



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

NOVEMBER 21, 2016

Members Present: Dan Duffy, Jeffrey Walsh, Rebecca Longvall, Chip Burkhardt, Mark Coakley

Members Absent: Joe McGrath

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

PUBLIC HEARING – RICCIARDI BROTHERS continued (280 Shrewsbury Street) – Stormwater Control Permit Application to screen and crush construction materials including loam, concrete and asphalt.

Mr. Ricciardi said he is bringing in loam, soil and other construction materials from his construction sites only. He stockpiles the materials and when the stockpiles are large enough, he brings in equipment to screen and otherwise process the materials. He has been putting up stone check dams to filter stormwater from the stockpile area. He hired the environmental engineering firm of OHI to do the work. He provided the Stormwater Management Plan and the Erosion and Sediment Control Plan. Jeff Walsh noted that it is not a construction project; it is an ongoing staging area project that is part of his business; the important issue is sediment and erosion control in the long term. The Commission would like to see an engineered plan; Mr. Ricciardi will provide one. A site visit will take place on Saturday, November 26th at 8:00 a.m., meeting at the North Gate. Mr. Ricciardi requested a continuance. Mark Coakley made a motion to accept the request for continuance; Chip Burkhardt seconded; all voted in favor; motion approved. The hearing is continued to December 19th at 7:00 p.m.

PUBLIC HEARING – TOM BEALS, BALL HILL PROPERTY MANAGEMENT (Lot 7A Gulf Street) – Notice of Intent Application to construct a two-family building to include water service extension along Gulf Street, driveway access off Gulf Street, utility connections, septic system landscaping, and associated site work.

Chip Burkhardt recused himself from the matter. Tom Beals was present. He did not have the green cards or the advertising fee. His understanding was that Connorstone Engineering would be providing the green cards. The existing lot was subdivided into two lots. There is an existing house that will be demolished and in its place a duplex will be constructed. The septic system has been approved; it is outside of the buffer zone. The subdivision of the lots has been approved. The house and driveway are in the buffer zone. He would like to put in a level yard; currently there is debris there (concrete, metal and windows). An excavator would be needed to remove the debris; he only wants to remove the surface, not go down five feet. Dan Duffy questioned whether we would want lawn there or let it go back to its natural state. Rebecca Longvall suggested it go back to its natural state or put in plantings. Mr. Beals said two poplar trees will be removed. Dan Duffy would like to see the erosion controls as the limit of work. Mark Coakley said a special condition can be added that debris removal adjacent to wetland flags B20-B22 shall be restored in its natural state with native vegetation, or put a note on the plan indicating the limit of work. Harry Poe (399 Sewall Street) had concerns about the pond that abuts the back of the property. Mr. Beals said the pond is behind the intermittent stream that flows toward Mill Street. Mr. Duffy said there is no work being proposed where the stream is or where the wetlands have been delineated. Mr. Beals requested a continuance so that the site plan can be updated. Mark Coakley made a

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motion to accept the request for continuance; Jeff Walsh seconded; all agreed; motion approved. The hearing is continued to December 19th at 7:20 p.m.

PUBLIC HEARING – TOM BEALS, BALL HILL PROPERTY MANAGEMENT (Lot 7B Gulf Street) – Notice of Intent Application to construct a two-family building to include drain line service extension along Gulf Street, driveway access off Gulf Street, utility connections, septic system landscaping, and associated site work.

Chip Burkhardt recused himself from the matter. Green cards and advertising fee were not received. This is a corner lot. As with the previous lot, the Commission would like to see the location of the erosion barrier as the limit of work. Boundary markers or boulders could be used; there will be more discussion at the next meeting. Mr. Beals requested a continuance so that the site plan can be updated. Mark Coakley made a motion to accept the request for continuance; Jeff Walsh seconded; all agreed; motion approved. The hearing is continued to December 19th at 7:30 p.m.

PUBLIC HEARING – LEO MASTROTOTORO (240 Shrewsbury Street) – To amend Order of Conditions DEP File No. 115-388 to install stone boulder markings at the top of the slope leading into the resource area, and monitor the project area for 60 days to confirm that the native vegetation re-establishes itself.

