



Billerica Board of Health

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Chairman
Robert Reader, Vice Chairman
Sandra Giroux, Secretary
Marie O'Rourke
Amit Gandhi, Ph.D.

Kristel Bennett, Director

BOARD OF HEALTH MINUTES September 12, 2022

Robert Reader, Vice Chairman called the meeting to order at 7:00 p.m. Also in attendance were Sandra Giroux, Secretary, Marie O'Rourke, Amit Gandhi, Ph.D., Kristel Bennett, Director and Joanne White, Recording Clerk.

OPEN MICROPHONE

Mr. Reader asked if anyone would like to comment on Open Microphone.

Mrs. Bennett explained that Tim Williams, Project Manager for the mall project wanted to modify the Stormwater plans that the Board approved two months ago however they withdrew their request.

Bill Forbes, 22 Tower Farm Road, identified himself. Mr. Forbes asked what is the status of putting the camera into the pipe?

Mrs. Bennett replied that she has not been notified of the status however she will contact Mr. Williams and ask what the status is.

ACCEPTANCE OF MINUTES

The meeting minutes of July 11, 2022 were not available.

BOARD OF HEALTH BUSINESS

Reorganization of the Board

Mr. Reader stated that the Board would not be able to Reorganize at this meeting. The Board is waiting for a new member to be appointed by John Curran, the Town Manager.

Nomination of Animal Inspectors

Mr. Reader stated the next item under Board of Health Business is the Nomination of Animal Inspectors.

Mr. Reader asked the Board Members if they had any questions. The Board Members did not have any questions.

Mrs. O'Rourke made a motion to ratify the appointment of Christine Gualtieri and Ashley Chmiel as full time Inspector(s) of Animals and Casey Smith as the part time Inspector of Animals for the Town of Billerica for 2022.

Mrs. Giroux seconded. So voted unanimously.

Health Department Activity Reports

Mr. Reader stated the next item under Board of Health Business is the Health Department Activity Reports.

Copies of the Health Department Activity Reports for July and August are included in the Board's package.

Mr. Reader stated the first activity report is from Health Agent, Phavy Pheng.

Mrs. Bennett stated that Phavy is doing an excellent job conducting inspections on new and on-going complaints. We have been trying to contact the closing attorney of the current owners at 11 Kingston Road for the amount owed to the Town of Billerica for the septic system installed by the town. They plan for passing papers is scheduled for September 15, 2022.

Dr. Gandhi asked about the status of the court hearing for 183 River Street.

Mrs. Bennett replied that she would ask Phavy what the outcome of the hearing was.

Dr. Gandhi asked the if the entire building at 4 Riverhurst Road was being exterminated for the cockroach problem.

Mrs. Bennett explained that treatment is being done for all the buildings surrounding Building #5. Besides the treatment is the responsibility of the maintenance department to maintain the buildings.

Mrs. Giroux asked if there is a demolition date for 21 Canterbury Street.

Mrs. Bennett replied that the Building Commissioner is taking care of that.

Mrs. Giroux asked what is the status of the sale of 284 Rangeway Road?

Mrs. Bennett replied that she would check with Phavy on that property.

Mrs. Giroux asked what is the status of the order for correction for 36 Shawsheen Road? Has the property owner submitted their request for additional time to clean up their property?

Mrs. Bennett replied the order for correction has not been issued.

Mr. Reader stated the next activity report is from the Public Health Nurse, Christine West.

Mrs. Bennett stated that Christine has distributed all the COVID Test Kits. Christine has ordered the newest COVID Bivalent Booster Vaccine. Christine is in the process of setting up the Flu Clinics for the Council On Aging and Town Residents. After the Flu Clinics she will have a clinic for the COVID Booster Shot.

Dr. Gandhi thanked Christine for scheduling all the clinics.

Mrs. Giroux asked is the Sharps Program still ongoing. Does the Board of Health have containers to give out to residents?

Mrs. Bennett replied that we do not have containers to give to residents. We are accepting the syringes in laundry detergent bottles or coffee cans. However, if a resident comes in with a few needles, we use the sharps container that is in the Nurse's office.

Mr. Reader stated the next activity report is from the Health Agent, Shelagh Collins.

Mrs. O'Rourke asked what are the State Conference calls about that Shelagh participates in?

Mrs. Bennett explained that the conference calls were implemented by the State during COVID. The calls provide COVID updates and general public health information for local Boards of Health.

Mrs. O'Rourke asked who represented the Board of Health at Milano's fire?

Mrs. Bennett replied that she received a call from the dispatcher in the Fire Department. I tried to contact Phavy, she wasn't available and Shelagh was in New Hampshire. I notified the dispatcher to contact a Building Inspector and request that he represent the Board of Health at Milano's. There was a fire and an employee got injured.

Mrs. O'Rourke asked if the food was destroyed.

Mrs. Bennett replied that the owner used the fire extinguisher. The food was sprayed. All the food was thrown out.

Mrs. O'Rourke asked are you sure they threw the food out? Did you get a report from the Fire Department?

Mrs. Bennett replied that Shelagh went out the next day and did an inspection. I talked to the Building Inspector and the Plumbing Inspector regarding the fire.

Mrs. Giroux stated that she has the same concern about representation at Milano's. Mrs. Giroux stated that she would like confirmation that the food was thrown out.

Mrs. Giroux asked about the citation that was issued to Richdale, 161 Boston Road. What happens when the Person In Charge refused to sign the citation and the owner plans to appeal the decision?

Mrs. Bennett replied that we have not received payment. The owner has 21 days from issuance to pay the fine or file in court. We are in a waiting period.

Mrs. Giroux asked was the citation left with them?

Mrs. Bennett replied yes.

Mrs. Giroux asked has Purple Bamboo sent the pest control inspection reports to the Board of Health.

Mrs. Bennett replied she will talk to Shelagh regarding the reports.

Mr. Reader asked why does the Board of Health have to deal with the donation boxes? People dump everything they want to get rid of at these boxes and the boxes look awful.

Mrs. Bennett replied that Shelagh has talked to the owner several times and the debris has not been cleaned up.

Mrs. Giroux explained that we have discussed this before. The Board of Health has to go to the Town Manager and request that the donation boxes be removed. Then the Town Manager has to present the request to the Select Board. The Select Board has to ban the donation boxes.

Mr. Reader stated the last activity report is from the Community Services Coordinator, Bethany Slack.

Dr. Gandhi asked if the Board Members can review the Resource List before it is published.

