e. Scale:
SITE PLAN OF LAND AT 250 TURNPIKE ROAD	AZIMUTH LAND DESIGN, LLC	JAMES TETREAULT PE NO. 38548	November 13, 2023	1"=20'
DRAINAGE REPORT	AZIMUTH LAND DESIGN, LLC	JAMES TETREAULT PE NO. 38548	November 7, 2023	
INVASIVE SPECIES MANAGEMENT & MITIGATION PLANTING PLAN	GODDARD CONSULTING		October 17, 2023	

B. Findings**1. Findings pursuant to the Massachusetts Wetlands Protection Act**

Following the review of the the above-referenced Notice of Intent and based on the information provided in this



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act.

Check all that apply:

a. <input checked="" type="checkbox"/> Public Water Supply	b. <input type="checkbox"/> Land Containing Shellfish	c. <input checked="" type="checkbox"/> Prevention of Pollution
d. <input checked="" type="checkbox"/> Private Water Supply	e. <input checked="" type="checkbox"/> Fisheries	f. <input checked="" type="checkbox"/> Protection of Wildlife Habitat
g. <input checked="" type="checkbox"/> Ground Water Supply	h. <input checked="" type="checkbox"/> Storm Damage Prevention	i. <input checked="" type="checkbox"/> Flood Control

2. Commission hereby finds the project, as proposed, is:

Approved subject to:

a. The following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

Denied because:

b. The proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**

c. The information submitted by the applicant is not sufficient to describe the site, the work or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the interests of the Act , and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**

3. Buffer Zone Impacts:Shortest distance between limit of project disturbance and the wetland resource area specified in 310CMR10.02(1)(a).

a. linear feet

Inland Resource Area Impacts:(For Approvals Only):

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	a. linear feet	b. linear feet	c. linear feet	d. linear feet
5. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	8734 a. square feet	8734 b. square feet	8734 c. square feet	8734 d. square feet
6. <input type="checkbox"/> Land under Waterbodies and Waterways	a. square feet	b. square feet	c. square feet	d. square feet
	e. c/y dredged	f. c/y dredged		
7. <input type="checkbox"/> Bordering Land Subject to Flooding				



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

	a. square feet	b. square feet	c. square feet	d. square feet
Cubic Feet Flood Storage	e. cubic feet	f. cubic feet	g. cubic feet	h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	a. square feet	b. square feet		
Cubic Feet Flood Storage	c. cubic feet	d. cubic feet	e. cubic feet	f. cubic feet
9. <input type="checkbox"/> Riverfront Area	a. total sq. feet	b. total sq. feet		
Sq ft within 100 ft	c. square feet	d. square feet	e. square feet	f. square feet
Sq ft between 100-200 ft	g. square feet	h. square feet	i. square feet	j. square feet

Coastal Resource Area Impacts:

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
14. <input type="checkbox"/> Coastal Dunes	a. square feet	b. square feet	c. c/y nourishment	d. c/y nourishment
15. <input type="checkbox"/> Coastal Banks	a. linear feet	b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	a. square feet	b. square feet		
17. <input type="checkbox"/> Salt Marshes	a. square feet	b. square feet	c. square feet	d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	a. square feet	b. square feet		
	c. c/y dredged	d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	a. square feet	b. square feet	c. square feet	d. square feet



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above					
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<table border="1" data-bbox="724 508 1271 540"> <tr> <td data-bbox="724 508 879 540">c. c/y dredged</td> <td data-bbox="879 508 1036 540">d. c/y dredged</td> </tr> </table>				c. c/y dredged	d. c/y dredged
c. c/y dredged	d. c/y dredged					
	a. square feet	b. square feet				
22.	<input type="checkbox"/> Restoration/Enhancement (For Approvals Only) If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c & d or B.17.c & d above, please enter the additional amount here.					
a. square feet of BVW	b. square feet of Salt Marsh					
23.	<input type="checkbox"/> Streams Crossing(s) If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.					

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. the work is a maintenance dredging project as provided for in the Act; or
 - b. the time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order.
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not exceed the issuance date of the original Final Order of Conditions.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.
8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work..
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

" Massachusetts Department of Environmental Protection"
[or 'MassDEP']
File Number :"290-1109"

11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before Mass DEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.
17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.

NOTICE OF STORMWATER CONTROL AND MAINTENANCE REQUIREMENTS

19. The work associated with this Order(the "Project") is (1) is not (2) subject to the Massachusetts Stormwater Standards. If the work is subject to Stormwater Standards, then the project is subject to the following conditions;
 - a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Construction General Permit as required by Stormwater Standard 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions

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

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

in place until the site is fully stabilized.

- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that: *i.* all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures; *ii.* as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized; *iii.* any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10; *iv.* all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition; *v.* any vegetation associated with post-construction BMPs is suitably established to withstand erosion.
- c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 19(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following: *i.* the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and *ii.* the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.
- d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollutant Discharge Elimination System Multi-Sector General Permit.
- e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 19(f) through 19(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 19(f) through 19(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.
- f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.
- g) The responsible party shall:
 1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.

- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions:

PLEASE SEE ATTACHED.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No

2. The Conservation Commission hereby(check one that applies):

a. DENIES the proposed work which cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw specifically:

1. Municipal Ordinance or Bylaw _____

2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order or Conditions is issued. Which are necessary to comply with a municipal ordinance or bylaw:

b. APPROVES the proposed work, subject to the following additional conditions.

1. Municipal Ordinance or Bylaw SOUTHBOROUGH
WETLANDS BYLAW

2. Citation GENERAL
PERFORMANCE
STANDARDS 3.2.3

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows:
PLEASE SEE ATTACHED.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

E. Signatures

This Order is valid for three years from the date of issuance, unless otherwise specified pursuant to General Condition #4. If this is an Amended Order of Conditions, the Amended Order expires on the same date as the original Order of Conditions.

Please indicate the number of members who will sign this form. This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signatures:

Benjamin Smith

Elizabeth Zulick

Kevin Farrington

by hand delivery on

Date

11/20/2023

1. Date of Original Order

4

2. Number of Signers

Melinda Upton

by certified mail, return receipt requested, on

Date

F. Appeals

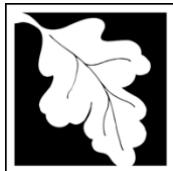
The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.

G. Recording Information

This Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File #

eDEP Transaction #
 Southborough

City/Town

E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

1. Date of Issuance

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

Signature

Printed Name

Benjamin Smith

Signature

Printed Name

Melinda Upton

Signature

Printed Name

Kevin Farrington

Signature

Printed Name

Elizabeth Zulick

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

by hand delivery on

by certified mail, return receipt requested, on

Date

Date

Pursuant to the vote taken by the Southborough Conservation Commission on January 7, 2021, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Commission's electronic signature authorization vote recorded on January 25, 2021 with the Worcester Registry of Deeds Book 64305, Page 83.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 - Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
MassDEP File #:290-1109
eDEP Transaction #:1638906
City/Town:SOUTHBOROUGH

subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

SOUTHBOROUGH

Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

SOUTHBOROUGH

Conservation Commission

Please be advised that the Order of Conditions for the Project at:

250 TURNPIKE ROAD

Project Location

290-1109

MassDEP File Number

Has been recorded at the Registry of Deeds of:

County

Book

Page

for:

Property Owner

and has been noted in the chain of title of the affected property in:

Book

Page

In accordance with the Order of Conditions issued on:

Date

If recorded land, the instrument number identifying this transaction is:

Instrument Number

If registered land, the document number identifying this transaction is:

Document Number

Signature of Applicant

Rev. 4/1/2010

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

FINDINGS OF FACT:

1. The project description is construction of a contractor yard building, addition of driveway access, and maintenance of existing detention basin.
2. The entire site is mapped within an Outstanding Resource Water (ORW) since it is within a Public Water Supply Watershed for the Sudbury Reservoir and Reservoir No. 3 (Framingham).
3. The final approved plans and materials are:
 - a. Site Plan titled “Site Plan of Land at 250 Turnpike Road;” prepared by Azimuth Land Design, LLC; signed & stamped by James Tetreault PE No. 38548; last revised November 13, 2023; scale: 1”=30’
 - b. Drainage Report at 250 Turnpike Road, Southborough, MA; prepared by Azimuth Land Design; signed & stamped by James Tetreault PE No. 68548; last revised November 7, 2023
 - c. Invasive Species Management & Mitigation Planting Plan; prepared by Goddard Consulting; dated October 17, 2023.
4. The Commission previously issued an Order of Resource Area Delineation (ORAD) under DEP #290-1091 that confirmed the wetland boundaries and resource areas. The Commission found that the existing ‘detention basins’ were jurisdictional wetland resource areas, but a Notice of Intent may be submitted for the maintenance of these areas to service existing infrastructure.
5. The wetland alteration approved under this Order shall only refer to the maintenance of the ‘detention basins’ as outlined in the approved plan. There is no replication of wetland areas required nor approved within this Order as work is temporary in nature and shall not cause adverse impacts.
6. Work and calculations as submitted has been approved as the engineer of record has certified no adverse impacts to structures and resources within them.
7. The applicant and/or project supervisor shall submit a construction schedule for approval prior to construction or work approved under this Order.
8. The agent shall be notified at least 72 hours prior to the initialization of each species within the invasive removal species removal plan.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

9. A report that outlines the identification and mapping in Step 1 of Phase 1 shall be submitted to the agent. This report shall be utilized to determine success and removal rates.
10. As outlined in the Invasive Species Management Plan, a minimum of 75% removal of present invasives species must be removed with regeneration of native plant species in their place. Success rates shall be measured and determined from the report and identification outlined in Step 1 of Phase 1. After removal, the area shall be monitored for a minimum of two growing seasons, with reports submitted to the Conservation Commission at the end of each growing season. This requirement shall be fulfilled prior to the issuance of a Certificate of Compliance. A Request for Certificate of Compliance shall not be acted upon until at least two years of monitoring reports have been submitted to the Conservation Commission.
11. The name and information of the professional who will be conducting the work under the Invasive Management Plan shall be submitted to the agent to ensure proper qualifications. Any work that involves the use of herbicides shall be done by a licensed professional only, with license information forwarded to the agent prior to work commencing.
12. Maintenance of the existing detention basins shall not occur between March 1st and July 1st of any given year due to the presence of potential vernal pool habitat and species.
13. Maintenance of the existing detention basins shall not involve stump or root removal.
14. A final Operation & Maintenance Plan shall be submitted to the agent prior to construction for review and approval.

FINDINGS OF FACT UNDER THE SOUTHBOROUGH WETLANDS BYLAW AND REGULATIONS:

1. Same as above.
2. Work is approved within wetland resource areas and the 20' no touch for maintenance of existing 'detention basins' as it serves existing infrastructure. Work has stated to cause no adverse impacts to resource areas and there are no alternatives.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

GENERAL & PRE-CONSTRUCTION CONDITIONS:

SC#1. The findings of fact are incorporated as a special condition and given equal status as a special condition of this Order.

SC#2. All work shall be done in accordance with the final approved plan as stated in the Findings of Fact.

SC#3. Except where modified by the following special conditions, all work shall be performed in accordance with the plans and the Notice of Intent referenced above. Where a conflict exists between the referenced plans and these conditions, the conditions shall govern.

SC#4. Written notification of the construction start date is required to be submitted a minimum of 72 hours in advance.