Mr. Mastrototero did not have the green cards. He wanted to propose something other than what the Commission conditioned in the original Order regarding the markers only. He wanted to amend the previous Order not to include the language that “boulders are to be placed 50’ from the edge of the wetland resource upon completion of work” as he said this would cut the nursery in half. He is proposing 10’-15’ from the wetlands and landscape boulders at the top of the slope which will allow him space to turn equipment around. Dan Duffy said his concern is that the activities that occur there cause erosion and that there be some distance between the activities and the wetlands. Mr. Mastrototero said they changed the placement of the wood chips. Rebecca Longvall said the distance should be no closer than 15’ from the wetlands. Jeff Walsh made a motion to close the Public Hearing; Chip Burkhardt seconded; all voted in favor; motion approved. Jeff Walsh made a motion to strike Condition #34 and replace it with “boulders to be placed approximately 25’ on center along the top of the slope adjacent to the wetland resource area, said top of slope being a minimum of 15’ from the resource area”; Mark Coakley seconded; all voted in favor; motion approved. The Order will be held pending the receipt of abutter notification (green cards) and the Worcester Registry of Deeds Book and Page of the original Order of Conditions to reference it on the Amended Order of Conditions.

PUBLIC HEARING – SCANNELL PROPERTIES (220 and 290 Shrewsbury Street) – Notice of Intent Application and Stormwater Control Application to construct a distribution center, associated loading area, trailer parking, employee parking, access road, utilities, site grading, and stormwater management systems on a site of approximately 106 acres on the westerly side of Shrewsbury Street (Route 140) with access through #290 Shrewsbury Street.

Patrick Healy (Thompson-Liston) Jill Marcotte (Scannell Properties), Mark Donahue (Fletcher-Tilton) were present. Mr. Healy reviewed what was included in the application package. The project is being reviewed by Graves Engineering for the Planning Board and Conservation for Stormwater. The plans presented tonight will be changing slightly. EcoTec has requested additional wetlands be delineated. DEP has not yet issued a file number. The advertising fee has not been paid. Mr. Healy said to forward it to him for payment. The plan showed the wetlands that were confirmed on site.

The development site is approximately 94 acres consisting of 73 acres of the DiPilato property, the D&P Realty parcel, and two parcels of land which will be purchased from Worcester Sand and Gravel and DMG Realty Trust. They are proposing a 900-foot long subdivision roadway followed by a private drive

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to access the site coming through the D&P Realty parcel to get to the back of the property. There is a drainage swale that will require a culverted crossing along the subdivision roadway; there is a boxed culvert proposed (12'x4') meeting the DEP requirements for 1.2 times the bank full width and using the ratio for the openness of the culvert. There is another culvert proposed along the private drive location where there is an existing cart path. To minimize the amount of fill, they are staying on that cart path to get to the development part of the site. In that area there is significant fill (20' in height) and retaining walls on both sides and a second large box culvert (meeting DEP requirements).

A single-story 330,000 square foot distribution center is proposed with 600± parking spaces, and over 200 trailer parking spaces. Access would be from Route 140 coming down the proposed subdivision road to a cul-de-sac. The stormwater management measures that are proposed include surface detention basins. He explained the areas of the proposed work in the buffer zone (the previously mentioned roadway crossings of wetland areas, and the west side, extreme northeast side and east side of the building). The majority of the site is upland. The scope of the project requires a large amount of earth removal operations to level the site. He explained the impervious areas. He explained the buffer zone work for the roadway. They are proposing a discretionary fill and will leave that to Commission to decide.

Regarding the existing wetland that discharges to the northwest onto the abutter's property, they are proposing fill in the buffer zone. That is the area EcoTec is asking for additional delineation. On the Borgatti property there is a small depression from a storm drain discharge from the highway which he also believes is BVW. Scott Heim is looking at those areas and will update the flagging and issue a revised report. On the westerly end of the proposed building, there is a surface recharge area, it will be constructed of precast concrete cubes that are void in the middle (8'x8'). On the southwestern end there is a surface detention basin. There is a retaining wall in close proximity to the wetland in order to avoid proposing additional wetland fill. At the north end of the site, there is significant fill. The detention basin proposed is above ground and they propose to use the existing topography. A surface detention basin is proposed that will accept the runoff from the majority of the access roadway. There is a treatment unit and discharge pipe that also gets the overflow pipe from the subsurface infiltration coming into the pond.