Mrs. Bennett replied she will have an update of the status of the Resource List at the next meeting.

Dr. Gandhi asked has the grant been funded.

Mrs. Bennett replied we should know next month.

Mrs. Giroux asked will we see the Resource List before it is posted on the website? What is the startup funding going to be used for?

Mrs. Bennett replied the money from Mike Higgins will be used for the Billerica Hoarding Response Network to help reduce clutter in hoarding homes.

Mrs. Giroux asked why are we getting money from the Substance Abuse Committee? Mrs. Giroux asked what is the plan for donating toiletries to those in need?

Mrs. Bennett replied Bethany's role is to provide a link for people in need of toiletries, furniture and assistance.

Health Director Update

Mr. Reader stated the next item under Board of Health Business is the Health Director's Update.

Mrs. Bennett gave the Board a brief summary of what she has been doing and also an update on the Biobot Analysis report.

Next Meeting – October 3, 2022

Mr. Reader stated the last item under Board of Health Business is the schedule for the next meeting. The next Board of Health Meeting is scheduled for October 3, 2022.

7:15 p.m. Daniel Pardi – 5 Allendale Avenue – Request a Waiver of Regulations

Mr. Reader stated the first public hearing is Daniel Pardi, 5 Allendale Avenue requesting a Waiver of Regulations.

Amy Pardi, 5 Allendale Avenue, Billerica identified herself. Ms. Pardi explained that they would like to construct an addition to the back of their existing house.

Mrs. Bennett explained that the existing home is in the Green Engineering Flood Plain. The proposal is to install a roof drain. The roof drain will drain into a catch basin in the ground on both sides of the addition.

Mr. Reader asked the Board Members if they had any questions.

Dr. Gandhi asked where will the water drain into?

Mrs. Bennett explained that there will be a drywell on the property that the water will drain into and recharge into the ground.

Dr. Gandhi asked how long will this project take?

Mr. Pardi replied the construction should take approximately 3 months.

Mrs. Giroux asked what is the size of the addition?

Mr. Pardi replied the proposed addition is going to be 12 ft. x 20 ft.

Mrs. Giroux asked what is the addition being used for?

Mr. Pardi explained a family room on the bottom floor and the expansion of one of the bedrooms upstairs.

Dr. Gandhi made a motion to grant a Waiver of Regulations to allow the construction of an addition to the existing single-family home located at 5 Allendale Avenue in the Green Engineering Flood Plain based upon the following findings of fact and pursuant to the following conditions:

FINDINGS OF FACT

1. The work described in the applicant's request is within an area subject to protection under the Board of Health's Rules and Regulations, Chapter 5, Section 5.5.005(1).
2. The applicant proposes to construct an addition to the existing single-family dwelling at 5 Allendale Avenue. The site falls within the Green Engineering Flood Plain (GEFP) as delineated in GEFP Map #129. The site does not fall within the FEMA Flood Plain.
3. The applicant proposes to install a drywell to capture and infiltrate roof runoff from the proposed addition.
4. The Board of Health determined that the actions proposed by the applicant are adequate measures to protect public health and the environment and complies with the intent of the Board of Health Rules and Regulations.

CONDITIONS

Special Conditions# 4, 6, 9, 10, 11, 12, 14, 15, and 25

- A. All construction must be in accordance with plans submitted to the Board of Health for review and approval. The plans entitle *Drainage Plan* prepared by Green Soul Architecture LLC dated July 24, 2022.

Mrs. O'Rourke seconded. So voted unanimously.

7:20 p.m. Naked Real Estate LLC, Maggie's Other Farm – 15 Middlesex Turnpike – Request for a Sushi Rice Variance

Mr. Reader stated the next public hearing is Naked Real Estate LLC, Maggie's Other Farm, 15 Middlesex Turnpike requesting a Sushi Rice Variance.

James DeCota, Head Chef for Maggie's Other Farm identified himself. We are applying for a Sushi Rice Variance. Mr. DeCota explained that he has submitted the HACCP Plan for the Acidification of Sushi Rice. The rice will be held at room temperature. A method for Ph control will be a vinegar mixture added to cooked rice for acidification. Mr. DeCota stated that he will be the general manager until they hire a head chef to fill my role.

Mrs. Bennett asked Mr. DeCota if he was the chef.

Mr. DeCota replied that right now he was going to be the chef until they hire someone to fill my role. Currently I am the corporate chef for the entire company. We currently have a Sushi Head Chef that is working in Georgetown, MA. I will be the Head Chef when we open. I have been cooking for twenty-five (25) years.

Mrs. Giroux asked when do you plan on opening Maggie's Other Farm?

Mr. DeCota replied the tentative date is October 10, 2022, however that depends on hiring and training staff.

Dr. Gandhi asked who will be making the sushi rice?

Mr. DeCota replied that the Sushi Chef we currently have will be making the rice according to the HACCP plan.

Dr. Gandhi asked what will you be doing with the left over rice?

Mr. DeCota replied the rice is good for twelve (12) hours and then it will be thrown out.

Mrs. Bennett asked how do you plan on storing fish?

Mr. DeCota explained the process he would be using to prevent cross contamination and parasite destruction for raw fish.

Mrs. Bennett asked what is the process for Buck-A-Shuck?

Mr. DeCota replied if that does occur we will be buying them from an Oyster Green company and will be tagged and held for ninety (90) days. I would prefer a Buck-A-Rib day. The owner will have the final say.

Mrs. Giroux made a motion to grant a Sushi Rice Variance for Maggie's Other Farm, 15 Middlesex Turnpike to allow for the acidification of cooked rice to render it a non-time temperature control for safety (TTCS) food based on the following findings of fact and subject to the following conditions:

FINDINGS OF FACT

1. The applicant plans to operate a full-service food establishment at 15 Middlesex Turnpike. The applicant has complied with the requirements of 105 CMR 590.000 and the Food Code 8-201.11 and 8-201.12 for Plan Review by completing the Food Establishment Plan Review Application process. The applicant has received an approval for the Plan Review Application from the Board of Health for the renovations of the establishment.
2. The applicant proposes to have a full menu and sushi. The applicant has fulfilled the requirements of 105 CMR 590.000 and Food Code 8-201.14 for Hazard Analysis Critical Control Point (HACCP) Plan for acidification of cooked rice (sushi rice). The applicant's HACCP Plan for acidification of cooked rice has been reviewed and approved by the Health Department.

