



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

AUGUST 19, 2019

Members Present: Chip Burkhardt, Mark Coakley, Joe McGrath, Dan Duffy, Jeffrey Walsh

Members Absent: None

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

PUBLIC MEETING – 458 Main Street (Arthur & Elaine DeCouto) – Request for a Determination of Applicability application to remove and replace the existing garage with a slightly larger garage.

Patrick Healy (Thompson-Liston) was present. There is a perennial stream on part of the property. It pre-exists the Riverfront Regulations and is exempt from riverfront area, but not exempt from the Watershed Protection Act. They filed with the DCR for work within 200-feet of the high water line of the brook and submitted the approved DCR Determination. One of DCR's conditions was to file with the Conservation Commission to confirm that the wetland boundaries are correct with respect to the riverfront. There is no work proposed in the buffer zone. Scott Goddard delineated the wetlands in April. There will be a siltation barrier on the edge of the driveway and a crushed stone strip around the building to protect from erosion. Mark Coakley made a motion to close the public meeting; Joe McGrath seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to issue a Negative Determination (Reason #2); Jeff Walsh seconded; all voted in favor; motion approved.

PUBLIC HEARING – 20 Oak Hill Lane (Scott Rossow) – Notice of Intent application to construct an in-ground swimming pool. Portions of the work proposed are within the 100-foot buffer zone of a BVW.

Dan Bremser, Project Manager (Hancock Associates) and Scott Rossow were present. Dave Cowell (Sr. Wetland Scientist) flagged the wetlands. Invasive species and dead trees will be removed. Mr. Rossow was not sure what the 3:1 slope covering would be. The pool is a salt-water pool. He was told it cannot be drained into the wetlands; it will need to be pumped. Fences are proposed around the pool. Mark Coakley would like to see a plan for the invasive species that will be removed and wants to know what the material on the slope will be. Mr. Bremser said it could be conditioned to be grass. Joe McGrath made a motion to close the public hearing; Chip Burkhardt seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue an Order of Conditions pending more detail on how the slope will be stabilized, and add Special Condition #35 that if the pool is to be filled with salt water, the salt water may not be drained into the wetland; Jeff Walsh seconded. Mr. McGrath revised the

motion to include reference to the plan submitted tonight, last revised 8/19/19; Jeff Walsh seconded; all voted in favor; motion approved.

PUBLIC HEARING – 299 Sewall Street [Lilymere Estates] (Boylston CP LLC) – AMENDMENT to Order of Conditions DEP #115-419 to modify the layout of the northern portion of the site.

John Grenier (Engineer) and Matthew Watsky (Counsel for Lilymere) were present. Green cards and ad fee were not submitted. Atty. Watsky explained that they propose to modify the site. In the existing approved plan, there are two units completely in the buffer zone and two units outside the buffer. Modifying the orientation of units has only one unit in the buffer zone and it is further from the wetlands; there will be a reduction of the amount of work in the buffer zone. No additional cutting is proposed. Mr. Grenier said the infiltration basin is not changing. The two duplexes will now be four single-family homes; one unit will be in the buffer zone. The other three units are shifted further to the north. There is some additional driveway. All the paved areas are being captured and going to the oversized infiltration basin; no change to the drainage infrastructure. All the units will have recharge chambers. Roof runoff will be captured and put back into the ground; it still meets all the stormwater requirements. It is a shared septic system for four two-bedroom houses. Erosion controls are at the limit of work (the existing tree line). There is approximately one-tenth of an acre more of impervious area; no impact on the capacity of the system. Chip Burkhardt made a motion to close the public hearing; Joe McGrath seconded; all voted in favor; motion approved. Mr. Grenier is to supply supplemental drainage calculations specifying the delta, roof and pavement. Joe McGrath made a motion to issue an Amended Order of Conditions reflecting the plan and drainage information that was submitted as part of the request; Jeff Walsh seconded; all voted in favor; motion approved. This Amended Order of Conditions does not affect the Stormwater Permit.

COMMISSION BUSINESS

Grace Elton (Tower Hill Botanic Gardens) (informal presentation about upcoming construction)
– Grace Elton (CEO, Tower Hill), Mark Richardson (Director of Horticultural), Tom Ryan (Landscape Architect), and Steve Martel (Civil Engineer).