SC#5. The Site Contractor shall be required to complete a **Contractor Affidavit of Service** and submit it to the Southborough Conservation Commission (SCC) office at least 72 hours prior to the pre-construction meeting.

SC#6. A pre-construction on-site meeting with SCC staff and/or representative, project supervisor, Site Contractor responsible for the work, or other relevant parties identified by the Applicant or the SCC is required prior to any work commencing on the site other than the installation of erosion controls. Erosion and sedimentation controls, and DEP File # signage will be inspected at this time. All required additional documentation (if any) shall be submitted in advance of this meeting being scheduled.

Please contact the SCC office at 508-281-8984 to arrange for the pre-construction meeting at least seventy-two (72) hours prior in advance. The meeting shall:

- a) Ensure that the requirements of the Order of Conditions are understood.
- b) Check administrative requirements (DEP file number sign, contact info. etc.).
- c) Inspect, adjust and expand, if necessary, the erosion control devices, installation and line.

SC#7. Only certified “**weed-free and invasive-free**” erosion control devices shall be installed to control erosion and sedimentation on the site as shown on the plans. In addition, a **sign showing the DEP File # shall be posted in a visible location on the site as specified in the standard conditions**.

SC#8. The Applicant shall provide the Conservation Agent with the name and telephone number in writing of the person designated as the emergency contact for all construction activities who will be immediately responsible for supervision of all work on the project site, and compliance with this Order of Conditions. The Applicant shall provide notification to the Conservation

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

Administrator within 48 hours in the event that the contractor, emergency contact, or site supervisor has changed.

SC#9. The SCC reserves the right to require additional conditions if deemed necessary to protect resource areas and interests as defined in MGL Chapter 131 section 40 (310 CMR 10.00) or regulations promulgated thereunder [after written notice to the Applicant and a legally advertised public hearing, conducted in accordance with applicable law.](#)

SC#10. If unforeseen problems occur during construction which may affect the statutory interests of the Wetlands Protection Act, the bylaw or regulations promulgated thereunder, the SCC shall immediately be notified, and an immediate meeting shall be held between the SCC or its agent, the applicant, and other concerned parties to determine the correct measures to be employed. The Applicant shall then act to correct the problems using the corrective measures agreed upon. Subsequent to resolution, the activity and resulting actions shall be documented in writing. Absent good faith efforts by the Applicant to implement any such corrective measures, failure to comply with this Order of Conditions may constitute sufficient ground for the SCC to order all work to cease until compliance is achieved.

SC#11. It is the responsibility of the Applicant to complete any review required by all agencies with jurisdiction over the activity that is the subject of this Order of Conditions, and to procure all required permits or approvals before any work commenced to the extent such permits or approvals are required to execute the work in question.

SC#12. Members and agents of the SCC shall have the right to enter and inspect the premises to evaluate and ensure compliance with the conditions and performance standards stated in this Order, the Act, and 310 CMR 10.00, and may acquire any information, measurements, photographs, observations, and/or materials or may require the submittal of any data or information deemed necessary by the SCC for that evaluation.

SC#13. Any change made or intended to be made in the plans, shall require the Applicant to file a new Notice of Intent or to inquire of the SCC in writing whether the change is substantial enough to require a new filing or request an Amendment to the Order of Conditions.

SC#14. This Order shall apply to every successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans, or part thereof. In the event of this land or any part thereof changing ownership before or during construction, the current owner shall notify the new owner prior to the transfer of ownership by registered mail of this Order and shall forward proof of this notification to the SCC.

SC#15. This Order and a copy of approved drawings and plans referenced in this Order shall be available at the project site at all times for easy reference.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

SC#16. This Order of Conditions shall be included in all construction contracts and subcontracts dealing with the work proposed and shall supersede other contract requirements.

SC#17. The applicant and/or project supervisor shall submit a construction schedule for approval prior to construction or work approved under this Order.

SC#18. The agent shall be notified at least 72 hours prior to the initialization of each species within the invasive removal species removal plan.

SC#19. A report that outlines the identification and mapping in Step 1 of Phase 1 shall be submitted to the agent. This report shall be utilized to determine success and removal rates.

SC#20. The name and information of the professional who will be conducting the work under the Invasive Management Plan shall be submitted to the agent to ensure proper qualifications. Any work that involves the use of herbicides shall be done by a licensed professional only, with license information forwarded to the agent prior to work commencing.

SC#21. A final Operation & Maintenance Plan shall be submitted to the agent prior to construction for review and approval.

DURING CONSTRUCTION:

SC#22. Erosion controls shall be inspected daily (by the project engineer, landscape architect, site contractor, or other professional deemed qualified by the Conservation Administrator) and maintained or reinforced if necessary, during construction. After any storm event, any accumulated silt adjacent to the barriers shall be removed. The erosion control barrier shall remain in proper functioning condition until all disturbed areas have been stabilized with an adequate vegetative cover, after which the stakes shall be removed by permission of the SCC, and the silt fencing shall be completely removed and disposed of lawfully.

SC#23. The limit of work shall be strictly adhered to, and no activity shall occur within the 20-foot No Disturb Area, unless prior approval was granted by the SCC.

SC#24. If dewatering is necessary during construction, notification shall be made to the SCC to allow for the inspection and approval of the setup. Any water from the project work areas shall be effectively filtered or settled to remove silt and turbidity by employing Best Management Practices (BMPs) prior to discharging to any resource area. All areas where dewatering hoses are discharged shall be protected so as not to cause erosion.

SC#25. No plants listed on the latest Massachusetts Department of Agricultural Resources Prohibited Plant List may be brought onto or planted anywhere on the property.

SC#26. Erosion control matting or other methods of erosion control shall be installed on disturbed areas if necessary, as may be authorized by Agents or Members of the SCC.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

SC#27. Notification to the SCC shall be required when site work ceases for any length of time greater than 14 days.

SC#28. Stabilization measures are required to be initiated immediately in portions of the site where earth-disturbing activities have permanently or temporarily ceased. Earth-disturbing activities have permanently ceased when clearing and excavation within any area of the construction site that will not include permanent structures has been completed. Earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of the site that will not include permanent structures will not resume (i.e. the land will be idle) for a period of fourteen (14) or more calendar days, but such activities will resume in the future.

SC#29. In no case, shall more than one (1) day pass without initiating stabilization measures in portions of the site where construction activities have temporarily or permanently ceased. Any of the following activities constitute the initiation of stabilization: Prepping the soil for vegetative or non-vegetative stabilization; Applying mulch or other non-vegetative product to the exposed area; Seeding or planting the exposed area; Starting any of the preceding stabilization activities on a portion of the area to be stabilized, but not on the entire area; and Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization as described below.

SC#30. Any stockpiles of materials, soils, or other erodible material that are expected to remain inactive for more than fourteen (14) days must also be stabilized by one of the aforementioned methods. All stockpiles shall also be surrounded by silt fence or other temporary perimeter sediment barrier and checked daily for evidence of migration of materials.

SC#31. As soon as is practicable, but no later than fourteen (14) calendar days after the initiation of soil stabilization measures, stabilization activities shall be completed as follows: For vegetative stabilization, all activities necessary to initially seed or plant the area to be stabilized, including, but not limited to, soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, and watering as needed; For non-vegetative stabilization, the installation or application of all such non-vegetative measures.

SC#32. Exceptions to the deadlines for initiating and completing stabilization activities may be granted by the SCC in cases of drought or when circumstances beyond the control of the Contractor cause delays.

SC#33. All debris, fill, and excavated material shall be stockpiled far enough away from designated wetlands, and at a location to prevent sediment from surface runoff entering wetlands. At no time, shall any debris or other material be buried or disposed of within that line marked on the plan as wetland.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

SC#34. Stockpiles of soils, aggregate, or any other unconsolidated construction materials permitted by this order within 100-foot buffer zones shall be covered with tarpaulins when not being worked with. Stockpiles in place for greater than twenty-four (24) hours shall be ringed with erosion control devices and covered by properly secured tarpaulins at the close of each workday. The areas of construction shall remain in a stable condition at the close of each construction day.

SC#35. Measures to prevent and control erosion of soil at the site shall be implemented and maintained until the site is permanently stabilized. Erosion and siltation of soils must be prevented at all times by an effective control device.

SC#36. Should any erosion or sedimentation control measures fail; immediate attention will be given by the Applicant or representative to correcting the failure and to rectify any adverse impact from the failure, for example, by the removal of any silt or debris that any have bypassed the control measure. The SCC must be notified within 24 hours of the failure.

SC#37. Any damage caused as a result of this project to any wetland resource areas, shall be the responsibility of the Applicant to promptly repair, restore, and/or replace. Sedimentation or erosion into these areas shall be considered damage to wetland resource areas. If sediment reaches these areas, the SCC shall be contacted and a plan for abatement of the problem and proposed restoration and/or mitigation measures shall be submitted for approval and implementation.

SC#38. The SCC reserves the right to impose additional conditions on portions of this project to mitigate any impacts which are the result of the failure of the applicant to undertake the work in accordance with this Order and which, without the imposition of such additional conditions, are likely to result in site erosion or a noticeable degradation of surface water quality discharging from the site.

SC#39. Material of construction and equipment shall be stored in a manner and location that will minimize the compaction of soils and the concentration of runoff.

SC#40. All waste products, grubbed stumps, slash, construction materials, etc. which result from the project shall be properly disposed of in accordance with applicable regulations and shall not be incorporated into the project site construction with the exceptions of the reduction of stumps and slash to mulch, and the use of inert materials such as pulverized or broken asphalt, brick or concrete as fill or subbase below pavement.

SC#41. Used petroleum products resulting from the maintenance of construction equipment and construction debris shall be collected and disposed of off-site in accordance with applicable regulations. No on-site disposal of these items is allowed.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

SC#42. Servicing of equipment, (fueling, changing, adding or applying lubricants or hydraulic fluids) must be done outside the 100-Foot Buffer Zone (BZ). Equipment must be maintained to prevent leakage or discharge of pollutants. Cement trucks shall not be washed out within the BZ or into any drainage system. Overnight storage of equipment must be a minimum of fifty (50) feet from the wetland boundary.

SC#43. As outlined in the Invasive Species Management Plan, a minimum of 75% removal of present invasives species must be removed with regeneration of native plant species in their place. Success rates shall be measured and determined from the report and identification outlined in Step 1 of Phase 1. After removal, the area shall be monitored for a minimum of two growing seasons, with reports submitted to the Conservation Commission at the end of each growing season. This requirement shall be fulfilled prior to the issuance of a Certificate of Compliance. A Request for Certificate of Compliance shall not be acted upon until at least two years of monitoring reports have been submitted to the Conservation Commission.

SC#44. The name and information of the professional who will be conducting the work under the Invasive Management Plan shall be submitted to the agent to ensure proper qualifications. Any work that involves the use of herbicides shall be done by a licensed professional only, with license information forwarded to the agent prior to work commencing.

SC#45. Maintenance of the existing detention basins shall not occur between March 1st and July 1st of any given year due to the presence of potential vernal pool habitat and species.

SC#46. Maintenance of the existing detention basins shall not involve stump or root removal.

POST CONSTRUCTION AND ONGOING CONDITIONS:

SC#47. Erosion controls shall not be removed without prior consent from the SCC to ensure the site is stable.