3. The Board of Health has determined that the actions proposed by the applicant are adequate measures to protect the public health and environment and complies with the intent of Board of Health Rules and Regulations and the Massachusetts Food Code, 105 CMR 590.000, Food Code Chapter 3-502.11. Further, approval of the applicant's request will not be detrimental to the public health and environment.

CONDITIONS

Special Conditions# 10, 14, 15 and 25.

1. These conditions, imposed by the Board of Health, cannot be changed without the written approval by the Board of Health and only after a proper public hearing is held.
2. This approval shall be subject to periodic review by the Board of Health to ensure compliance with applicable rules and regulations.
3. The applicant shall comply with the approved HACCP Plans and procedures for preparation of sushi rice.
4. The applicant shall maintain and provide to the Board of Health Agents, upon request, HACCP Plan records that demonstrate that the following are routinely employed which include:
 - a. Procedures for monitoring the critical control points
 - b. Monitoring of critical control points
 - c. Verification of the effectiveness of the operation or process
 - d. Necessary corrective actions if there is failure at a critical control point
5. Employees preparing sushi rice shall be trained in accordance with submitted HACCP Plan and documentation of employee training shall be maintained at the establishment and be readily available.
6. The HACCP Plan records including but not limited to Sushi Rice pH log, pH meter Calibration log, Sushi Rice pH laboratory result, and Parasite Destruction records shall be kept in the establishment for a minimum of two years.
7. These conditions, imposed by the Board of Health in accordance with Food Code 8-103.15, cannot be changed without the written approval by the Board of Health and only after a public hearing is held.
8. This variance cannot be transferred from one person to another person, from one food establishment to another or from one type of operation to another. This variance, as specified under Food Code 8-103.15, shall be null and void in the event of change of ownership, change of menu, or renovation or remodeling to the establishment.
9. Pursuant to Food Code 8-103.15, if any of the above conditions are not met, the Board of Health may revoke, modify, or suspend the variance for acidification of cooked rice only after the applicant has been notified in writing and has been given an opportunity to heard in

conformity with the requirements for an order and hearing in accordance with Chapter X of the State Sanitary Code 105 CMR 590.015.

Mrs. O'Rourke seconded. So voted unanimously.

7:30 p.m. Berkley Concord River Owner, LLC C/O Berkley Investments, Inc. – 0 & 161 Concord Road – Request for Stormwater Management Approval and Waiver of Regulations

Mr. Reader stated the next public hearing is Berkley Concord River Owner, LLC C/O Berkley Investments, Inc. 0 & 161 Concord Road requesting Stormwater Management Approval and a Waiver of Regulations.

Attorney James Dangora provided the Board Members with large scale drawings of the proposed project at 0 & 161 Concord Road.

Attorney James Dangora, Shea, Dangora and Nelson, representing Berkley Investments identified himself. Attorney Dangora introduced Will Granbery, Project Engineer for Bohler Engineering. Attorney Dangora explained we have been before the Planning Board and the Conservation Commission and received approval with order of conditions. Berkley Investments owns 22 acres at the intersection of Middlesex Turnpike and Concord Road. It was constructed in the mid-2000. The applicant intends to construct a Current Good Manufacturing Practice (cGMP) Lab facility and associated site improvements on the property located at 161 Concord Road. Attorney Dangora pointed to the plans and explained the proposal. At the Town's request Berkley is going to fix the 24-inch water line that has sunken. The other critical component is that Berkely has offered to donate 2.5 acres of riverfront property to the Town. Attorney Dangora introduced Will Granbery and stated that he would explain the Stormwater Management plan.

Will Granbery, Bohler Engineering identified himself. Mr. Granbery pointed to the plan and explained the drainage design. The drainage system is compliant with the Conservation Commission and the Massachusetts State Standards. The applicant is seeking a variance to install drainage pipes with less than 2.5 feet of cover in order to accommodate groundwater limitations. The applicant will provide a minimum of 1.5 ft of cover. It is a common practice to see 1.5 ft of cover. Mr. Granbery explained that BETA Group reviewed the plans and all the comments have been addressed.

Phil Paradis, BETA Group identified himself. Mr. Paradis explained he has reviewed this project with Stephen Borgatto, Project Engineer, BETA Group and all the issues have been resolved. BETA recommends that an agent from the Town observe the native soils after excavation and prior to the installation of infiltration components. The Board of Health standard conditions should be included as well as the SWPPP and Notice of Intent. The Operation and Maintenance Plan should be recorded. In Bohler's last letter they completed the details for the grate for the large pipe. All the Board of Health Stormwater Regulations and the MassDEP Stormwater Management Standards have been met.

Dr. Gandhi asked who will the tenants be?

Attorney Dangora replied there have been talks with several possible tenants. No decision has been made.

Dr. Gandhi stated that he was concerned with the noise, odors and waste materials that could be anticipated from the proposed use from the new tenant.

Attorney Dangora replied that whoever the tenant maybe will have to comply with the Zoning By-Laws and Noise Regulations.

Dr. Gandhi asked who will monitor and check the maintenance of the system.

Attorney Dangora replied that there will be an Operation and Maintenance Plan that will require monitoring the BMP's and infiltration chambers.

Mr. Granbery explained that the pipes will have less than 2.5 ft of cover are in the paved parking lot areas.

Dr. Gandhi asked how the agent of the town would be notified to observe the excavation.

Mrs. Bennett replied that an agent from the town and a peer reviewer will observe the excavation together.

Mrs. Giroux asked could sidewalks also be put out front instead of just between entrances?

Attorney Dangora replied the plan is just between entrances.

Mrs. Giroux asked about the access to the donated land.

Attorney Dangora pointed to the plans and explained the access area.

Mr. Reader asked about the 24-inch water main that was installed by the town.

Attorney Dangora replied that the town installed the water main in 2000. The applicant plans on fixing the water main. It is a large site and the applicant is willing to donate a portion of the land and fix the water main.

Mr. Reader asked if any abutters were present and would like to comment.

No abutters were present.

Mrs. Giroux made a motion to grant Stormwater Management Approval and a Waiver of Regulations for Berkley Investments, LLC, 0 & 161 Concord Road, for the construction of a Current Good Manufacturing Practice (cGMP) lab facility building and also include the conditions recommended by BETA Group in the August 3, 2022 letter based upon the following findings of fact and pursuant to the following conditions:

FINDINGS OF FACT

- 1) The work described in the applicant's request is within an area subject to protection under the Billerica Health's Rules and Regulations, Chapter 5 and 6.

