



Town of Boylston

Earth Removal Board

221 Main Street, Boylston MA 01505 ** Telephone (508) 869-6064** Fax (508) 869-6210

MEETING MINUTES Thursday, May 21, 2020

CHAIRMAN: Jamie Underwood
MEMBERS PRESENT: Mark Coakley, Janet Lombardi,
MEMBERS ABSENT: Homaira Naseem, Jack Wentzell
RECORDER: Zoom

Mr. Underwood opened the meeting at 6:10 p.m.

Lilymere-Mr. Underwood informed the Board he visited neighbors of Lilymere on Smallwood Circle at their request. He observed dust and sand blowing around. Jamie had spoken to Mr. Haynes to be sure things were being watered down. Mr. Underwood observed sediment under the Jubinville's pool cover and the patio was covered. Mr. Underwood described the Lilymere property as being sand piles with no topsoil. Mr. Underwood stated a few other homes on the street also had sand in the back yard.

Mr. Coakley stated he believes there were restrictions that all sand and dirt piles must be watered daily. He did not feel that is being done and is being used as an access road behind these homes. Mr. Coakley had ConCom request Paul McManus, of EcoTec, visit the site, outlining steps to take to control the situation. Mr. Coakley also asked for Stormwater Pollutant Prevention Report from Mr. Haynes (SWPPP) from January 1st to present, which shows intermittent watering. (Silt fences and occasional watering)

Mr. Underwood suggested to prevent sand blowing put some type of topsoil down. The purpose of this meeting is to find a way to control the sand blowing onto neighbor's yard in Smallwood Circle. Also, if continues to remain dry weather, it will affect neighbors on Abbey Lane also.

Mr. Coakley shared an email and pictures from Dick Jubinville showing the sand piles at Lilymere. The report from Paul McManus of EcoTec states the sand is very fine with no stones in it and that is the source of the dust. Materials on the roadway disturbed by vehicles are also a source of the dust. Topsoil is sticky enough not to create dust. Met with Jim Haynes

Dick Jubinville, 25 Smallwood Circle, requested that the developer stop using the equipment with the motorized brush on it.

Mr. Underwood requested that the developer, through his attorney who was present, Attorney Watsky, for Mr. Haynes to hire a pool company to come and clean the Jubinville's pool because

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the floor of the pool is covered with sand, and he is concerned about running that through the filter.

Attorney Watsky stated that Mr. Haynes has agreed to clean the pool. Attorney Watsky discussed a series of photos of the progress of the project which Mr. Haynes sent to him after he met with Paul McManus. He was unable to show the Board, however, he described them. Mr. Haynes is actively working on spreading on loam and the roadway has been swept and Attorney Watsky will let Mr. Haynes know that the sweeper should not be used while the street is dry.

Soil was spread in the last few days. Dick Jubinville expressed concern regarding the piles of sand being spread and wind blowing. He would just like to have the problems under control before summer. Attorney Watsky stated again that Mr. Haynes has indicated he will pay for the pools to be cleaned and homes in need, to be power washed.

Steve Mero, the Highway Superintendent, asked if Mr. Jubinville could share the name of his pool company so that they could do it. They need to use a portable vacuum. He has no preference as to who does it. Mr. Jubinville is satisfied with the steps Mr. Haynes is taking at this time.

Mr. Coakley reviewed SWPPP reports as part of general construction and Paul McManus has given steps to be taken to control the dust. Mr. Coakley suggested that Mr. Haynes provide a bi-weekly SWPPP report of his progress on the site.

Attorney Watsky requested Ms. Gardner send Paul McManus's email dated May 20, 2020. Also, Dick Jubinville will request a copy to be sent to him.

After these issues were addressed, the Board discussed what should happen. Once the Board has received four or five weeks of reports, they should be reviewed with Steve Mero and then speak with Jim Haynes for status update.

Dick Jubinville requested that the debris that blows uphill, mostly plastic, be picked up and Mr. Underwood stated that he has spoken to developers regarding that. Attorney Watsky will confirm with Mr. Haynes.

Gerry Quam, 3 Smallwood, discussed the pile behind his house.

There was a discrepancy that it was resolved. Attorney Watsky will address that issue with Mr. Haynes. Mr. Quam would like the mounds on the back side of his house taken down. Mr. Quam wants a definitive approach to get rid of pile forthwith. Mr. Quam requested the Board to approve some type ruling and timetable for that pile to be removed. Mr. Underwood informed Mr. Quam the whole project is scheduled to be done by October, 2020.

The Board reviewed expectations of Mr. Haynes with his Attorney.

Mr. Haynes has agreed to spread all the loam that are in piles.

Mr. Haynes will implement dust control procedures outlined in Paul McManus report.

Reports will be issued twice weekly on all site work completed to comply with SWPPP. Mr. Haynes has agreed to clean the Jubinville and Quam pools and any other neighbor with a pool with sediment at the bottom due to the dust. This will be done at his expense at the owner's discretion of pool company. Mr. Haynes has agreed to power wash homes. He must also stop trash from blowing into neighbor's yard by having help pick up.

Ms. Lombardi reviewed for the purpose of minutes the points discussed.

- SWPPP to include trash pick up
- Mr. Haynes must keep the property wet by watering, mulch, topsoil and back, left-hand side – the finer sand should be treated with calcium chloride
- Reports twice weekly and watering all piles are in the SWOOO Plan.
- Watering should be daily and activity logs of what is being done on site.
- Get organic loam and spread immediately and that will stop the spread of the dust.

Attorney Watsky will review the items with Mr. Haynes and also get an update on construction sequence and focus on pile behind 3 Smallwood. Mr. Jubinville and Mr. Quam request the power washing be done in the fall. The time frame will be up to homeowner. The homeowner should contact the pool service of their choice and coordinate with pool company. The bill should be sent to Mr. Haynes.

Ms. Lombardi received photos of trash being buried by the construction from Gino Rida and that is not allowed per the Order of Conditions. Mr. Rida, 15 Smallwood, videotaped backhoe attempting empty buckets of shingles, etc. and Mr. Haynes spoke to the contractor and everything was pulled out of the ground according to Mr. Jubinville. Mr. Jubinville stated there have not been anymore incidents. Attorney Watsky will make sure Mr. Haynes is aware of this issue. Mr. Underwood will reach out to Mr. Quam regarding the pile behind his home and when it will be removed.

Mr. Coakley motioned to adjourn at 6:56 p.m. and Ms. Lombardi seconded; all voted in favor.

Meeting Materials

ConCom Letter dated October (on file in Bldg. Dept)

Letter from Dick Jubinville (on file in Bldg. Dept)

SWPPP Report (on file in Bldg. Dept)