SC#48. Stabilized slopes shall be maintained as designed and constructed by the property owner of record.

SC#49. If an Extension to the Order of Conditions (“OOC”) is being sought, a written request must be received at the SCC office at least thirty (30) days in advance of the expiration date of the OOC. The written request shall include an explanation as to why an extension is needed, and the length of time the extension is being sought for (no more than 3 years). Failure to submit an Extension request in accordance with the requirements of this Special Condition shall be grounds for denial of the request.

SC#50. In order for a project to be released from an Order of Conditions, a request for a Certificate of Compliance is required in writing.

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

SC#51. Prior to requesting a Certificate of Compliance, the engineer of record shall certify that all cut materials used on site or disposed of off-site, was disposed of in accordance with MassDEP and/or all federal and local regulations.

SC#52. Upon completion of construction, all work regulated by this Order, and final stabilization, the Applicant/owner shall submit the following to request a Certificate of Compliance from the SCC:

- a) Two (2) copies of a completed request for Certificate of Compliance form (WPA Form 8A) and a check in the appropriate amount made out to the “Town of Southborough”.
- b) Two (2) copies of a stamped “As-Built” plan depicting post construction conditions on the work site, prepared by a professional engineer or land surveyor certifying that the site has been developed in accordance with the conditions of this Order, and showing in detail the exact location of all structures and the topography of the finished grades of the site, along with a letter from a registered professional engineer certifying compliance of the property with this Order of Conditions and detailing any deviations from the approved plans and their potential effect on the project. A statement that the work is in “substantial compliance” with no detailing of the deviations shall not be accepted.
- c) A PDF file sent electronically to the Conservation Agent of all items detailed above.

SC#53. Any siltation barrier (silt fence) shall be removed and disposed of lawfully before a Certificate of Compliance will be issued, once the site has been completely stabilized and the SCC has given permission to do so. All other erosion control devices, such as straw bales, straw wattles, compost filter socks, silt sacks, etc. may be removed once permission is sought from and given by the SCC.

SC#54. Dumping Prohibited: There shall be no dumping of leaves, grass clippings, brush or other debris into any wetland resource area (including the 100-Foot Buffer Zone). Landscaping debris shall be removed from the site and disposed of in a legal fashion. This condition shall survive the expiration of this Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#55. No synthetic pesticides or herbicides may be applied within wetland buffer zones on the site. This condition shall survive the expiration of this Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#56. Landscape Plantings: No plants listed on the latest Massachusetts Department of Agricultural Resources Prohibited Plant List may be brought onto or planted anywhere on the

Additional Special Conditions
FD 250 Turnpike, LLC
250 Turnpike Road
Map 27, Lot 2A & 46

property. This condition shall survive the expiration of the Order and shall be included as a continuing condition on the Certificate of Compliance.

SC#57. Additional Alteration Prohibited: There shall be no additional alterations of areas under SCC jurisdiction without the required review and permit(s). This condition shall survive the expiration of the Order and shall be included as a continuing condition on the Certificate of Compliance.

#

TOWN OF SOUTHBOROUGH



CONSERVATION COMMISSION

CORDAVILLE HALL · 9 CORDAVILLE ROAD, LOWER LEVEL · SOUTHBOROUGH, MASSACHUSETTS 01772-1662
(508) 281-8984 · FAX (508) 480-0161 · mdanza@southboroughma.com

STORMWATER MANAGEMENT PERMIT

Town Code Chapter 154

Issue Date: November 20, 2023

Expiration Date: November 20, 2026

PROJECT INFORMATION

Applicant

FD 250 Turnpike Road, LLC
118 Turnpike Road, Suite 300
Southborough, MA 01772

Project Information

250 Turnpike Road
Map 27/Lots 2A & 46
Book/Page: 67212/69

Project Description

Construction of contractor yard building, addition of driveway access, and maintenance of existing detention basins

GENERAL FINDINGS

1. The Applicant and owner is FD 250 Turnpike, LLC with a mailing address of 118 Turnpike Road, Suite 300 Southborough, MA 01772. The site location is 250 Turnpike Road, Map 27, Lots 2A & 46. The Applicant submitted that the Deed is recorded in the Worcester Registry of Deeds in Book/Page: 6722/69.
2. The Applicant submitted an application for a Stormwater Management Permit on July 13, 2023.
3. The application was submitted simultaneously with a Notice of Intent under the Wetlands Protection Act (WPA) and Southborough Wetlands Bylaw for the same work as referenced under DEP #290-1109.

4. The Applicant submitted that:

Total Square Feet of Lot	428,179
Total Area of Land Disturbed	52,272
Total Percent of Impervious Area Pre-Construction	47.9%
Total Square Feet of Impervious Area Pre-Construction	103,005
Total Percent of Impervious Area Post-Construction	102,104
Total Square Feet of Impervious Area Post-Construction	47.4%
Total Area of Land Disturbed with 15% slopes or greater	8,712
Total Gross Floor Area of Buildings	14,400
Percent of Area Containing Wetlands	16.6%
Square Feet of Area Containing Wetlands	69,209
Percent of Area Containing Floodplain	0
Square Feet of Area Containing Floodplain	0

5. The Application was reviewed by the Commission's engineering reviewer, Fuss & O'Neill, for compliance with the Bylaw & Regulations. The Commission's wetland peer reviewer, Lucas Environmental, also reviewed the application(s) under applicable Bylaws & regulations.

6. The Applicant submitted project plans and application documents. The final approved documents are as followed:

- Site Plan titled "Site Plan of Land at 250 Turnpike Road;" prepared by Azimuth Land Design, LLC; signed & stamped by James Tetreault PE No. 38548; last revised November 13, 2023; scale 1"=30'
- Drainage Report at 250 Turnpike Road, Southborough, MA; prepared by Azimuth Land Design; signed & stamped by James Tetreault PE No. 68548; last revised November 7, 2023.
- Invasive Species Management & Mitigation Planting Plan; prepared by Goddard Consulting; dated October 17, 2023.

7. The public hearing was closed on November 16, 2023. The Commission voted to approve the Stormwater Management Permit on November 16, 2023.

FINDINGS & DECISION

- The Applicant has complied with all Rules and Regulations of the Town of Southborough as they pertain to the application for a SMP.
- The Applicant has met the standards set forth in the Stormwater and Erosion Control Bylaw and Regulations. The project as proposed will adequately safeguard the health, safety and welfare of the general public and protect the natural resources of the Town by

controlling runoff and preventing soil erosion and sedimentation resulting from site construction and development.

3. The Southborough Conservation Commission (SCC) found on the evidence that the Applicant has met the SMP Application requirements including but not limited to the facts presented above and voted that the permit be approved pursuant to the Southborough Stormwater and Erosion Control Bylaw, Chapter 154.
4. The Conservation Commission has found that the applicant has met the requirements within the Stormwater Standards, while including off-site basins within the calculations, as this permitted work does not have an impact on the watershed areas and were stated to have no adverse impact to the structures and resource areas within them.
5. The Commission previously issued an Order of Resource Area Delineation (ORAD) under DEP #290-1091 that confirmed the wetland boundaries and resource areas. The Commission found that the existing 'detention basins' were jurisdictional wetland resource areas, but a Notice of Intent may be submitted for the maintenance of these areas to service existing infrastructure.
6. The Conservation Commission, at their meeting held on November 16, 2023, pursuant to the Stormwater and Erosion Control Regulations, on a motion by Mr. Farrington and seconded by Ms. Zulick, approved a Stormwater Management Permit to FD 250 Turnpike, LLC for construction of a contractor yard building, addition of driveway access, and maintenance of existing detention basins.
7. The Permit as approved is subject to the following conditions:
 - a. Prior to the start of construction, the Applicant shall provide to the Conservation Agent, a completed Contractor Affidavit form, the name and 24-hour emergency contact for the individual or company designated as the Site Contractor and those responsible for: a) the erosion and sediment control for the site disturbing activity, b) the site's development and c) for the site's operation and maintenance. Notification to same within 48 hours in the event that the Contractor or Site Supervisor has changed;
 - b. All work shall be done in accordance with the latest revision of the final approved Site Plans and associated documents as outlined in this decision.
 - c. Notification to the SCC shall be required if site work ceases for any length of time greater than 14 days;
 - d. This permit shall be recorded at the Registry of Deeds or the Registry District of Land Court with evidence of recording submitted to the Conservation Commission prior to scheduling the pre-construction meeting;

- e. A pre-construction on-site meeting with SCC staff and/or their representative and the Site Contractor is required prior to any work commencing on the site. This must be scheduled at least 72 hours in advance by calling 508-281-8984. Erosion and sedimentation controls will be inspected at this time. All required additional documentation shall be submitted in advance of the pre-construction meeting being scheduled. Written notification of the construction start date is required a minimum of 72 hours in advance of construction;
- f. The final signed O&M Plan shall be signed and submitted to the office prior to the start of construction.
- g. Silt sacks shall be installed in all nearby catch basins during construction until the site has been stabilized, if applicable;
- h. Only “weed-free and invasive-free” erosion control devices (such as straw wattles, compost socks, silt fence, etc.) shall be used to control erosion on the site – haybales will not be accepted;
- i. Stockpiles of soils, aggregate, or any other unconsolidated construction materials left in place for greater than twenty-four (24) hours shall be ringed with erosion control devices and covered by properly secured tarpaulins at the close of each workday. The areas of construction shall remain in a stable condition at the close of each construction day;
- j. Stabilization measures are required to be initiated immediately in portions of the site where earth-disturbing activities have permanently or temporarily ceased. Earth-disturbing activities have permanently ceased when clearing and excavation within any area of the construction site that will not include permanent structures has been completed. Earth-disturbing activities have temporarily ceased when clearing, grading, and excavation within any area of the site that will not include permanent structures will not resume (i.e., the land will be idle) for a period of fourteen (14) or more calendar days, but such activities will resume in the future;
- k. In no case shall more than one (1) day pass without **initiating** stabilization measures in portions of the site where construction activities have temporarily or permanently ceased. Any of the following activities constitute the initiation of stabilization: Prepping the soil for vegetative or non-vegetative stabilization; Applying mulch or other non-vegetative product to the exposed area; Seeding or planting the exposed area; Starting any of the preceding stabilization activities on a portion of the area to be stabilized, but not on the entire area; and Finalizing arrangements to have stabilization product fully installed in compliance with the applicable deadline for completing stabilization as described below;
- l. Any stockpiles of materials, soils, or other erodible material that are expected to remain inactive for more than fourteen (14) days must also be stabilized by one of the aforementioned methods. All stockpiles shall also be surrounded by silt fence

or other temporary perimeter sediment barrier and checked daily for evidence of migration of materials;