- 2) The Board of Health conducted a public hearing on September 12, 2022 and properly notified abutters in accordance with Billerica Health Regulations, Chapter 1, Section 1.2.007.
- 3) The 22.8+/- acre project site is comprised of two lots, Assessor's Plate 68, Parcel 22-1 and Plate 69, Parcel 29-2 and is predominately wooded. The Concord River flows along the northwest border of the parcel with associated vegetated wetlands, FEMA mapped 100-year flood and Green Engineering Flood Plain.
- 4) The applicant proposes to construct a 203,165 +/- sq. ft. lab facility with associated parking, loading, landscaping, utility services, and stormwater management systems within the limits of the existing parking area.
- 5) The project will disturb more than an acre of land and is within proximately of mapped flood zone, therefore requiring a Stormwater permit from the Board of Health. The Stormwater management systems will need to comply with the MassDEP Stormwater Management Standards and the Billerica Stormwater Management Bylaw and Board of Health Regulations.
- 6) The applicant requests a waiver on the requirement for all drainpipes to include a minimum of 2.5 feet of cover (Section 6.7.009(24)). The drainage design has been updated to provide 2.5 feet of cover where feasible, the applicant is requesting a waiver on a few locations where the pipe cover is less than 2.5 feet at the furthest catch basins on the long drainage runs.
- 7) A portion of the project parcel is within the Green Engineering Flood Plain (Map 56). The Map depicts a flood plan associated with the Concord River (Elev. 122' +/- NGVD) which extends onto a portion of the Site which will not be altered by the proposed development. A similar area is depicted on the FEMA FIRM map (Elev. 118.2'). The map also depicts a flood plain along the western boundary of the Site which generally follows the stream and wetlands in the area and crosses the Concord Road to the southeast of the Site. The elevation of this flood plain varies from 122' +/- NGVD near the Concord River to 170 +/- NGVD near Concord Road.
- 8) The stormwater management design proposes to capture stormwater runoff in three subsurface detention systems. Conveyance to the subsurface systems is provided via catch basins, water quality inlets, and roof drains. Overflow from subsurface systems is directed to three new outfalls which convey runoff to the east and west of the Site. Each outfall is located within 100-foot wetland buffer zone and riprap aprons are provided to control erosion and sedimentation.
- 9) The project was reviewed by Philip Paradis of BETA Group, Inc., the Board of Health's Consulting Engineer, for compliance with applicable stormwater drainage and floodplain regulations.
- 10) The Board of Health will impose reasonable conditions to ensure the project is constructed in accordance with approved plans.

- 11) The Board of Health has determined that the actions proposed by the applicant are adequate measures to protect the public health and environment and complies with the intent of Board of Health Rules and Regulations. Further, approval of the applicant's request will not be detrimental to the public health and environment.

CONDITIONS

Special Conditions# 1, 2, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27 and 28.

- A. All construction must be in accordance with the following plans submitted for review and approval:
- **Site Plan Special Permit Package for Proposed cGMP Lab Building 0 & 161 Concord Road Town of Billerica** dated May 11, 2022, prepared by Bohler, Boston, MA.0
 - Plan Set (23 Sheets) entitled **Proposed Site Plan Documents for Berkeley Proposed cGMP Lab Building, 0 & 161 Concord Road, Billerica, MA**, Prepared by Bolher Engineering Group; Signed and Stamped by: Z.L. Richards PE No. 51848 & Matthew J. Mrva No. 1217; Dated: May 11, 2022 and July 28, 2022.
 - **Storm Water Pollution Prevention plan for Construction Activities at Proposed cGMP Lab Building 0 & 161 Concord Road Billerica, MA 01821** dated June 2022, prepared by Bohler, Boston, MA.
 - **Drainage Report for Proposed cGMP Lab Building 0 & 161 Concord Road Town of Billerica** dated May 11, 2022, prepared by Bohler, Boston MA.
 - **Supplemental Drainage Report for Proposed cGMP Lab Building 0 & 161 Concord Road Town of Billerica**, dated July 18, 2022, prepared by Bohler, Boston, MA.
- B. The applicant shall provide to the Board of Health two (2) sets of complete approved plans and an electronic PDF copy of any approved plans for any project covered by these conditions. Final plans are considered plans approved by all town departments.
- C. The applicant shall coordinate with the Board of Health to retain the services of an independent Environmental Stormwater Monitor to monitor construction activities and conduct inspections for the duration of the project. This requirement may be coordinated and streamlined with the Conservation Department. The applicant shall pay the cost of the scope of services fee for the Environmental Stormwater Monitor provided by the Board of Health's Consulting Environmental Stormwater Monitor for the duration of the project, said fee shall be paid to the Board of Health prior to the preconstruction meeting.
- D. The Board of Health's Consulting Environmental Stormwater Monitor shall monitor all stormwater activities and conduct inspections to ensure compliance with approved plans and conditions. All inspections shall be conducted in accordance with an inspection schedule approved by the Director of Public Health.

- E. The applicant shall provide the signed Illicit Discharge Compliance Statement to the Board of Health prior to the start of construction.
- F. If dewatering is determined to be necessary during work, the applicant shall submit a dewatering plan to the Board of Health for review and approval prior to any dewatering activity occurring.
- G. The applicant must provide final approved plans for any project covered by the conditions. Final plans are considered plans approved by all town departments.
- H. Any approval, variance or waiver granted by the Board will not become effective until all outstanding invoices from the Consulting Engineer/Consultant have been paid by the applicant.
- I. An as built plan shall identifying the new existing conditions of the site as they relate to the as-built conditions, be submitted to the Board of Health before the approval of any occupancy permit, or other documentation to satisfy the intent of the Board of Health's approval of any project. A certification from the design engineer should be shown on the plans identifying that the plan is within substantial conformance with the approved plans. If not, then the design engineer should state the differences on the as-built plan vs. the approved plans along with a description in writing to the Board of Health about the changes.
- J. The Board of Health Consulting Environmental Stormwater Monitor shall review the as built to ensure compliance with approved plans and conditions. The applicant shall pay the cost of the scope of services fee for the stormwater as built, said fee shall be paid to the Board of Health prior to issuance of an occupancy permit or Certificate of Compliance.
- K. The soil conditions in the area of the proposed infiltration basin are to be observed by an agent of the Town following excavation to subgrade elevation to verify soil conditions.
- L. The applicant shall provide completed, signed copies of the SWPPP, Notice of Intent, and EPA letter of approval (Section 6.6.013(1)) per NPDES General Permit for Storm Water Discharges from Construction Sites including all requirements of (Section 6.6.013) prior to preconstruction meeting.
- M. The signed Operations and Maintenance Plan shall be recorded with the Middlesex Northern Registry of Deeds and a recorded copy shall be submitted to the Board of Health prior to the issuance of a Certificate of Compliance with the Board of Health

Mrs. O'Rourke seconded. So voted unanimously.

