



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

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REGULAR MEETING MINUTES AUGUST 15, 2022

Members Present: Joe McGrath, Mark Coakley, Chip Burkhardt, Jeffrey Walsh, Ron Aspero

Members Absent: None

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

The Chair opened the meeting at 7:00 p.m. Jeff Walsh made a motion to set September 19, 2022 as the next meeting date; Ron Aspero seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to approve the July 18, 2022 meeting minutes; Joe McGrath seconded; McGrath/Coakley/Burkhardt/Walsh approved; Aspero abstained; motion approved.

PUBLIC HEARING (continued) – 260 Shrewsbury Street (Dragon 88) – Notice of Intent Application to divert stormwater runoff from the fill slopes as well as stabilizing non-vegetated or sparsely vegetated slopes due to the former placement of unauthorized fill which impacted and created Bordering Vegetated Wetlands. (DEP#115-427)

Scott Heim (Northeast Ecological) requested a continuance via email. Jeff Walsh made a motion to accept the request for continuance to September 19, 2022 at 7:05 p.m.; Joe McGrath seconded; all voted in favor; motion approved.

PUBLIC HEARING – 0, 176 & 179 Stiles Road (Central Street Boylston Realty Trust) – Notice of Intent Application to restore impacted BVW and stabilize buffer zone ground cover due to construction related sediment deposits within Stiles Road and on abutting properties, and confirmation of resource areas. DEP#115-443

Wayne Belec (Land Design Collaborative) requested a continuance via email. Chip Burkhardt made a motion to accept the request for continuance to September 19, 2022 at 7:10 p.m.; Joe McGrath seconded; all voted in favor; motion approved. Mark Coakley mentioned that when/if an Order is issued, it is important to note that “in instances where a BVW is located adjacent to the intermittent stream bank, only the outer limit of jurisdiction, i.e., the BVW, was flagged, and the interior bank was not delineated” per Paul McManus’ EcoTec letter of August 3, 2022.

PUBLIC MEETING – 11 French Drive (Worcester County Horticultural Society) – Notice of Intent Application for proposed repairs to existing gazebo footings with Helical Anchors and installation of a curtain drain.

The hearing notice was read into record. DEP has not yet issued a file number. Rob Lussier (CMG) was present. There was a previous RDA for this project to do test pits for a pavilion located at the back of the property. Granite rock footings were being used for the pavilion which is less than ideal conditions for

the soils and not a safe walking environment. The structure needs to be replaced. Whitestone Associates did soil testing and recommended using helical anchors to pin the footings. They want to remove the stone patio and put an installation pad on top with aggregate around to allow groundwater flows. A curtain drain was mentioned in the recommendations. After the wetlands were located, they realized how close they were to the gazebo. The curtain drain would be at the limit where the pad would be installed but a small portion would be in the wetlands; they decided not to go this route; using the helical anchors and reinforcing the pad should be sufficient. They will be submitting revised plans; there will be no wetland disturbance.

Mr. Aspero commented that helical anchors work well until they encounter boulders. Mr. Lussier said Whitestone Associates would do any field changes and come back to the Commission. Mr. Coakley asked the square footage of the old gazebo vs. the new one; Mr. Lussier was not sure but said the new foundation will be 3-feet off the limit of the existing gazebo; it should be close to the same impervious area; roof runoff will be the same. Mr. Lussier requested a continuance. Joe McGrath made a motion to accept the request for continuance; Mark Coakley seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to continue the public hearing to September 19, 2022 at 7:15 p.m.; Joe McGrath seconded; all voted in favor; motion approved.

COMMISSION BUSINESS

Art Allen (EcoTec) will be asked to remind 80 Pine Hill Drive and 160 Shrewsbury Street during his regular inspections that they should take advantage of the fall growing season and start the stabilization for any large open areas that are completed, or they will need to be vegetated to get them through the winter. He will also do the same for the Sewall Street lots.

Consider issuing a Certificate of Compliance for the Greater Worcester Land Trust (320 Sewall Street), DEP#115-412 – Colin Novick was present. Mr. McGrath explained that when the Commission issued the Amended Order of Conditions, it was appended to the wrong Order of Conditions; it was appended to the original Order. All information to issue a Certificate of Compliance for DEP#115-412 has now been received. Before acting on that Certificate of Compliance, the Commission needs to hold a public hearing to attach the Amendment to the correct Order. Mr. Novick will also need to send a letter requesting a Certificate of Compliance to Stormwater Control Permit SCP#2017-1.

Chip Burkhardt said the Commission received from the Board of Selectmen a complaint from Charles Marden (20 Pine Street) regarding the fence between Units 20 and Unit 22 on Sewall Street. Paul Dell'Aquila (Town Planner) responded to the complaint and noted that the Commission approved it the way it is. He also said the Planning Board had not yet reviewed and held a hearing on their plans because the road acceptance was not on the town meeting warrant. He anticipates the board discussing it at their September meeting.

Consider issuing Partial Certificate(s) of Compliance for Barnard Hill (4 Perry Road, DEP#115-373 & Stormwater Control Permit SC#2014-1) – No action could be taken tonight; the plan submitted was not sufficient.

Consider issuing a one-year Extension Permit for DCR (W. Boylston Street/Route 140 Work) DEP#115-379 – The DCR is doing reconstruction work on one of the retention basins near the old pumping station. They were under the impression that they did not have to file and said they sent a letter over a year ago informing the Commission of the work (which the Commission did not recall seeing). The work is in line with what they already have an Order for but it was never completed. Mr. McGrath told them to request an extension to that previous Order of Conditions. They have submitted a request for a one-year extension. Joe McGrath made a motion to extend the Order of Conditions for DCR, DEP#115-379, until

August 2023 in order to allow them to finish the drainage work on the reservoir, which is consistent with the work already approved; Jeff Walsh seconded; all voted in favor; motion approved.

Compass Pointe Update – Attorney Watsky emailed that he had a trial on Monday August 15th in Pittsfield and asked the Commission to schedule the update discussion to September 19th. Joe McGrath will respond via email to Onni Wirtanen regarding the bonds. He did tell the Commission that the bond does not expire and it's for Phase 2 of the subdivision. The original Letters of Credit have expired.

Review Correspondence/Emails/Other Items:

Central Street Paving – Mark Coakley said there were no erosion control measures near the inlets to Cold Harbor Brook and there have been washouts. Chip Burkhardt met with Steve Mero (Highway Superintendent). They will not be doing any more paving once that section is finished. There was a wash on the inlet side before they had the riprap in place; the sediment will be fairly easy to scoop out. The outlet side will require more work. Mr. Mero will need to provide a plan of what he's doing. Mr. McGrath commented that the Commission should have been notified since it wasn't an emergency. Mr. Burkhardt will prepare a memo about his meeting with Mr. Mero for the record.

An email was received from Mike Andrade regarding the Longley Hill subdivision as-built detention basin capacity. He is still looking for a response to revised plans received in April and revised legal descriptions. The Commission has not yet received everything needed from Mr. Ansari for his request for a Certificate of Compliance for the subdivision.

Jeff Walsh said the Master Plan is in draft form; a link will be forwarded to members. The Commission will be asked at the next meeting to provide any comments they may have.

Having no further business to discuss, Mark Coakley made a motion to adjourn; Joe McGrath seconded; all voted in favor; motion approved.

The meeting was adjourned at 8:01 p.m.