- m. As soon as is practicable, but no later than fourteen (14) calendar days after the initiation of soil stabilization measures, stabilization activities shall be completed as follows: For vegetative stabilization, all activities necessary to initially seed or plant the area to be stabilized, including, but not limited to, soil conditioning, application of seed or sod, planting of seedlings or other vegetation, application of fertilizer, and watering as needed; For non-vegetative stabilization, the installation or application of all such non-vegetative measures;
- n. Exceptions to the deadlines for initiating and completing stabilization activities may be granted by the SCC in cases of drought or when circumstances beyond the control of the Contractor cause delays;
- o. The Applicant must strictly adhere to all plans and permit obligations as presented in the SMP application and on record with the SCC;
- p. The erosion controls shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. During construction, the applicant or designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the SCC, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary;
- q. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at an approved landfill and shall not be in any manner incorporated into the project site with the exception of the reduction of stumps and slash to mulch;
- r. Used petroleum products resulting from the maintenance of construction equipment and construction debris shall be collected and disposed of off-site. No on-site disposal of these items is allowed;
- s. The Applicant must notify the SCC in writing of any drainage change or alteration to the stormwater management system authorized in a SMP before any change or alteration is made. If the SCC determines that the change or alteration is significant, based on the Stormwater Management Standards in the Regulations and accepted construction practices, the SCC may require that an amended application be filed;
- t. Failure by the Applicant to provide notice to the SCC in accordance with Paragraph 5(s) above will constitute grounds to revoke the SMP;
- u. The SMP is valid for a period of three (3) years commencing on the date the Decision is filed with the Southborough Town Clerk;

- v. Any SMP Extension requests must be submitted to the SCC in writing, at least 30 days prior to the expiration date of the SMP;
- w. Failure to submit an extension request as prescribed in the Stormwater and Erosion Control Regulations (9.7) will be deemed just cause for the Commission to deny the requested time extension;
- x. The granting of a SMP constitutes approval only under the pertinent sections of the Bylaw. Other permits or approvals required by other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied;
- y. A previously granted SMP may be amended by written request to the SCC or on the SCC's own motion. The SCC shall determine whether any request for further alterations to a site constitutes an amendment or if such a request should be considered a new application requiring a public hearing;
- z. Any Operation and Maintenance Plans and/or requirements of the SMP application will survive expiration of the SMP and will continue to be required in accordance with the terms and representations set forth in the SMP application;
 - aa. Erosion controls shall not be removed without prior consent from the SCC;
 - bb. Upon completion, the Applicant is responsible for requesting a Certificate of Compliance and for certifying that the completed project was constructed in accordance with the approved plans and specifications. An As-Built Plan shall be submitted, along with confirmation that regular inspections sufficient to adequately document compliance with the permit requirements were performed before the SCC will consider the issuance of a letter or permit certifying completion.
 - cc. An annual inspection report shall be submitted to the Conservation office six (6) months after project completion and annually upon that date forward, which details the status and maintenance of the stormwater management systems on the site. The report shall be prepared by a registered civil engineering or other qualified professional. This requirement shall continue in perpetuity and shall survive the expiration of this Permit.
 - dd. Stormwater structures are to be maintained beyond the expiration of the SMP. The O&M Plan protocols set forth in the plan shall be followed in perpetuity. **Inspection reports shall be submitted to the Conservation Commission annually** (see "cc" above)
 - ee. All landscape fertilizers to be used on the site shall be limited to slow-release, organic-based fertilizers only. Only native, non-invasive vegetative plantings shall be allowed.

ff. A construction schedule shall be submitted prior to construction to the Agent for approval.

gg. Maintenance of the existing detention basins shall not occur between March 1st and July 1st of any given year due to the presence of potential vernal pool habitat species.

hh. Maintenance of the existing detention basins shall not involve stump or root removal.

ii. A final Operation & Maintenance Plan shall be submitted to the agent prior to construction for review and approval.

Pursuant to the vote taken by the Southborough Conservation Commission on January 7, 2021, the following signatures are made in accordance with M.G.L. c.110G and pursuant to said Commission's electronic signature authorization vote recorded on January 25, 2021 with the Worcester Registry of Deeds Book 64305 Page 83.

Mark Possemato, Chairman

Benjamin Smith

Benjamin Smith, Vice-Chair

Melinda Upton

Melinda Upton

Elizabeth Zulick

Elizabeth Zulick

Kevin Farrington

Kevin Farrington

Notice: Appeals of Actions of the Conservation Commission

A decision of the Commission shall be final. Relief of a decision by the Commission made under this bylaw shall be reviewable in the Superior Court in an action filed within 60 days thereof, in accordance with MGL Chapter 249, Section 4. Such an appeal shall result in revocation of the written approval, until such time as the appeal process has been resolved.

SITE PLAN OF LAND AT 250 TURNPIKE ROAD

IN
SOUTHBOROUGH, MASSACHUSETTS

TOWN OF SOUTHBOROUGH
PLANNING BOARD ENDORSEMENT

DATE: _____

OWNER & APPLICANT:
FD 250 TURNPIKE, LLC
118 TURNPIKE ROAD, SUITE 300
SOUTHBOROUGH, MASSACHUSETTS 01772

CLIENT NUMBER: 502
JOB NUMBER: 245-502
DRAWING : 250TURNPIKECURRENT.dwg

PREPARED BY
AZIMUTH LAND DESIGN, LLC
118 TURNPIKE ROAD, SUITE 200
SOUTHBOROUGH, MASSACHUSETTS 01772
TELEPHONE (508) 485-0137
EMAIL: jamest@azimuthlanddesign.co

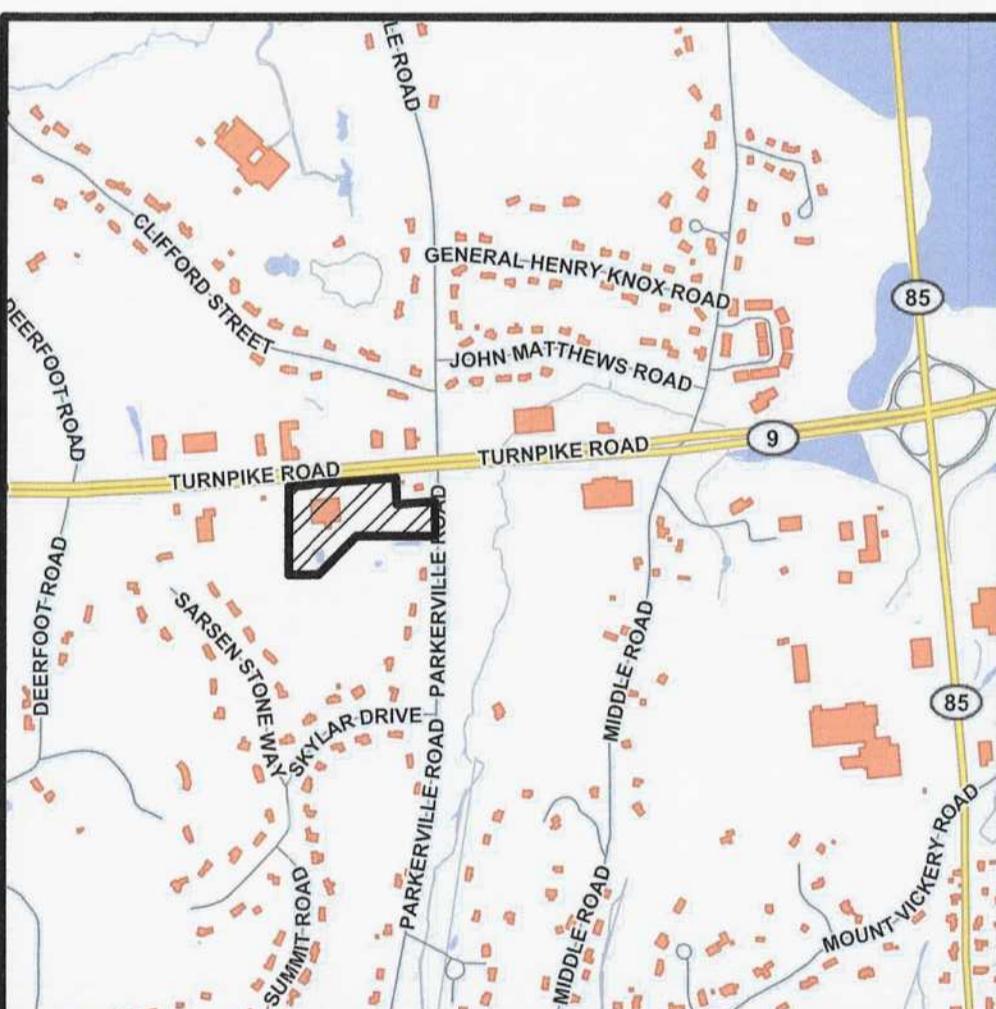
DATE:

JULY 8, 2022

REVISED AUGUST 31, 2022
REVISED OCTOBER 31, 2022
REVISED NOVEMBER 14, 2022
REVISED DECEMBER 2, 2022
REVISED DECEMBER 8, 2022
REVISED DECEMBER 13, 2022
REVISED DECEMBER 16, 2022
REVISED JULY 16, 2023
REVISED AUGUST 18, 2023
REVISED AUGUST 31, 2023
REVISED OCTOBER 16, 2023
REVISED OCTOBER 31, 2023
REVISED NOVEMBER 7, 2023
REVISED NOVEMBER 13, 2023

SHEET DIRECTORY

TITLE SHEET	(THIS SHEET)
EXISTING CONDITIONS PLAN(UNCHANGED)	E1
SITE LAYOUT PLAN	S2
GRADING PLAN	G3
DETAIL PLANS	D4 - D5
LANDSCAPE PLAN(UNCHANGED)	L6



LOCUS MAP

1" = 1,000'