7:40 p.m. WVC 101 Billerica, LLC –101 Billerica Avenue – Request for Stormwater Management Approval and Variance

Mr. Reader stated the next public hearing is WVC 101 Billerica, LLC, 101 Billerica Avenue requesting Stormwater Management Approval and a Variance.

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David Mackwell provided the Board Members with large scale drawings of the proposed project at 101 Billerica Avenue.

David Mackwell, Kelly Engineering Group identified himself. Mr. Mackwell explained that the existing site contains 5.5 acres and is fully developed with an existing 2 story office building and associated parking, utilities and stormwater management. The applicant has been before the Planning Board and the Conservation Commission and received approval and order of conditions. Mr. Mackwell pointed to the plans and explained that the building is being underutilized. The proposed project will entail constructing a new advanced manufacturing building along with associated parking utilities and a stormwater management system for the entire site. The proposed project will result in a reduction of approximately 22, 600 S.F. of impervious area that will reduce peak runoff rates and volumes and enhance recharge. The removal of 32,500 S.F. of pavement will further enhance water quality. The improvements that will be made are the reduction of impervious area. Mr. Mackwell pointed to the plans and explained the location of the water quality devices that would be installed. The construction of the stormwater management system will ensure that stormwater runoff from this site will be of high quality and there will be no adverse impacts on surrounding properties or resource areas. In working with BETA Group, we will be reconstructing some of the pipes. The Operation and Maintenance Plan will be recorded at the Registry of Deeds. Mr. Mackwell explained that the applicant is requesting three (3) waivers from the Stormwater Management Regulations. The first waiver is for the catch basins adjacent to curbing be built with a granite curb inlet as specified by MassDOT. The second waiver is that all drainpipes are to be reinforced concrete pipe or High Density Polyethylene (HDPE) pipe and have a minimum diameter of 12 inches. The third waiver is drainage pipes are to be installed with a minimum of 2.5 feet of cover and O-rings as specified by MassDOT. An additional waiver has been added for the profiles of trunk line drainage. A portion of the work is located within the Green Engineering Flood Plain (GEFP). Work within the GEFP matches existing grades at curb cuts. During construction, an erosion control plan will be instituted to ensure that no sediment leaves the site. Mr. Mackwell introduced Brendan Frazier, representative of the building construction.

Phil Paradis, BETA Group identified himself. Mr. Paradis explained he has reviewed this project with Stephen Borgatto, Project Engineer, BETA Group. This project meets all the standards of 80% TSS Removal and recharge requirements. The applicant is removing pavement and providing additional water quality structures. Pre-treatment will be provided. Included in the standard conditions BETA recommends additional conditions that should be included in the Board of Health Order of Conditions.

Dr. Gandhi asked what is the timeline for this project?

Mr. Mackwell replied just under a year.

Dr. Gandhi asked why is there an issue with providing riprap?

Mr. Paradis replied that the Conservation Commission's practice is to relocate the existing outfalls out of wetland resource areas to provide erosion protection.

Mr. Reader asked if any abutters were present and would like to comment.

No abutters were present.

Dr. Gandhi made a motion to grant the request for Stormwater Management Approval, an Administrative Determination of Applicability and a Waiver of Regulations for WVC 101 Billerica, LLC, 101 Billerica Avenue for the demolition and construction of a commercial building, parking areas, utilities, landscaping and the installation of new stormwater management features and also include the recommendations made by BETA Group and subject to the following findings of fact and pursuant to the following conditions:

FINDINGS OF FACT

- 1) The work described in the applicant's request is within an area subject to protection under the Billerica Health's Rules and Regulations, Chapter 5, Section 5.5.005(1) and Chapter 6 inclusive.
- 2) The Board of Health conducted a public hearing on September 12, 2022 for the proposed project and properly notified abutters in accordance with Billerica Health Regulations, Chapter 1, Section 1.2.007.
- 3) The 5.54 +/- acre project site is currently developed with a 40,869 sq. ft. building, paved parking areas, utilities, and stormwater management systems.
- 4) The proposed work is within 100 ft. of the FEMA 100-year Flood Plain and within the limits of Green Engineering Flood Plain. This project is subject to the requirements of Chapter 5 and 6 of the Board of Health Regulations. Per the Stormwater Management Bylaw, Chapter 6 of the Board of Health Regulations, applies to the project as it will disturb greater than 1 acre of land.
- 5) The applicant proposes to demolish the existing building and pavement and construct a 51,200 +/- sq. ft. building with 19, 122 +/- sq. ft. mezzanine and associated parking areas and utilities, additional landscaping, and installation of new stormwater management features.
- 6) The stormwater management design proposes to generally retain existing flow patterns by routing stormwater runoff to an existing stormwater basin/wetland system located on the abutting lot to the south. Conveyance to the stormwater basin is provided via a new closed drainage system consisting of catch basins, drain manholes, and water quality inlets. Runoff from the roof of the building is proposed to be routed to a subsurface recharge system with overflow to the new closed drainage system. Stormwater runoff from the closed drainage system is directed to two existing outfalls which convey runoff to the southern wetland system. Outfalls are located within the limit of the wetlands and riprap aprons are provided to control erosion and sedimentation.
- 7) The applicant is requesting a Waiver of Regulations from the Stormwater Management Regulations, Chapter 6, Section 6.7.009 of the Stormwater Management Design Standards:
 - a. *Section 6.7.009(21) Catch basins adjacent to curbing are to be built with a granite curb inlet as specified by MassDOT.* The applicant proposes the following: Catch basins are proposed without curb gutter inlet which will not adversely impact function. The site is a private site and will be properly maintained to ensure

- Cover Letter
- Copy of Deed
- Special Permit Checklist
- Project Narrative
- Abutters List
- Aerial Photo

Site Plan and Plans to accompany SWPPP (11 sheets) entitled *Site Development Plans for 101 Billerica Ave., Building 2 Billerica MA*, dated May 6, 2022, revised June 28, 2022, prepared by Kelly Engineering Group, Inc., Braintree, MA

