



Town of Boylston Conservation Commission conservation@boylston-ma.gov
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REGULAR MEETING MINUTES

MAY 20, 2019

Members Present: Dan Duffy, Chip Burkhardt, Mark Coakley

Members Absent: Jeffrey Walsh, Joe McGrath

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

PUBLIC HEARING (continued) – 58 Mill Road (James Rotti) – Notice of Intent Application to construct a 30'x30' patio on the upland peninsula. The application also includes the placement of an 8'x16' prefabricated roll-out dock system.

James Rotti was present. At the last meeting, the Commission was concerned about the dock details and how it was going to be done. Mr. Rotti said the dock is prefabricated aluminum on wheels; manually it is rolled in the water and staked at the shoreline. There are drum wheels and stabilizing posts; they are not driven into the water; the dock is tied to the shore. Mark Coakley said that Mr. Sullivan was told to reach out to the DEP for clarity on the dock (jurisdictionally what is it, i.e., is it land under water being altered); no information has been received.

He currently has a bluestone flagstone patio over $\frac{3}{4}$ " crushed rock. There will be no firm borders to it; it will go into the grade. The joints will vary between 1" and 2"; it is all natural stone; it will be cut in the back to fit. He would like to use a 4-wheeler; no hydraulic equipment will be used; it will all be done by hand. He explained the preparation work. He would like to cut the slab $\frac{3}{4}$ " below grade so it sits flush with the native soil around it. He would remove the top layer, get down to the base, put in $\frac{3}{4}$ " stone and lay the flagstone on top of it. The flagstone varies between 1 $\frac{1}{2}$ " and 2". Chip Burkhardt said he would have to go down 3" for a $\frac{3}{4}$ " base.

Mark Coakley asked about pergola. Mr. Rotti would like put a structure over it, but hasn't figured out the overall design yet; it would be completely open. The pressure treated posts would be 6 x 6 or 8 x 8. They would have to be put below grade and set in concrete. His plan is to do the patio first and then the pergola in two years. Mr. Coakley said if it is a structure within the buffer zone, he wants to see the plan. Mr. Duffy said the way the pergola project was described, Mr. Rotti would need to come back with more details. If he is willing to amend the request, the Commission could consider it without the pergola.

Mark Coakley made a motion to close the public hearing; Chip Burkhardt seconded; all voted in favor; motion approved. Mark Coakley made a motion to issue an Order of Conditions adding Special Conditions #34-no permanent structures are allowed on the peninsula patio location,

and #35-conveyance of materials to and from the peninsula patio location shall be by 4x4 gator or smaller; Chip Burkhardt seconded; all voted in favor; motion approved. The Order will be held pending a DEP file number and confirmation from Connorstone Engineering regarding DEP requirements.

PUBLIC MEETING – 690 Linden Street (Summer Star Wildlife Sanctuary) – Request for Determination of Applicability Application to slightly reroute a portion of the trail and build three sections of boardwalk in order to reopen the full trail loop.

Dan Stimson (Sudbury Valley Trustees) and Shalin Liu (owner) were present. Mr. Stimson said beavers moved in at Wrack Meadow Brook, which caused the trail to become wet. They have seasonally closed it to protect the habitat and keep people on the dry spots and safe. It has been monitored for a few years and they are ready to open the loop with a slight re-route (three sections of boardwalk); the water level has gone down. Mr. Stimson said the beavers are not active right now but believes they will be back. They thought boardwalks would be the responsible thing to do for the trail conditions and beaver habitat. He submitted a design that was used on other Conservation Restrictions which uses precast concrete curbing and a simple boardwalk along the sections. The three sections are in areas where water overtops the beaver pond and joins up with the intermittent stream via the trail (when the beavers are active). They plan to start in July with Mass Americore SCA (professional trail team); all work will be done by hand. Alternatives were considered. The members felt that what is proposed has the least impact and provides the most benefit. Dan Duffy asked if there were some disturbance, how would they handle it. Mr. Stimson said the width of the work would not be any wider than the boardwalk and very flat; he thought the best approach would be to re-grade when it is drier and let it restore naturally. Mark Coakley made a motion to close the public meeting; Chip Burkhardt seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to issue a Negative Determination by Reason #2; Mark Coakley seconded; all voted in favor; motion approved.

COMMISSION BUSINESS

Consider Request to Extend SCP-2014-2 (Worcester Sand & Gravel Stormwater Permit) – Mike Trotto was present. He said he took out all the stumps and piled up the loam. If the weather cooperates he will be mixing the gravel Thursday or Friday. He continues to work with adjacent property owners (Phillips). He should be done in 2.5 months (by mid-August the latest). Mark Coakley said he would be willing to extend the permit for six months because of the weather. Mark Coakley made a motion to extend Stormwater Control Permit SCP-201402 for six months to expire November 1, 2019; Chip Burkhardt seconded; all voted in favor; motion approved. Mr. Trotto was told to provide an as-built plan when it is completed.

Consider Request to Extend DEP#115-389 (Rocky Pond Realty Trust) Unit 32 Boulder Way – Having no issues, Chip Burkhardt made a motion to extend DEP#115-389 for two years to expire May 20, 2021; Mark Coakley seconded; all voted in favor; motion approved.

There were no vouchers for approval tonight.

Correspondence was reviewed. The Graves Engineering estimate for 85 Sewall Street is \$812,905. A bond will be requested in that amount that is acceptable to Town Counsel.

Chip Burkhardt made a motion to approve the Meeting Minutes dated April 22, 2019 as amended; Mark Coakley seconded; all voted in favor; motion approved.

Special Municipal Employee Designation – The Board of Selectmen voted to designate the Conservation Commission as Special Municipal Employees on May 20, 2019 as advised by the State Ethics Commission regarding Jeff Walsh's change from employee to owner.

Discuss Policy for Sign-Offs for Certificate of Occupancy Cards – Dan Duffy drafted procedures and will forward them to the members for review at the next meeting. Because of last minute requests from developers, sites are not loamed or seeded or they do it the day of the request. It needs to be loamed and seeded and/or if the time of the year (not their schedule) doesn't allow loaming and seeding, the Commission will allow wood chips until the season does allow loaming and seeding. A deadline needs to be set so there is the opportunity for members to visit the site.

Mr. Duffy also thinks that notice should be given to the people buying the property because once they purchase it, it becomes their responsibility. A letter (that could be part of the Order of Conditions) should go to the closing informing them there is an open Order of Conditions and that as the property owner they are responsible for completing the work detailed in the Order of Conditions and for hiring an engineer to prepare an as-built plan for a Certificate of Compliance. Further, if it is not followed, they are subject to enforcement action by the Conservation Commission; the encumbrance will be on the deed until it is resolved. People are coming to the Commission who did not realize what is involved with the Order of Conditions on their property.

Chip Burkhardt commented that the Commission should start working on a bylaw that specifically states that no work can take place within 20'-25' of the wetland.

EcoTec will be asked to do site visits for 85 Sewall Street, Pine Street Extension projects and 299 Sewall Street.

Finalize Wetland Permitting Procedures – Tabled to next month.

Mark Coakley made a motion to accept June 17th as the next meeting date; Chip Burkhardt seconded; all voted in favor; motion approved.

Chip Burkhardt made a motion to adjourn; Mark Coakley seconded; all voted in favor; motion approved. The meeting adjourned at 8:11 p.m.