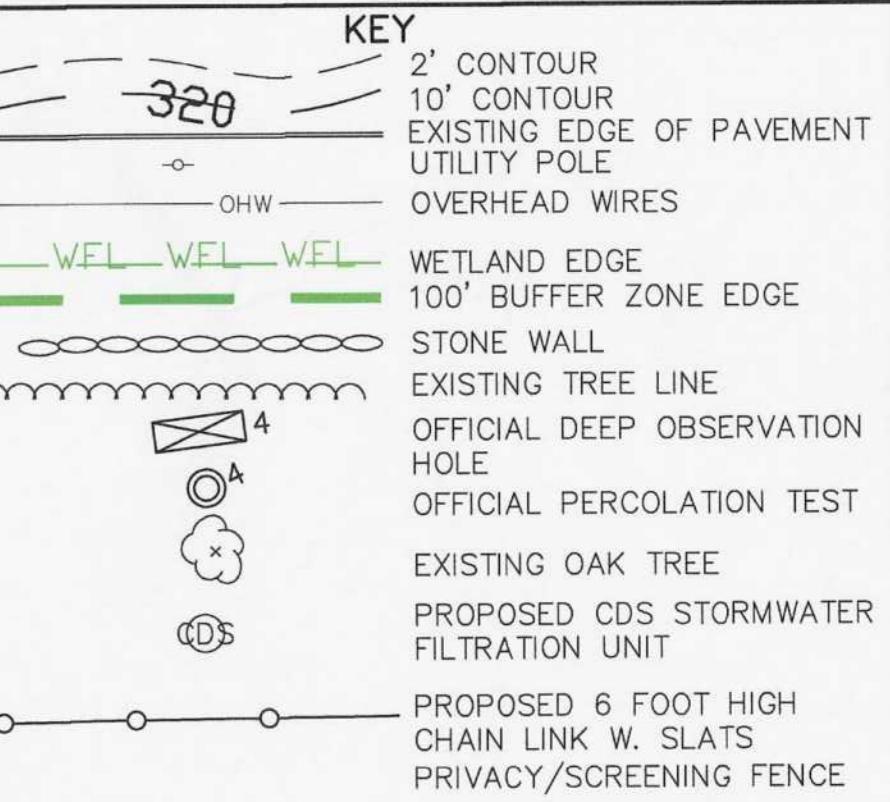
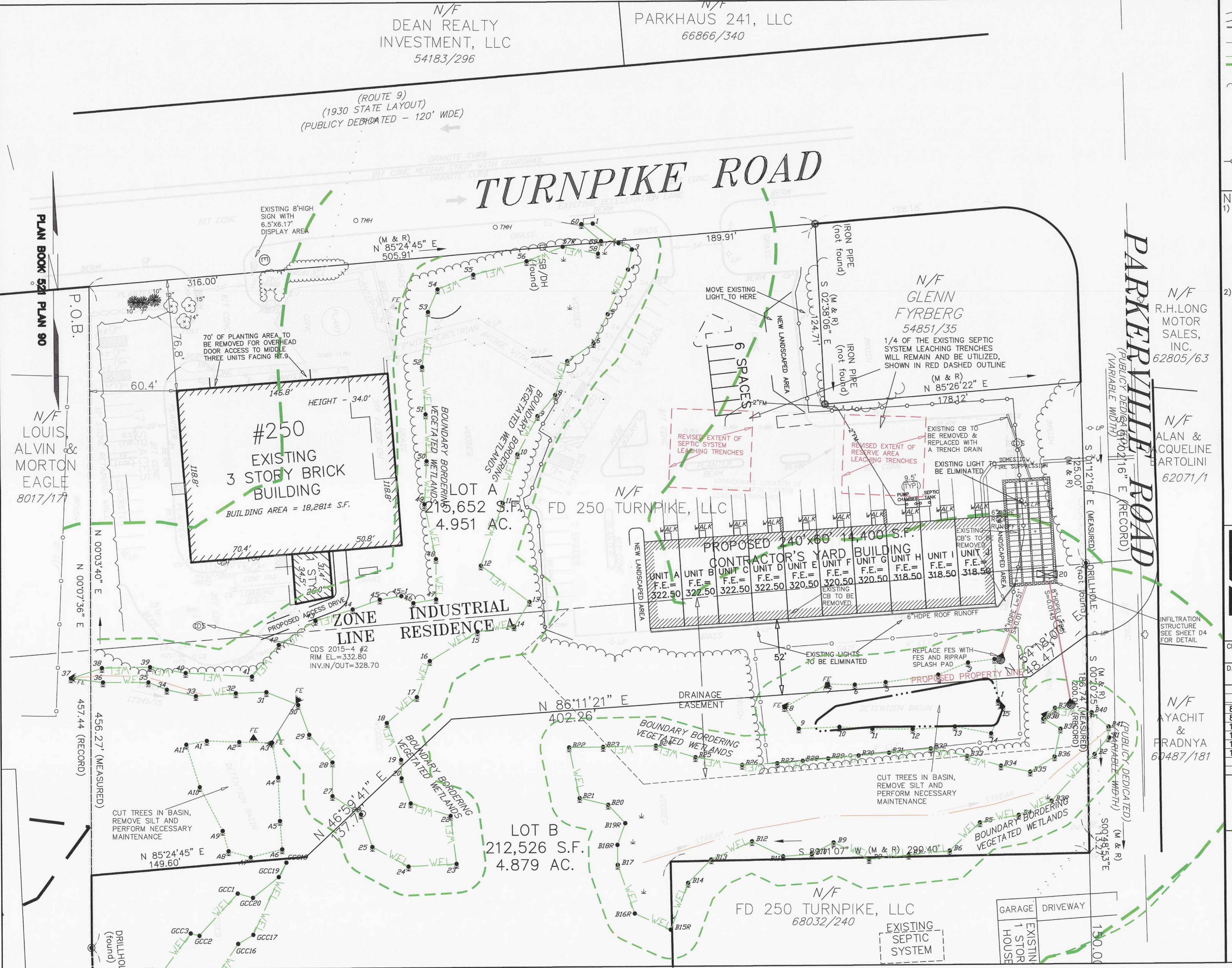
N/F
DEAN REALTY
INVESTMENT, LLC
54183/296

N/F
PARKHAUS 241, LLC
66866/340

(ROUTE 9)
(1930 STATE LAYOUT)
(PUBLICLY DEDICATED - 120' WIDE)

TURNPIKE ROAD

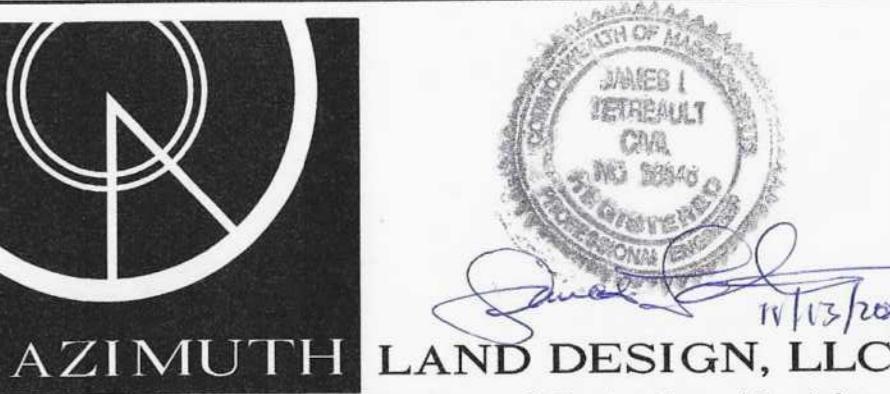
PLAN BOOK 521 PLAN 90



NOTES:

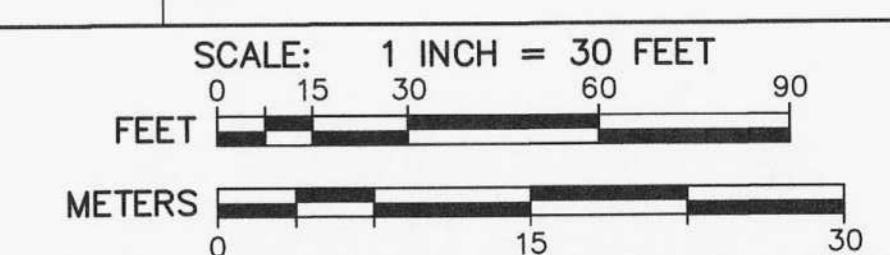
- 1) THE EXISTING INTERIOR LANDSCAPED ISLANDS WITHIN THE LOWER PARKING AREA WILL ALL BE REMOVED EXCEPT THE ONE CLOSEST TO RT. 9 WHICH WILL BE RESHAPED. THEY TOTAL 1,614 SQ.FT. THE NEW LANDSCAPED AREAS, WEST OF UNIT A, EAST OF UNIT F, WEST OF THE ABUTTER FYRBERG AND THE REVISED ISLAND CLOSEST TO ROUTE 9 WILL, AMONG THEM, HAVE A TOTAL AREA OF 3,540 SQ.FT. THUS RESULTING IN AN OVERALL DECREASE OF IMPERVIOUS SURFACE AREA.
- 2) ALL THREE EXISTING LIGHT POLES SOUTH OF THE PARKING AREA WILL BE REMOVED AS WILL THE POLE EAST OF THE PARKING AREA. WALL-PACK LIGHTS WILL BE INSTALLED ON THE FRONTS OF ALL 10 UNITS. THE EXISTING LIGHT POLE IN THE MIDDLE OF THE PAVEMENT 64 FEET NORTH OF UNIT B WILL REMAIN AND THE POLE WEST OF THE ABUTTER FYRBERG WILL BE RELOCATED.

TOWN OF SOUTHBOROUGH
PLANNING BOARD ENDORSEMENT
DATE: _____



AZIMUTH LAND DESIGN, LLC
Professional Engineers & Erosion Control Specialists
118 Turnpike Road, Suite 200, Southborough, MA 01772
Telephone (508) 485-0137 jamest@azimuthlanddesign.co

CLT. NO.	JOB NO.
502	245-502
DATE: JULY 16, 2023	
DWG NO. 250TURNPIKECURRENT	
REVISIONS DESCRIPTION	
8/18/23	REVISED DRAINAGE
8/31/23	TOWN REVIEW
10/16/23	TOWN REVIEW
10/31/23	CLARIFY BOUNDARIES
11/7/23	TOWN REVIEW
11/11/23	INFILTRATION STRUCTURE OUTLET SIZES



SITE PLAN OF LAND

AT 250 TURNPIKE ROAD
IN
SOUTHBOROUGH, MASS.

OWNER & APPLICANT:

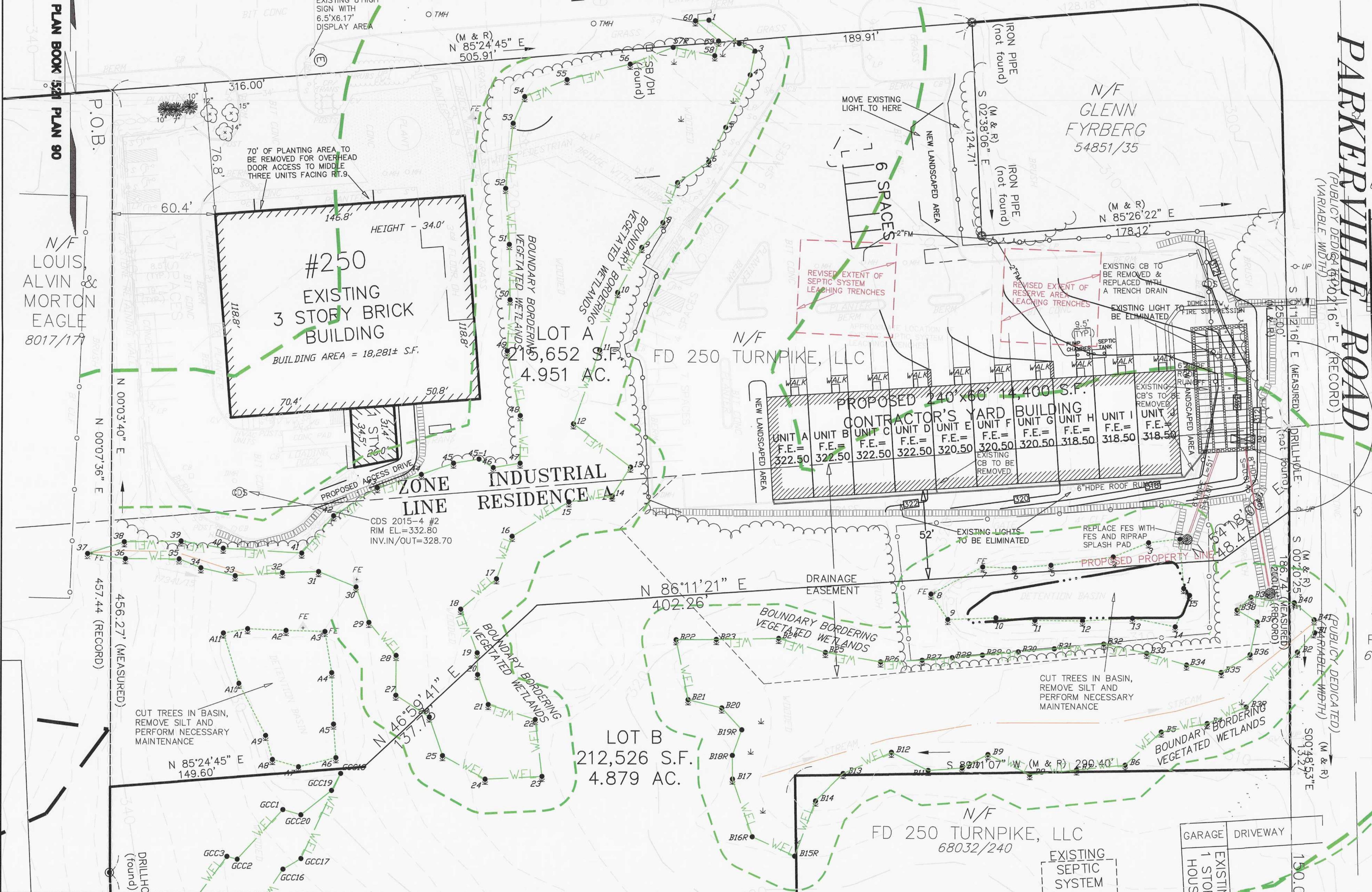
FD 250 TURNPIKE, LLC
118 TURNPIKE ROAD, SUITE 300
SOUTHBOROUGH, MA 01772

N/F
DEAN REALTY
INVESTMENT, LLC
54183/296

N/F
PARKHAUS 241, LLC
66866/340

(ROUTE 9)
(1930 STATE LAYOUT)
(PUBLICLY DEDICATED - 120' WIDE)

TURNPIKE ROAD



POLLUTION PREVENTION PLAN

FOR

250 TURNPIKE ROAD, SOUTHBOROUGH, MA

PROJECT DESCRIPTION

This is a proposal to redevelop a portion of this site, as a contractor's yard building used primarily for storage but with the possibility of some office space use.