- b. Landscape Plans (2 sheets) entitled *Site Development Plans for 101 Billerica Ave., Building 2 Billerica MA*, dated May 6, 2022, revised June 22, 2022 prepared by Kelly Engineering Group, Inc., Braintree, MA
 - c. Photometric Plan entitled *101 Billerica Ave., Building 2 Billerica MA*, dated April 26, 2022, revised June 24, 2022, prepared by U.S. Architectural Lighting & Sun Valley Lighting, Palmdale, CA
 - d. Floor Plans, Elevations and Renderings (9 sheets) entitled *101 Billerica - Building 2 Billerica MA 01862*, dated May 6, 2022, prepared by GMA Architects, Framingham, MA
 - e. *Stormwater Management Report for 101 Billerica Ave., Building 2 Billerica MA*, May 6, 2022, prepared by Kelly Engineering Group, Inc.
 - f. *Traffic Impact and Access Study Proposed Industrial Redevelopment 101 Billerica Avenue Billerica Massachusetts* dated April 2022, prepared by MDM Transportation Consultants, Inc. Marlborough, MA
 - g. Photometric Plan entitled *101 Billerica Ave., Building 2 Billerica MA*, including Luminaire cut sheets, dated April 26, 2022, revised June 24, 2022, prepared by U.S. Architectural Lighting & Sun Valley Lighting, Palmdale, CA
 - h. *Stormwater Management Report for 101 Billerica Ave., Building 2 Billerica MA*, dated May 6, 2022, with Addendum dated June 28, 2022, Operation and Maintenance Plan, and soil boring logs, prepared by Kelly Engineering Group, Inc.
 - i. **SWPPP Plans**, dated June 28, 2022, prepared by Kelly Engineering Group Inc.
- 13) The Board of Health will impose reasonable conditions to ensure the project is constructed in accordance with approved plans.
 - 14) The Board of Health has determined that the actions proposed by the applicant are adequate measures to protect the public health and environment and complies with the intent of Board of Health Rules and Regulations. Further, approval of the applicant's request will not be detrimental to the public health and environment.

CONDITIONS

Special Conditions# 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,19, 24, 25, 27, 28 and 29.

- A. All construction must be in accordance with the plans submitted for review and approval:
- a. Site Plan (11 sheets) entitled Site Development Plans for 101 Billerica Avenue, Building 2, Billerica, MA, dated June 28, 2022 and revised August 17, 2022, prepared by Kelly Engineering Group, and stamped by David Noel Kelly, Professional Engineer No. 37942.
 - b. *Stormwater Management Report for 101 Billerica Ave., Building 2, Billerica MA*, dated May 6, 2022, with Addendum dated June 28, 2022, Operation and Maintenance Plan, and soil boring logs, prepared by Kelly Engineering Group, Inc.
- B. In coordination with the Conservation Department and the Board of Health, the applicant shall retain the services of an independent Consulting Environmental Stormwater Monitor to monitor construction activities and conduct inspections. The Consulting Environmental Stormwater Monitor must be qualified and pre-approved by the Board of Health Director and the Director of Environmental Affairs. The applicant shall pay the cost of the scope of services fee for stormwater monitoring provided by the Consulting Environmental Stormwater Monitor for the duration of the project, said fee shall be paid prior to the preconstruction meeting. The role of the Consulting Environmental Stormwater Monitor shall be to assist the Board of Health in its oversight of construction activities including but not limited to 1) installation of drainage/ stormwater management system; 2) inspect construction activities occurring within the local floodplain; and 3) overall compliance with the conditions listed in this approval. Specific duties include:
- a. Review the Stormwater Pollution Prevention Plan and make recommendations for proposed changes if necessary.
 - b. Advise on current erosion and sedimentation control practices and make recommendations for proposed changes, if necessary.
 - c. Ensure adherence to this approval letter and report any non-compliance to the Board of Health.
 - d. Attend the pre-construction meeting and conduct periodic inspections during stormwater/drainage construction, test pits to verify subsurface soil conditions and groundwater elevations, buffer zone restoration activities, and dewatering activities; periodically inspect erosion controls; oversee any emergency placements of controls and regular inspection or replacements of erosion and sedimentation control devices.
 - e. Provide weekly to bi-weekly monitoring reports/memorandums during the period(s) when work is being conducted or as directed by the Director of Public Health. Said memos shall include photographic documentation of on-going work activities and summarize work complete, any problems that arise and corrective measures needed in the field. The Applicant will be supplied with all reports

submitted by the Board of Health Consulting Environmental Stormwater Monitor. The Applicant will be expected to make said changes immediately as identified and requested by the Board of Health Consulting Environmental Stormwater Monitor.

- f. Conduct review of the as-built plan required as part of the Request for Certificate
- C. The applicant shall provide operation and maintenance requirements for erosion and sediment control in the final signed Operations and Maintenance (O&M) Plan.
- D. The Board of Health Consulting Stormwater Monitor shall monitor all stormwater activities and conduct inspections to ensure compliance with approved plans and conditions. All inspections shall be conducted in accordance with an inspection schedule approved by the Director of Public Health.
- E. If dewatering is determined to be necessary during work, the applicant shall submit a dewatering plan to the Board of Health for review and approval prior to any dewatering activity occurring.
- F. An as built plan shall identify the new existing conditions of the site as they relate to the as-built conditions, be submitted to the Board of Health before the approval of any occupancy permit, or other documentation to satisfy the intent of the Board of Health's approval of any project. A certification from the design engineer should be shown on the plans identifying that the plan is within substantial conformance with the approved plans. If not, then the design engineer should state the differences on the as-built plan vs. the approved plans along with a description in writing to the Board of Health about the changes.
- G. The Board of Health Consulting Environmental Stormwater Monitor shall review the as built to ensure compliance with approved plans and conditions. The applicant shall pay the cost of the scope of service fees for the stormwater as built, said fee shall be paid to the Board of Health prior to issuance of an occupancy permit or Certificate of Compliance.
- H. The applicant shall update plans to include emergency overflow details.
- I. The applicant shall coordinate with the Board of Health's Consulting Environmental Stormwater Monitor to observe soil conditions in the area of the proposed infiltration basin. The soil conditions shall be observed by an agent of the Board of Health following excavation to subgrade elevation to verify soil conditions.
- J. The applicant shall provide copies of the final signed SWPPP, Notice of Intent, and EPA letter of approval Billerica Board of Health Regulations 6.6.013(1) per NPDES General Permit for Stormwater Water Discharges from Construction Sites including requirements of Billerica Board of Health Regulation 6.6.013 prior to the preconstruction meeting.
- K. The approved and signed Operations and Maintenance Plan Agreement shall be recorded with the Middlesex Northern Registry of Deeds and a recorded copy shall be submitted to

the Board of Health prior to the issuance of a Certificate of Compliance with the Board of Health.