The septic system is well outside the buffer zone. A water line is proposed along the existing cart path from adjacent to the Honematic property, connecting to the looped part of the public water system. The water line installation included buffer zone impacts.

Mr. Healy explained more details on the roadway and the post-roadway. The exhibits provided show more detail on the culverts and the amount of wetland resource areas that are proposed to be altered. They will go to great extents to avoid altering any wetlands near vernal pools to preserve the habitat. With regard to stormwater standards compliance, Mr. Healy said (1) there are no untreated discharges; (2) drainage calculations have been provided for pre- and post-development of the site; (3) there are treatment devices in place of the stormwater prior to infiltration, roof runoff doesn't require treatment under DEP standard, but the pavement runoff leading to the infiltration areas does; they are proposing proprietary treatment units with 44% pre-treatment provided; calculations have been provided; (5) because of the amount of traffic expected and the number of trucks on site, the site is classified as a LUHPPL; they used 1" of required volume times the impervious area to determine the volumes of the water quality treatment devices; (6) if they were discharging to critical areas they would have to use 1" required volume times the impervious area because they are a higher potential pollutant; they are already using it and are not discharging into critical areas; (7) the project is not redevelopment; (8) within the site plan set there are several sheets describing the construction period protection, both in terms of sediment basins, slope stabilization, perimeter controls, and regular maintenance that is required; (9) they provided sample construction inspection forms that will be used; and (10) the project will be privately owned and commits to prohibit illicit discharges. On the grading plan, Mr. Healy also showed the snow storage areas by the stream along the outside of the paved areas. There will be grass areas that will be sloped toward the catch basins so any pollutants with the melting snow will be treated.

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Scott Heim (Northeast Ecological Service) discussed the wildlife habitat he evaluated at two bank crossings. The first, along the subdivision road, is a swale which did not provide much for wildlife habitat; it was manmade and frequently has water in it. The second is an existing cart path with an existing culvert. The reason there is not a replication plan at this point is because they wanted to get the Commission's feedback on whether the discretionary fill should be included in that design of the replication area.

Jeff Walsh asked about cuts and fills. He said he understands there is a net surplus of fill material, so rather than transport offsite, there some areas designated for use and understands that will swell or shrink depending on the material. Mr. Healy said it would depend on the type of material used. The sequence of work would include a crusher on site. They are proposing to use the D&P Realty Property area near the stream as the staging area. A way to get into the site will be constructed first. Ledge that would be removed would be crushed and used on site. They are trying to minimize both import and export of fill material. Mr. Walsh asked how many cubic yards will they be able to accommodate. Mr. Healy will find out.

Any discharge going in the offsite wetland to the west would be the overflow to the recharge area. Roof runoff goes into that area; any storm over 3 inches would have some discharge coming down the pipe going down in that direction. All of the paved areas where some pollutant might be of concern are directed into the treatment system and larger detention basin prior to discharge to a direction of the site with a vernal pool. Mr. Walsh is concerned with loss of volume to the vernal pool in low flow conditions (1-2 year storms events). Mr. Healy will check into it. Mark Coakley said roof runoff is acceptable if that is the case. Mr. Healy said the concern with roof runoff directly would be temperature. Mr. Walsh asked which basin is referred to in the review comment regarding access to one of the stormwater basins; Mr. Healy said pond 12. He showed an accessible route to enter to perform regular maintenance.