Construction will take place in a single phase and is expected to last from late summer of 2023 into the fall of 2024. Total site alteration will be approximately 41,500 S.F. or 0.9 acres.

Construction Process

Before construction begins, erosion control barriers consisting of silt fencing attached to posts and backed by staked straw wattles will be placed at the limit of work as shown on the Grading and Drainage Plan, Sheet G3.

The first step of the construction process will be the cutting of any trees within the limits of proposed development. After this has been accomplished in the denuded areas, clearing and grubbing will take place and loan will be stockpiled (preferably in the location of the proposed CDS unit).

The time of construction requiring the most attention and care occurs between the stripping of natural overburden and the stabilization of construction areas. Cut and fill areas create additional risk by increasing the possibility of stormwater runoff causing erosion.

The contractor will, to the extent possible, leave natural cover untouched at the edges of the property. The contractor will limit to the shortest time possible the time that areas are exposed. Landscaping will be completed as early as weather and building construction allow. During the times between clearing and landscaping, soils will be stabilized with a combination of straw wattles, wood chips, hay/straw mulch, temporary grass seeding and other measures as necessary to prevent any significant erosion of soils.

Soil stockpile shall be surrounded by staked silt fence placed at least 5 foot off the toe of slope of the stockpile.

In conjunction with the site grading process, a number of sedimentation control procedures will be followed. The object of the procedures is to prevent the erosion of soils and the transport of sediments to adjacent properties or to wetland resource areas on and off site.

Stabilization

Temporary and permanent stabilization of disturbed surfaces is the most reliable method of preventing the erosion and transport of site soils. Toward that end, the areas that are disturbed will be provided temporary stabilization within two weeks after the last disturbance when:

- Work is not complete in that area,
- Work will remain incomplete for a period of three weeks or more, and
- The planting season has not been reached in areas which will be re-vegetated.

Permanent stabilization will take place when:

- Work is complete in that area and
- The planting season has been reached and areas can be revegetated.

Best Management Practices Employed

To guard against the transport of soils offsite several Best Management Practices (BMP's) may be employed, erosion control barriers, sediment sumps, temporary settling basins, straw bale check dikes, swales, a site entrance mat, flocculants in both crystal and block forms, and organic media for capture of silt below flocculants may be used on this site as appropriate. All of these measures are temporary. The site's permanent protection against erosion and the deposition of sediment off site at resource areas is the permanent stabilization of formerly exposed surfaces with pavement, lawn and other landscaping.

Soils

According to the Web Soil Survey report of this site, the soils underlying this site consist primarily of Woodbridge series soils categorized as hydrologic soil group C soils and Canton series soils categorized as hydrologic soil group B soils.

Resource Areas

There multiple bordering vegetated wetlands on site, one associated with an intermittent stream flowing to Route 9, another associated with an intermittent stream flowing to Parkerville Road.

SITE PLAN DEVELOPMENT

As part of the Site Plans submitted to the Town of Southborough, Azimuth Land Design, LLC has prepared this erosion and sediment control plan calling for permanent and temporary erosion control measures. The site has no existing drainage system connection to the system in the State Highway layout and none is proposed.

PHASING

Construction of the project will take place in one phase. Total site alteration will be approximately 0.9 acres.

POLLUTION PREVENTION SITE PLAN

Various Best Management Practices (BMP's) are described herein and/or shown on the Grading Plan or the Detail Sheets and will be used to prevent or to mitigate erosion and pollution.

INSPECTION AND MAINTENANCE OF EROSION CONTROLS

1. At all times, siltation fabric fencing, straw wattles and stakes sufficient to construct an erosion control barrier a minimum 25 feet long will be stockpiled on the site in order to repair established barriers which may have been damaged or breached.

2. The Developer will designate as Inspector a person or entity other than the site supervisor. The Inspector must be accessible seven days a week and be responsible for inspecting and coordinating the maintenance and repair of all erosion control systems on the site.

3. An inspection of all erosion control measures shall be conducted by the Inspector at least once each week until the completion of construction of the subdivision. The Contractor shall inspect all erosion control systems daily and shall notify the Inspector of any breaches or failures. In case of any noted breach or failure, the Contractor shall immediately make appropriate repairs.

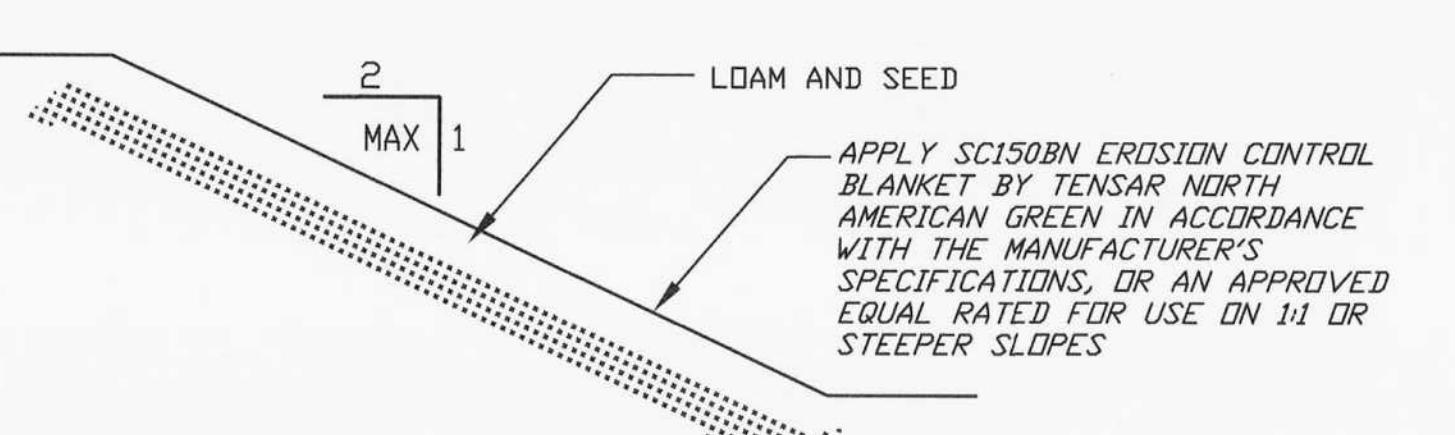
4. The Inspector shall inspect all erosion control systems on the site before, during and after any storm event reaching one of the following thresholds:

- a. Any storm in which rain is predicted to last for 12 consecutive hours or more.
- b. Any storm for which a flash flood watch or warning is issued.
- c. Any single storm predicted to have a cumulative rainfall greater than 1/2 inch.
- d. Any storm event not meeting the previous three thresholds but which would mark the third consecutive day of measurable rainfall.

5. The Inspector shall inspect erosion control measures at times of significant increase in runoff due to rapid thawing when the risk of failure of those measures is significant.

6. In such instances as remedial action is necessary, the Inspector shall cause to be repaired within seven days, any and all significant deficiencies in erosion control measures.

7. The Southborough Conservation Commission shall be notified of any significant failure of erosion control measures and shall be notified of any release of pollutants.



3:1 TO 2:1 SLOPE VEGETATIVE TREATMENT
(NOT TO SCALE)

OTHER LOT AREA DIMENSIONS

PROPOSED LOT A WILL HAVE AN AREA OF 215,319 S.F. PROPOSED LOT B WILL HAVE AN AREA OF 212,859 S.F. LOT A WILL CONTAIN 36,602 S.F. OF WETLAND RESOURCE AREAS(17.0%).

LOT B WILL CONTAIN 32,607 S.F. OF WETLAND RESOURCE AREAS(15.3%).

THERE ARE NO FEMA RECOGNIZED FLOOD ZONES ON EITHER LOT.

LOT A NOW HAS 103,005 S.F. IMPERVIOUS COVER(47.9%), 16,114 S.F. OPEN SPACE(7.5%) AND 96,200 S.F. UNDISTURBED OPEN SPACE COVER(44.7%).

LOT A WILL HAVE 102,104 S.F. IMPERVIOUS COVER(47.4%), 15,290 S.F. OPEN SPACE(7.1%) AND 97,925 S.F. UNDISTURBED OPEN SPACE COVER(45.5%).

LOT B HAS NOW AND WILL HAVE 4,129 S.F. OPEN SPACE(1.9%) AND 208,730 S.F. UNDISTURBED OPEN SPACE COVER(98.1%).

EROSION CONTROL DEVICES OR PROCESSES

1. Erosion Control Barrier

The erosion control barrier will consist of an approved siltation fabric fencing installed on posts according to the manufacturer's instructions and backed by staked straw wattles. The barriers will be placed between work areas and wetland resource areas in a manner that prevents the passage of soil materials under, around or over it. Sediment will be removed from against the barrier when the accumulated sediment has reached one half of the original installed height of the barrier.

2. Straw Wattle Diversion Dike

Straw wattles will be placed in other locations on the site in order to further prevent the flow of sediment from the site or reduce the velocity of runoff crossing open land or running off stockpiles or fill areas. Straw bale diversion dikes will also be placed within developing rills to reduce surface runoff velocities and to shift the path of the water flow. The locations where straw bale diversion dikes are installed will be determined in the field at the Inspector's discretion.

3. Slope Stabilization

Slopes or surfaces that are created due to excavation or filling along the edge of the parking areas will be temporarily stabilized with one or more of the following:

- Straw mulch with tackifier
- Soft wood and hard wood chips or stump grindings.