Mrs. O'Rourke seconded. So voted unanimously.

7:50 p.m. BSREP III 44 Dunham LLC –44 Dunham Road – Request for Stormwater Management Approval

Mr. Reader stated the next public hearing is BSREP III 44 Dunham, LLC, 44 Dunham Road requesting Stormwater Management Approval.

John Perry provided the Board Members with large scale drawings of the proposed project at 44 Dunham Road.

John Perry, Senior Project Manager, Langan Engineering and Environmental Services, Inc., identified himself. Mr. Perry explained that the applicant is proposing a project at 44 Dunham Road, Billerica. The site is 6.56 acres. Mr. Perry pointed to the plans and explained that the proposed project work includes repaving existing parking and loading areas, improvements to ADA accessibility compliance, construction of additional paved storage areas and stormwater improvements. The site currently consists of an industrial warehouse building with associated parking and loading areas with an inland wetland, undeveloped forested areas and landscaped areas. The site grades generally slope down from Dunham Road. Currently the site does not have any stormwater BMP's. The entire site will be upgraded to capture and treat stormwater. The applicant meets all the TSS removal requirements and phosphorous for Structural Stormwater Best Management Practices in the Watershed. Mr. Perry pointed to the plans and explained that the bioretention area on site has been revised to include a five (5) foot wide berm. The project will include a stone infiltration trench along the eastern property line that will capture, treat and infiltrate stormwater from the front parking lot and a portion of the eastern driveway.

Phil Paradis, BETA Group identified himself. Mr. Paradis explained that he has reviewed this project with Stephen Borgatto, Project Engineer, BETA Group. This project is a very difficult site relative to ground water and soil conditions. The applicant has provided treatment and redevelopment of the site. This project meets the pre-treatment, recharge requirements and phosphorous treatment. Mr. Paradis explained that he has reviewed the soil conditions, the SWPPP Plan, Operation and Maintenance and the Notice of Intent.

Dr. Gandhi asked what is the Jelly Fish unit?

Mr. Perry explained that the Jelly Fish unit is a concrete sealed box with an inlet that has a series of infiltration devices that water percs through.

Mr. Reader asked if any abutters were present and would like to comment.

No abutters were present.

Mrs. Giroux made a motion to grant Stormwater Management Approval for BSREP III 44 Dunham, LLC, 44 Dunham Road to repave existing parking and loading areas, improve ADA accessibility compliance, construct additional paved storage area and stormwater improvements also

include the conditions recommended by BETA Group based upon the following findings of fact and pursuant to the following conditions:

FINDINGS OF FACT

1. The work described in the applicant's request is within an area subject to protection under the Billerica Health's Rules and Regulations, Chapter 5, Section 5.5.005(1) and Chapter 6 inclusive
2. The Board of Health conducted a public hearing on September 12, 2022 for the proposed project and properly notified abutters in accordance with Billerica Health Regulations, Chapter 1, Section 1.2.007.
3. The 6.5 +/- acre project site is currently developed with 33,869 sq. ft. building, paved parking area, utilities, and stormwater management systems. The property is not in proximity to FEMA mapped 100 year or Green Engineering Flood Plain.
4. The applicant proposes to reconstruct a pavement area and add approximately 0.7-acre additional pavement for new access, parking, and loading areas for the proposed use. Stormwater management improvements include sheet flow from pavement areas to the west end. Flow then passes through curb openings into sediment forebays that outlet to a bioretention area. Roof runoff is directed to a subsurface infiltration system.
5. The project is subject to the requirements of Chapter 5 and 6 of the Board of Health Regulations. Per the Stormwater Management Bylaw, Chapter 6 of the Board of Health Regulations, applies to the project as it will disturb greater than 1 acre of land.
6. An independent peer review of the proposed project for stormwater management was completed by Philip Paradis of BETA Group, Inc., the Board of Health's Consulting Engineer. The peer review was streamlined with the Conservation Commission for compliance with Wetland Regulations, Stormwater Management Standards, and Flood Plain Regulations.
7. The following documents were received and reviewed by BETA Group:
 - a. **Notice of Intent for 44 Dunham Road, Billerica, Massachusetts**, dated June 2022, prepared by Langan Engineering and Environmental Services, Inc. Boston, MA, including the following attachments:
 - b. Site Plan (19 sheets) *entitled 44 Dunham Road, Permit Drawings 44 Dunham Road Town of Billerica, Middlesex County Massachusetts*, dated June 8, 2022, and revised August 17, 2022, prepared by Langan Engineering and Environmental Services, Inc. Boston, MA.
 - c. *Stormwater Management Report for 44 Dunham Road, Billerica, Massachusetts*, dated June 2022 and revised August 17, 2022, prepared by Langan Engineering and Environmental Services, Inc. Boston, MA.

8. The Board of Health will impose reasonable conditions to ensure the project is constructed in accordance with approved plans.
9. The Board of Health has determined that the actions proposed by the applicant are adequate measures to protect the public health and environment and complies with the intent of Board of Health Rules and Regulations. Further, approval of the applicant's request will not be detrimental to the public health and environment.

CONDITIONS

Special Conditions# 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18,19, 24, 25, 27, 28 and 29.

- A. All construction must be in accordance with the plans submitted for review and approval:
 - a. Site Plan (19 sheets) *entitled 44 Dunham Road Permit Drawings 44 Dunham Road Town of Billerica, Middlesex County Massachusetts*, dated June 8, 2022 and revised August 17, 2022, prepared by Langan Engineering and Environmental Services, Inc. Boston, MA, stamped by John Plante, Professional Engineer No. 38118.
 - b. *Stormwater Management Report for 44 Dunham Road Billerica Massachusetts*, dated June 2022, and revised August 17, 2022, prepared by Langan Engineering and Environmental Services, Inc. Boston, MA.
- B. In coordination with the Conservation Department and the Board of Health, the applicant shall retain the services of an independent Consulting Environmental Stormwater Monitor to monitor construction activities and conduct inspections. The Consulting Environmental Stormwater Monitor must be qualified and pre-approved by the Board of Health Director and the Director of Environmental Affairs. The applicant shall pay the cost of the scope of services fee for stormwater monitoring provided by the Consulting Environmental Stormwater Monitor for the duration of the project, said fee shall be paid prior to the preconstruction meeting. The role of the Consulting Environmental Stormwater Monitor shall be to assist the Board of Health in its oversight of construction activities including but not limited to 1) installation of drainage/ stormwater management system; 2) inspect construction activities occurring within the local floodplain; and 3) overall compliance with the conditions listed in this approval. Specific duties include:
 - (a) Review the Stormwater Pollution Prevention Plan and make recommendations for proposed changes if necessary.
 - (b) Advise on current erosion and sedimentation control practices and make recommendations for proposed changes, if necessary.
 - (c) Ensure adherence to this approval letter and report any non-compliance to the Board of Health.
 - (d) Attend the pre-construction meeting and conduct periodic inspections during stormwater/drainage construction, test pits to verify subsurface soil conditions and groundwater elevations, buffer zone restoration activities, and dewatering