Mr. Coakley noted that Mr. Walsh's concerns were with wetland 01-011. He asked if there were floor drains. Mr. Healy said there are trench drains within the loading area within the building; they will be directed to an industrial waste holding tank. Mr. Coakley said the narrative mentioned removal of an old gas line. Mr. Healy said there is an existing Shell gasoline pipeline that has been out of use for over 20 years. They are proposing to remove it from the upland area where the development is proposed; no work is proposed in the wetland. A Shell approved contractor will do the work. Mr. Coakley asked about truck maintenance. Jill Marcotte said this distribution center will not have a vehicle maintenance garage. Mr. Coakley talked about the discretionary fill area. He recommended EcoTec review the wetlands function and values of that area (A3 & A4) before we make a determination; ideally, we want to get the same functions and values out of the replication areas as we are getting out of the fill area.

Dan Duffy asked the duration of the construction. Ms. Marcotte said the plan is to start in February 2017 and be operational by May 1, 2018. Mr. Duffy asked about the first crossing off Route 140 and where that ditch continues to. Mr. Healy said it continue downs and ties into the wetland area. Mr. Duffy asked if all of the stormwater from Route 140 and the subdivision road is being collected. Mr. Healy yes and explained what they are proposing. Mr. Duffy asked the setback to the retaining walls from the adjacent wetlands. Mr. Healy said approximately 8' to the face of the wall. Mr. Duffy asked if there was riverfront area associated with the crossing; no.

Ms. Longvall asked if they could move the retaining wall back or is that the absolute space they can allow. Mr. Healy said for every foot he moves it back it gets 1" taller. Mr. Duffy asked if there will there be any construction related impacts that will affect the wetlands in that area regarding the foundation. Mr. Healy said the wall has to be set on a shallow foundation with crushed stone 24" deep. Mr. Walsh asked if a geotechnical engineer will confirm the rip rap 1:1 slope; he was concerned with the Stormwater Bylaw Regulations and stabilizing surfaces. Mr. Healy said they have consulted with a geotechnical engineer, but will have them look at the details further. Action items: analysis of the small stormwater

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events and flags 01 through the O wetland, EcoTec report on the functions and values on discretionary fills, and remaining comments from both EcoTec and Graves Engineering that need to be addressed.

Attorney Bill Squires (Hinckley Allen) stated that he represents the abutter on Route 140 (RW LLC) immediately to the north. He is not commenting tonight but wanted to let the Commission know that he is reviewing the NOI submittal and that he is in contact with Attorney Donahue with questions about the project. He asked that the Commission keep the hearing open to additional public comments after tonight. Attorney Mark Donahue (applicant's representative) wants to give Mr. Healy some guidance, particularly to Area #2 (discretionary fill area). He understands the Commission wants feedback from EcoTec regarding functions and values, but if that the information can be shared in advance and there is comparable functions and values from the replication achieved, is it fair to assume that the discretionary fill would be approved by the Commission? The Commission said they would be satisfied, but they can only give opinions, they cannot vote on it.

Signatures of all property owners or a letter indicating they are authorized to file on their behalf are needed on the Stormwater Permit application. Mr. Healy will provide that prior to the next hearing. Attorney Donahue said they are on an expedited process; they are meeting with the Planning Board on December 5th.

The applicant requested a continuance. Mark Coakley made a motion to accept the request to continue; Chip Burkhardt seconded; all voted in favor. The hearing was continued to December 19th at 7:40 p.m.

COMMISSION BUSINESS

Longley Hill Update – Mr. Ansari did not attend or send a report.

Worcester Sand & Gravel – Dan Duffy read the email from Marc Richards (Tighe & Bond) to our consultant Laura Bugay (Langdon Environmental). Chip Burkhardt said as far as he knows, the abutting property owner has not had any further discussions with Worcester Sand & Gravel and there is no agreement in place at this time.

Consider issuing Certificate of Compliance to DEP#115-384 (Lot 64 Sewall Street) – The Certificate of Compliance was voted on at the last meeting. All that was required tonight were signatures.

Vouchers were approved.

Correspondence and emails were reviewed.

Jeff Walsh made a motion to approve the Meeting Minutes dated October 17, 2016 with changes as noted; Chip Burkhardt seconded; all voted in favor; motion approved.

December 19th was confirmed as the next meeting date.

Chip Burkhardt made a motion to adjourn; Jeff Walsh seconded; all voted in favor; motion approved. The meeting was adjourned by unanimous vote at 9:33 p.m.