Permanent stabilization of slopes and surfaces will employ one or more of the following:

- 6 inches of loam and grass
- Sod

4. Riprap

Erosion control blankets such as Tensar North American Green C125BN or approved equal and vegetation

5. Mulch and Landscaping Plantings

A combination of grasses, riprap and/or plants and shrubbery

In any areas that will, unexpectedly, be steeper than 2:1, after construction, the slope will be stabilized by the placement of heavy riprap or by the installation of erosion control matting specifically rated by the manufacturer for use on a 1:1 slope. The riprap slope will be formed by placing heavy stone on a one foot thick layer of gravel that is covered by an approved filter fabric.

4. Diversion Swale

Runoff diversion swales may be provided in order to intercept sheet and concentrated flows above the existing culvert under Main Street. The swales will direct runoff to sediment sumps or temporary settling basins. The swales will be approximately 5 feet wide and one foot deep. Straw bale diversion dikes may be installed on the downhill side of the swales to assist in containing the water flow.

5. Sediment Sumps

Sediment sumps are excavated depressions of 10 foot diameter and 2 foot depth. The sumps will collect runoff from unfinished parking areas and slopes and will allow sediment to settle out before flow continues to an erosion control barrier. Sediment sumps will be cleaned whenever the accumulated sediment has reached one half of the original depth of the sump.

6. Temporary Settling Basins

Temporary settling basins (TSB's) are larger excavations made at locations that will receive significant stormwater runoff flow. They are used to capture and detain stormwater in the construction phase to settle out some eroded material and to lessen the rate of flow of stormwater from construction phase work areas. Temporary settling basins are larger than sediment sumps and shall have silt fence or straw bale dikes at their entrance and exit to control flow. They shall be sized according to the DEP Stormwater management standards which requires that they have sufficient capacity to hold 1 inch of runoff from the watershed contributing flow to them. For example, a TSB receiving flow from 1 acre of land should have a volume capacity of at least 3,630 square feet. TSB's should have flocculant blocks and jute mesh matting at their outlet. TSB's should be cleaned out whenever the accumulated sediment has reached more than 6 inches deep. No TSB shall be located where the proposed infiltration structure is to be located.

7. Flocculants

If the capture of flows in sediment sumps and temporary settling basins does not sufficiently reduce the turbidity of runoff before it leaves the site, flocculant blocks shall be installed at the outlet of any sediment sump, TSB or swale discharge flow to the site's drainage system. Immediately downstream of the flocculant blocks, a suitable organic media such as jute mesh matting shall be installed over stone for runoff that has contacted the flocculant blocks to flow. This will allow capture of silts. In addition, crystal flocculants may be used to reduce turbidity of captured runoff in sediment sumps and temporary settling basins.

8. Dust control

Water shall be applied over exposed soil areas if dust becomes a perceptible problem. Watering may be by truck or other method.

SEQUENCE OF INSTALLATION AND CONSTRUCTION

The following is a sequence for the construction of the project. The actual schedule may vary somewhat from that stated if site or weather conditions require.

An example of a logical change to the schedule would be deviating from the sequence below to allow the laying of berms prior to a freeze in order to better control the site drainage.

1. The Developer will hold a preconstruction meeting with representatives of the Town of Southborough in order to review permits, procedures and construction methods.

2. The Developer will hold a preconstruction meeting with the Engineer, Contractor's employees and the Inspector in order to review permits, procedures and construction methods.

3. Establish a site entrance mat at the edge of pavement being overturned for the contractor's yard construction.

4. Cut trees as necessary for the proposed development but no further. Chip wood and then clear and grub where trees were cut. Perform maintenance work in the two existing detention basins.

5. Stockpile and compact excavated loan in an area surrounded by staked straw wattles or siltation fencing. We suggest the area at the east end of the parking area, where the CDS stormwater filtration unit is to be installed. Place the straw wattles or fencing at least five feet from the base of the loan pile.

6. Begin earthwork to create the new grading south and east of the proposed contractor's yard building. Create sediment traps or temporary settling basins as necessary to capture runoff during the construction phase and prevent pollutants from leaving the site. Also remove top and subsoil and place gravel base for the new access drive to the basement level door at the back of the existing building.

7. Begin construction of the contractor's yard building and also install the proposed infiltration structure, cds stormwater filtration unit and then piping that will convey stormwater from downspouts to the infiltration structure. Prepare new pavement subgrade in the regraded parking and driving surface areas. Remove landscaping on the north side of the existing building for driving access to new overhead doors.

8. Continue construction work inside the contractor's yard building and install utility connections including for the septic system.

9. Install the septic tank, pump chamber and force main line to the trenches for the septic system. Then do all site paving, north and south of the existing building and north of the contractor's yard building.

10. Install proposed landscaping and permanently stabilize exposed slopes with 6 inches of loam and grass, other vegetation and landscaping using North American Green SC150BN erosion control blankets on slopes from 2:1 to 3:1.

11. Finish interior construction of the proposed contractor's yard building and install any signage.

12. Remove accumulated sediment and temporary erosion control measures after all slopes have been permanently stabilized and the risk of erosion has passed.

13. Prepare and submit an as-built survey of the work to the Town of Southborough.

TRAFFIC GENERATION

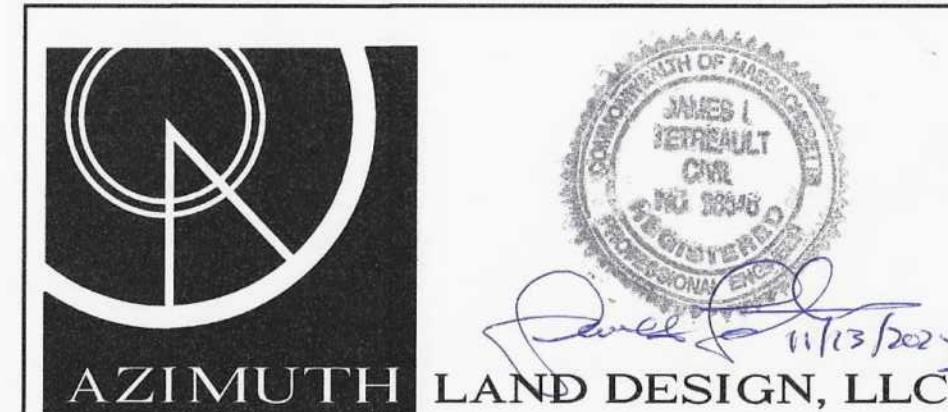
THE ITE TRIP GENERATION CODE CLOSEST TO THE PROPOSED USE IS NO. 151 "MINI-WAREHOUSE". FOR THIS CODE, DAILY TRAFFIC GENERATION IS EXPECTED TO BE JUST 1.51 TRIPS PER DAY PER 1,000 SQUARE FEET OF GROSS FLOOR AREA. SO THAT MAKES 22 VEHICLE TRIPS PER DAY. THIS IS AN INCONSEQUENTIAL TRAFFIC GENERATION COMPARED TO THE VOLUME ON ROUTE 9 THE SITE'S ONLY ACCESS POINT. FOR THIS REASON, THE APPLICANT WILL ASK THAT THE PLANNING BOARD NOT REQUIRE THE PREPARATION OF A TRAFFIC REPORT FOR THIS DEVELOPMENT.

DIG SAFE:

EXCEPT FOR VISIBLE STRUCTURES (MANHOLES, GATES, POLES, ETC.) LOCATED BY CONTROL POINT ASSOCIATES, ALL UNDERGROUND UTILITIES SHOWN WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM THE VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED IN THE FIELD BEFORE DESIGNING, EXCAVATING, BLASTING OR INSTALLING, BACKFILLING, GRADING, PAVEMENT RESTORATION, OR REPAIRING. ALL UTILITY COMPANIES, PUBLIC & PRIVATE, MUST BE CONTACTED, INCLUDING THOSE IN CONTROL OF UTILITIES NOT SHOWN ON THIS PLAN. AZIMUTH LAND DESIGN, LLC ASSUMES NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. CALL "DIG SAFE" AT 811 or 1-888-DIG-SAFE.

SO, THE 14,400 SQ.FT. BUILDING REQUIRES 9.6 PARKING SPACES. EACH OF THE 10 CELLS WILL HAVE ONE LINED PARKING SPACE (AND ANOTHER UNACKNOWLEDGED AVAILABLE SPACE IN FRONT OF THE OVERHEAD DOOR). IN ADDITION, THERE WILL BE 6 MORE SPACES JUST TO THE NORTH ON THE EXISTING PAVEMENT.

SO, 10 SPACES ARE REQUIRED AND 16 ARE PROVIDED.



CLT. NO.	JOB NO.
502	245-502
DATE: JULY 16, 2023	DWG NO. 250TURNPIKECURRENT
REVISIONS	
DATE: 8/18/23	DESCRIPTION: REVISED DRAINAGE
8/31/23	TOWN REVIEW
10/16/23	TOWN REVIEW
10/31/23	CLARIFY BOUNDARIES
11/7/23	TOWN REVIEW
11/13/23	NO CHANGES TO THIS SHEET
SCALE: AS NOTED	

SITE PLAN OF LAND

AT 250 TURNPIKE ROAD
IN
SOUTHBOROUGH, MASS.

SOUTHBOROUGH ZONING BOARD OF APPEALS

MEETING ADMINISTRATIVE MINUTES

MEETING DATE: Wednesday, November 15, 2023 at 7:00 P.M.

LOCATION: Virtual Meeting through Zoom

Pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted during the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in-person attendance by members of the public will be permitted.

MEMBERS SITTING/PRESENT:

R/A		
R	Mr. David Williams, Chair	Remote Participant
R	Mr. Michael Robbins, Clerk	Remote Participant
R	Ms. Doris Cahill	Remote Participant
R	Mr. Paul Drepanos	Remote Participant
R	Ms. Jamie Mieth	Remote Participant
A	Mr. Doug Manz	Remote Participant
	Ms. Lara Davis, Admin	Remotely Present

Regular/Alternate

Sitting/Present/Absent

Chairman Williams called the meeting to order at 7:01 P.M.

Public Hearing – 5 Thayer Lane, Christie & Adam Benson - Variance

Christie Benson (homeowner) was present. Mr. Williams stated he drove by the property, noting a sizeable wetland on the property. Ms. Benson clarified that it is a retention pond. Mr. Williams stated it stood out with regards to topography. Mr. Williams asked if they are looking to place a shed in that area. Ms. Benson confirmed, stating there is a gate to access the retention pond, and the shed will not impede access.

Mr. Robbins stated he also drove by, and asked if there is one existing shed and they are looking to add an additional shed. Ms. Benson stated they are looking to have two sheds, stating there is one closer to the street and one further into the yard. She stated the shed is close to 43 East Main Street. Mr. Robbins asked about the size of the newest shed. Ms. Benson stated it is smaller than the one closer to the street. Mr. Williams asked if they are looking to move the shed closer to the street. Ms. Benson stated the resident at 43 East Main Street asked if they would move it, so they are proposing to move it 16 ft closer to the street.

Ms. Mieth stated she also drove by the property, and it looked that the shed next to the street is more of a garage, noting the application stated it holds a vehicle. She asked what vehicle would be in there. Ms. Benson stated it is a vehicle they do not use all the time. Ms. Mieth stated she would describe it more as a garage than a shed. Ms. Mieth stated she agreed there is limited flat land, but it seems like there is space to place the smaller shed. She asked if there was another location to place the shed within the yard. Ms. Benson stated that almost all the flat area is for the septic. She noted there is a steep drop on the right side of the yard. Ms. Benson stated there are two access points in the yard, and the flat yard

is for the septic system. Ms. Mieth asked about the location of the retention pond gate. Ms. Benson stated it's accessible from the street. Ms. Mieth asked if that was the typical way to access it. Ms. Benson confirmed. Ms. Mieth stated her biggest question is whether the shed is really a garage.