- (e) activities; periodically inspect erosion controls; oversee any emergency placements of controls and regular inspection or replacements of erosion and sedimentation control devices.
 - (f) Provide weekly to bi-weekly monitoring reports/memorandums during the period(s) when work is being conducted or as directed by the Director of Public Health. Said memos shall include photographic documentation of on-going work activities and summarize work complete, any problems that arise and corrective measures needed in the field. The Applicant will be supplied with all reports submitted by the Board of Health Consulting Environmental Stormwater Monitor. The Applicant will be expected to make said changes immediately as identified and requested by the Board of Health Consulting Environmental Stormwater Monitor.
 - (g) Conduct review of the as-built plan required as part of the Request for Certificate of Compliance review.
- C. Environmental Stormwater Monitor, the Conservation Director, and any other interested parties prior to beginning any construction in order to review the construction sequence for the project, establish an inspection schedule and address any other concerns. The meeting request and written Notice of Construction Commencement shall be submitted to the Board of Health at least fourteen (14) days prior to beginning construction.
 - D. The applicant shall provide operation and maintenance requirements for erosion and sediment control in the final signed Operations and Maintenance (O&M) Plan.
 - E. The Board of Health Consulting Stormwater Monitor shall monitor all stormwater activities and conduct inspections to ensure compliance with approved plans and conditions. All inspections shall be conducted in accordance with an inspection schedule approved by the Director of Public Health.
 - F. If dewatering is determined to be necessary during work, the applicant shall submit a dewatering plan to the Board of Health for review and approval prior to any dewatering activity occurring.
 - G. An as built plan shall identify the new existing conditions of the site as they relate to the as-built conditions, be submitted to the Board of Health before the approval of any occupancy permit, or other documentation to satisfy the intent of the Board of Health's approval of any project. A certification from the design engineer should be shown on the plans identifying that the plan is within substantial conformance with the approved plans. If not, then the design engineer should state the differences on the as-built plan vs. the approved plans along with a description in writing to the Board of Health about the changes.
 - H. The Board of Health Consulting Environmental Stormwater Monitor shall review the as built to ensure compliance with approved plans and conditions. The applicant shall pay the cost of the scope of services fee for the stormwater as built, said fee shall be paid to the Board of Health prior to issuance of an occupancy permit or Certificate of Compliance.

- I. The applicant shall update plans to include emergency overflow details.
- J. The applicant shall coordinate with the Board of Health's Consulting Environmental Stormwater Monitor to observe soil conditions in the area of the proposed infiltration basin. The soil conditions shall be observed by an agent of the Board of Health following excavation to subgrade elevation to verify soil conditions.
- K. The applicant shall provide copies of the final signed SWPPP, Notice of Intent, and EPA letter of approval Billerica Board of Health Regulations 6.6.013(1) per NPDES General Permit for Stormwater Water Discharges from Construction Sites including requirements of Billerica Board of Health Regulation 6.6.013 prior to the preconstruction meeting.
- L. The approved and signed Operations and Maintenance Plan Agreement shall be recorded with the Middlesex Northern Registry of Deeds and a recorded copy shall be submitted to the Board of Health prior to the issuance of a Certificate of Compliance with the Board of Health.

Mrs. O'Rourke seconded. So voted unanimously.

8:00 p.m. Lantheus Medical Imaging (LMI) –331 Treble Cove Road – Request for an Extension of Stormwater Management Approval

Mr. Reader stated the next public hearing is Lantheus Medical Imaging (LMI), 331 Treble Cove Road requesting an extension of the Stormwater Management Approval 18-58-2-1-008.

Attorney James Dangora provided the Board Members with a large scale drawing of the project at 331 Treble Cove Road.

Attorney James Dangora, Shea, Dangora and Nelson representing, Lantheus Medical Imaging, identified himself. Attorney Dangora introduced Robert Holmes, Director of Real Estate, at Lantheus Medical Imaging and Regan Andreola from Beals + Thomas. Attorney Dangora explained that a couple of years ago the Board granted Stormwater Management Approval for this project. Currently the project is partially completed. Attorney Dangora pointed to the plans and explained what needs to be completed. There are no changes to the original approved design. Due to the COVID State of Emergency that was implemented in March 2020 and continued to June 2021, the work for the shared driveway to the North Campus has not been completed. The applicant is requesting a one (1) year extension to the Stormwater Management Approval in order to complete the project. The Billerica Conservation Commission granted permission in July 2022 to extend their Order of Conditions for a period of one (1) year.

Mrs. Giroux asked has any of standards changed since the original Stormwater Management Permit was issued? Technically it could not be an extension if the standards have changed.

Mrs. Bennett replied that the Board voted to update the regulations about six months ago however this project meets the standards.

Mr. Reader asked the Board Members if they had any questions.

The Board Members did not have any questions.

Mrs. O'Rourke made a motion to grant a one (1) year extension until November 2023 due to the COVID State of Emergency that began in March 2020 and continued through June 2021.

Mrs. Giroux seconded. So voted unanimously.

8:10 p.m. FB Billerica Realty Investors, LLC –480 Boston Road – Request for Amendment to the Stormwater Management Permit

Mr. Reader stated the last public hearing is FB Billerica Realty Investors, LLC, 480 Boston Road, requesting an amendment to the Stormwater Management Permit.

Mrs. Bennett explained that Tim Williams, Project Engineer for Allen & Majors contacted her and stated that he would like to withdraw the request for the Amendment to the Stormwater Management Permit.

Mrs. O'Rourke made a motion to adjourn.

Mrs. Giroux seconded.

The Board adjourned at 9:00 p.m.

Respectfully submitted,

Sandra Giroux
Secretary

Joanne M. White
Recording Clerk