The team was in to inform the Commission of the new proposed changes from the proposed changes the Commission saw back in 2017 and to get feedback. It is Phase 1 of a new Master Plan, which includes infrastructure improvements as well as a new Children and Family Garden. Mr. Ryan explained the differences between the plans and said the plan is now simpler and more compact with fewer impacts. The gatehouse will be eliminated; visitors will park their cars and enter through the main Visitor Center. The parking lot will be smaller. The Ramble has been consolidated; it is a smaller footprint. The entrance previously was a main concern. He explained where they propose to eliminate pavement, clear for visitors exiting for a better sight line, clear, replant and add a berm. They want to remove the walls on both sides of the entrance. A gate will be installed that will be connected to a deer fence. The Planning Board had concerns with traffic. They have a plan to restripe the road and make the lanes a bit narrower in order to have a left turn lane. They feel this will take care of the traffic problem with no additional paving needed. The Commission will want a new wetland delineation;

currently there is no jurisdictional wetland delineation in force. They hope to break ground early next year.

Mr. Duffy said the Commission would like to see a 25-foot setback from the wetlands for the limit of work. Mr. Coakley said they may want to do an ANRAD prior to finalizing the design. Mr. McGrath said DCR is very sensitive about French Brook; they will need to talk to them as part of the process. They are going before the Planning Board on September 9th. Mr. Coakley said if they have another phase to plan where the basins are for future use. Mr. McGrath said the Commission would pay specific attention to the Operation and Maintenance Plan for stormwater. Mr. Walsh was not concerned with a backup of traffic on the driveway, but asked if there was any thought for a long-term project for two lanes exiting because there would be an impact to the wetlands. As far as clearing for sight lines, he said to cut only what is needed. It was suggested to put a maintenance activity for sight lines on the O&M Plan. With regard to plantings, Mr. Walsh would like to see something that is consistent with the resource areas.

Gary DeWolfe (Informal discussion about tree clearing within the buffer zone) – Mr. DeWolfe is building a home on 4 Perry Road (Lot 3). There is a stonewall along the buffer. He is asking if he can remove some trees in the buffer zone on the high side to have sun in the back. He wants to remove trees at the patio area only. The trees are at the toe of the slope. There is a NHESP area but that is not where he proposes to cut. It is work within the buffer zone. Mr. DeWolfe was told to tag the trees and mark the area where he intends to cut to so the members can visit the site to determine the impact. If there is no Order of Conditions on the lot, a Request for Determination of Applicability will need to be filed. If there is an Order of Conditions, an Amended Order of Conditions or new Notice of Intent will need to be filed.

Ken Sydow (Review Revised Plan) 32 Boulder Way – This was not an agenda item. Mr. Sydow brought in the revised plan today. He wants to reduce the house by 33%. There is an open Order of Conditions on the project (DEP#115-389). The revised plan makes no reference to the previous plan that is recorded with the Order (it is a different footprint and configuration). The Commission had no issues but could not legally act on it because it would require a public hearing and abutter notification. Mr. Sydow was told that if he keeps the change within the footprint, he would not need to come before the Commission and it could be reflected on the as-built plan. The Commission did sign off on the Building Permit; the Building Inspector will be informed that the Commission did not receive a formal submittal beyond the original plan that was approved in 2016 with an Order of Conditions. Mr. Sydow said he would build within the plan that was approved.

Reorganize the Commission – Dan Duffy made a motion to reorganize the Commission as follows effective October 2019: Joe McGrath, Chair; Chip Burkhardt, Vice Chair; Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath and Chip Burkhardt will remain as the Stormwater & Open Space Committee Representatives and Mark Coakley will remain as the Earth Removal Representative.

Vouchers were approved.

Correspondence/emails were reviewed.

Mark Coakley made a motion to approve the Meeting Minutes dated July 15, 2019; Joe McGrath seconded; voted 4-0-1; motion approved (Jeff Walsh abstained).

Review Procedures Sign-Offs for Certificate of Occupancy Cards – Joe McGrath made a motion to revise the Procedures for Receipt of a Certificate of Occupancy and include it as Special Condition #34 “applicants must follow the Town’s Procedures for Receipt of a Certificate of Occupancy”; Chip Burkhardt seconded; all voted in favor; motion approved.

Finalize Wetland Permitting Procedures – Approved.

September 16th was confirmed as the next meeting date.

Joe McGrath made a motion to adjourn; Mark Coakley seconded; all voted in favor; motion approved. The meeting adjourned at 9:00 p.m.