Mr. Drepanos stated he is familiar with the property location, and asked if there would be a difference from a ZBA standpoint between a shed and a garage. The Board discussed the potential impact of if it is considered a garage. Mr. Drepanos asked how the residents at 43 East Main Street feel about the shed. Ms. Benson stated they have discussed it with the owner, and he did provide a letter of support.

Ms. Cahill asked to confirm the sheds were placed prior to the homeowners finding out they needed a variance. Ms. Benson confirmed. Ms. Cahill asked about the deed and the stormwater issues addressed within. She stated the letter from the Conservation Agent recommended having an engineer review the placement of the shed to ensure it does not impact the flow into the retention pond and asked if Ms. Benson knew about the trust document when they moved in. Ms. Benson stated they asked everyone in the HOA if they were okay with the placement of the shed, and stated everyone was aware and did not have issues. Ms. Cahill stated there was a recommendation to get engineering approval, and asked if it was necessary. Ms. Mieth clarified the recommendation was coming from Conservation. Ms. Cahill stated she was concerned about that but did not know the impact regarding water.

Mr. Williams asked if there is an existing two car garage. Ms. Benson confirmed. Mr. Williams referenced the zoning code, stating there is not a concern because the applicants are not asking for more than three garage bays. Mr. Williams asked Mr. Manz if he had experience with the difference between a shed and a shed used as a garage. Mr. Manz stated it is more of a building issue, and asked if there are any utilities going to the shed. Ms. Benson stated it is purely a wood frame with no utilities.

Mr. Williams stated the Board has an option to approve the application with a condition pending approval by the Conservation Commission. Ms. Mieth asked Ms. Benson if she received the letter from Conservation. Ms. Benson confirmed.

Mr. Manz asked who the parties were for the drainage easement. Ms. Benson stated it is between herself and the HOA. Mr. Robbins asked if the HOA had any objections. Ms. Benson stated they do not, and they have a letter of approval from the HOA. Ms. Benson stated they submitted the HOA letter with their materials. Ms. Davis stated she did not receive it. Ms. Benson stated she would send it to the Board.

The Board opened the hearing to the public. There were no comments or questions.

Mr. Williams stated the Board could include a condition regarding the HOA letter. Mr. Drepanos agreed. The Board discussed conditions. Mr. Manz asked Ms. Benson why they were proposing to relocate the shed closest to the street. Ms. Benson stated it was a request from the abutter at 43 East Main Street. Ms. Mieth stated the report from the engineer should reflect the proposed new location of the shed. Ms. Benson confirmed.

MOTION: Mr. Drepanos made a motion to close the public hearing. Seconded by Mr. Robbins, the motion carried 5-0-0 by roll call vote: Robbins – aye; Cahill – aye; Mieth – aye; Drepanos – aye; Williams – aye.

MOTION: Mr. Drepanos made a motion to approve the variance with the following conditions: HOA approval document and a report from a PE that certifies reasonable access for the purpose and management of the stormwater features remains with the placement of the two sheds, and the placement of the sheds does not in any way impact the functionality and/or reduce the storage capacity of the basin. Seconded by Ms. Mieth, the motion carried 5-0-0 by roll call vote: Robbins – aye; Cahill – aye; Mieth – aye; Drepanos – aye; Williams – aye.

Public Hearing – 19 East Main Street – 19 East Main Street LLC – Special Permit

Mr. Drepanos stated he is not an abutter and did not receive an abutter's notice. Mr. Drepanos stated he has nothing to gain, nor does he know or have a relationship with the applicant.

Derek Wheeler (19 East Main St LLC) and Matthew Bombaci (Bohler Engineering) were present. Mr. Wheeler stated the house was damaged in a fire, stating it is located on a tight lot. He stated the biggest issue they were trying to solve was to get a two-car garage. He noted they could push the location of the house back, but it would encroach on the septic, and they do not want to have to move a working septic system. He stated they talked with the Building Commissioner, who stated he did not feel comfortable issuing a building permit without ZBA approval. Mr. Wheeler stated the proposed site plan shows the overlay of the proposed house over the existing house.

Mr. Williams asked if the proposed house would be further encroaching into the setbacks. Mr. Wheeler stated the garage would be approximately 3ft further than what currently exists, but would still be within the Residence C setbacks, but encroaching on the Residence B setbacks. The Board discussed the site plan.

Mr. Williams stated it looks like the general outline of the existing structure versus the new structure has similar, if not slightly better, setbacks. Mr. Wheeler stated it is mainly the front setback they are in front of the Board for.

Mr. Williams asked if they would tear down and rebuild. Mr. Wheeler confirmed. Mr. Williams stated the Board has looked at somewhat similar projects for pre-existing nonconforming, noting the biggest issue is to not make the nonconforming aspect worse. Mr. Wheeler stated it is slightly better in the side setbacks and increased approximately a foot in the front setback. Mr. Wheeler stated if he could push the house back a foot he would, but then he would need a variance from the Board of Health. Mr. Williams asked if this is a tear down and rebuild. Mr. Wheeler stated he did not feel comfortable renovating the structure because of the fire damage, so they are proposing to tear the structure down and rebuild. He stated they tried to look at different layouts, but they could not get it to fit any other way with the septic system in the back.

Mr. Drepanos stated the house did have extensive damage, and from a practical standpoint its best to raze and rebuild, and stated the proposed two-car garage will not have a negative impact and the proposed encroachment is not significant. Mr. Drepanos stated the rendering shows an attractive home, he believes it would benefit the neighborhood, and it is consistent with other new construction properties in the area.

Ms. Mieth stated the proposed house is a benefit to the neighborhood as it conforms to what is existing in the neighborhood.

Mr. Robbins stated the proposed project will be consistent with the neighborhood, and the proposed encroachment is not substantial, and unless there are objections raised by abutters, he has no issues.

Ms. Cahill stated she believes this is the best use of property, there will not be a material encroachment in front, and the proposed project conforms with the neighborhood.

Mr. Manz asked about the memo from Mr. Bombaci that referenced Town Code Section 174-8 3 (e), and clarified the applicant is applying for a special permit for nonconforming structure. Mr. Manz asked if the Building Commissioner stated Section 174- 8 3 (e) did not apply because it is not an empty lot. Mr. Bombaci confirmed. Mr. Manz stated he did not have any concerns; the two-story house is consistent with the neighborhood, and he has no issues with the setback encroachment. Mr. Manz stated it would be arduous for someone to rebuild the structure based on the Residence B district guidelines.

Mr. Williams stated he was looking at 174-19 nonconforming structure. Mr. Manz stated he wanted to confirm they were applying for a special permit. Mr. Wheeler stated Bohler letter was more of a clarification, not an ask for relief under that section.

Mr. Williams stated the proposed project is using almost the same footprint, it conforms with the neighborhood, and the intention in many of these cases is that they would love to conform to setbacks, but it is just not the way they built the lots before.

MOTION: Mr. Drepanos made a motion to close the public hearing. Seconded by Mr. Robbins, the motion carried 5-0-0 by roll call vote: Robbins – aye; Mieth – aye; Drepanos – aye; Cahill – aye; Williams – aye.

MOTION: Mr. Drepanos made a motion to grant the special permit as requested. Seconded by Mr. Robbins, the motion carried 5-0-0 by roll call vote: Robbins – aye; Mieth – aye; Cahill – aye; Drepanos – aye; Williams – aye.

Business Properly Before the Board

Approval of Meeting Minutes – September 20, 2023

MOTION: Mr. Drepanos made a motion to approve the minutes as written. Seconded by Mr. Williams, the motion carried 4-0-1 by roll call vote: Robbins – aye; Mieth – abstain; Cahill – aye; Drepanos – aye; Williams – aye.

Approval of Meeting Minutes – November 2, 2023

MOTION: Mr. Drepanos made a motion to approve the minutes as written. Seconded by Ms. Mieth, the motion carried 4-0-1 by roll call vote: Robbins – aye; Mieth – aye; Drepanos – aye; Williams – aye; Cahill – abstain.

Proposed Warrant Article – Special Permit Expiration

Mr. Williams stated they are looking to propose a warrant article for Town Meeting to include an expiration timeframe for special permits, specifically to have them expire after two years. Ms. Davis

stated they need to submit a placeholder warrant article by December 12, noting the Board did not have another meeting before then.

Mr. Robbins left the meeting.

Mr. Williams stated he was looking for input from the Board regarding the proposed change or language to include. Mr. Manz asked if the purpose was to specify a previously unspecified timeframe, or if it was to reduce it from two to three years. Mr. Williams stated it is to add a timeframe where there currently is none. Ms. Davis stated in previous discussions, the Board talked about having a two-year expiration date as that would be consistent with the Planning Board since this amendment would impact those special permits as well. Mr. Manz asked if someone is coming up on the two-year expiration, if they could renew or extend the permit. Mr. Drepanos stated in a lot of areas there is the ability to extend it as long as there is a reason. Mr. Manz stated he is okay with two years, and it makes sense to align with the Planning Board. Mr. Williams suggested looking into language that would allow applicants to apply for an extension. Mr. Manz suggested two years for special permit expiration, with a one-time one-year extension. Mr. Drepanos noted that once the work has been started, the permit remains active. Ms. Cahill stated she would like more time to review for the full warrant article language. Mr. Manz stated he was curious about the Planning Board's thoughts on renewal. Mr. Williams stated he liked the suggestion of two years plus one, one-year extension. Ms. Davis stated she would put together a more generic placeholder to submit, and that she would reach out to the Town Planner to discuss more.

Request from Town Clerk to Amend Application Form

Ms. Davis stated they received a request from the Town Clerk to remove the "Town Clerk Filing Date" box from the top of the applications, along with the abutter list from the list of required materials for the Town Clerk.

MOTION: Mr. Williams made a motion to amend the three application forms to remove the town clerk filing date and remove the requirement for abutter's list to be submitted to the town clerk. Seconded by Ms. Mieth, the motion carried 5-0-0 by roll call vote: Drepanos – aye; Cahill – aye; Manz – aye; Mieth – aye; Williams – aye.

2024 Meeting Dates & Filing Deadlines

Ms. Davis briefly reviewed the proposed meeting dates. The Board was agreeable.

Next Meetings – November and December

Ms. Davis stated the next meeting for Park Central is scheduled for November 29, 2023, the public hearings for 120 Turnpike Road are scheduled for December 13, 2023, and the regularly scheduled ZBA meeting is on December 20, 2023.

MOTION: Mr. Drepanos made a motion to adjourn the meeting. Seconded by Ms. Mieth, the motion carried 5-0-0 by roll call vote: Drepanos – aye; Cahill – aye; Manz – aye; Mieth – aye; Williams – aye.

List of Documents and Other Exhibits used at the November 15, 2023 Meeting:

1. 5 Thayer Lane Variance Application Packet
2. 19 East Main Street Special Permit Application Packet
3. 2024 Proposed Meeting Dates

Respectfully Submitted by: Lara Davis, Principal Assistant to the Zoning Board of Appeals

*Approved at the **INSERT DATE HERE** Zoning Board of Appeals meeting*

DRAFT