



Town of Boylston Conservation Commission conservation@boylston-ma.gov
221 Main Street, Boylston MA 01505 ** Telephone (508) 869-6127 ** Fax (508) 869-6210

REGULAR MEETING MINUTES

JULY 19, 2021

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

Members Absent: None

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

The Chair opened the meeting at 7:00 p.m.

Mark Coakley made a motion to confirm August 16th as the next meeting date; Joe McGrath seconded; all voted in favor; motion approved.

The June 21, 2021 Meeting Minutes were not ready for approval; Mark Coakley made a motion to table them to August 16, 2021; Dan Duffy seconded; all voted in favor; 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 Services) requested a continuance via email. Joe McGrath made a motion to accept the request for continuance to August 16, 2021 at 7:05 p.m.; Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – 11 French Drive (Worcester County Horticultural Society) – Notice of Intent Application to install a perimeter fence to enclose the majority of the contiguous property. (DEP#115-431)

Mark Richardson was present. He was last before the Commission in April. The Commission had asked that EcoTec visit the site; a full perimeter walk was done with Paul McManus on March 12, 2021. Mr. McManus provided a report dated July 19, 2021 (proposed deer exclusion fence). Some small wetland areas were identified that were not delineated previously; (1) in the extreme southern portion of the site there is a narrow finger of undelineated Bordering Vegetated Wetland ("BVW") that projects north toward the access drive; and (2) in the northern part of the site (north of the "Kim WPA" on the NOI figure) there are seep BVW areas that drain in the northwesterly direction toward Main Street. The northern portion required a larger revision for the proposed fence route. Mr. Richardson said they moved the fence line further away from the edge of Route 70; the wetland is adjacent to the neighbor. He said Mr. McManus inspected it today and was comfortable with what they were doing. The southern portion change was minor; a small spring that they are avoiding staying outside the 100' buffer.

The Commission also requested they look for other ways to avoid crossing A. Mr. Richardson said there is a small brook that receives stormwater runoff from the manmade pond that eventually enters into the large wetland resource area. He said in order to avoid the very small crossing A, they would have to cut off about 30 acres of the property. Part of the reason they want the fence is protect the living collection as well as keep the deer and unpermitted neighbors off the property. He said Mr. McManus was comfortable with the location of the crossing.

Mr. Richardson said it is a very small section of fence that would be tied to existing trees with 4"-6" pressure treated timbers; the fence will be drawn across the trees; there will be no crossing of the wetland with any vehicles; an all-terrain will be used as well as a skid steer on rubber tracks; it will be accessed from the north. He would like to go with the original proposed crossing at A. B is a crossing that will go across a dam; they plan to bring the fence directly across the dam rather than crossing the floodplain.

Mr. McGrath asked what the endangered habitat species was and was told marsh fern (plant species). A letter from Jesse Leddick (Natural Heritage) was provided. Mr. Duffy said in crossing A the option they looked at completely avoid all the area and asked did he look at an option of crossing over similar to where they are crossing the dam. Mr. Richardson said he did and didn't want an impact on the stormwater system and wildlife pond. He said there is no way to tie into any trees in that area without crossing over the brook. The only way to do it would be to drive the posts directly into the existing path and he cannot do that; there is no room to make a crossing. Mr. Duffy explained how it could be done. Mr. Duffy's concern remains that one of the interests of the Wetland Protection Act is to protect wildlife. By constructing the fence, they are doing the opposite of what the Wetlands Protection Act requires. He still had the same concerns he had before that he doesn't feel constructing this fence is compatible with the interests of the Wetlands Protection Act. Mr. Richardson disagreed and said the WPA protects plants and animals equally.

Mr. Richardson commented that Mr. Duffy had a Facebook post regarding the fence. Mr. Duffy's only comment regarded their touting about the great wildlife they have on their property, yet ironically creating a system to keep the wildlife out. Mr. Duffy has no problem with putting a fence outside the Commission's jurisdiction but does have concerns with crossing wetland areas and the impact this fence will have on wildlife in this part of town. Mr. Richardson feels they have done as much as possible to minimize the crossings. Mr. Duffy asked what they have done since the first meeting. Mr. Richardson said just the initial proposal; he would like to follow the property line exclusively. There is a pond with a stone wall running through it and would like to attach the fence to the top of the stone wall. With crossing B he would like the fence to go all the way south to the boundary to keep unwanted visitors, including deer, off the property but because of the wetland resources there, he opted to cross on a dam to have very little impact.

Mr. Walsh said crossing B goes across the dam and asked Mr. Richardson to explain crossing A as far as the stream, stream width, wetland width, and what kind of vegetation if any. Mr. Richardson said it is an old dry upland area slowly converting to a wetlands through beaver activity. He thought the brook may have been narrow and connected to the wetland. There is a wide floodplain, but at crossing A it is narrow and forms a small channel before it widens again into the beaver pond. He said there are two perfectly placed trees on either side of it; they are flagged in the field. Paul McManus agreed that it would have minimal impact and would be the ideal crossing for that spot. Mr. Walsh asked the water depth where the fence would go and was told it is regulated because of the stormwater structure and thought no more than a couple of inches. Mr. Walsh asked what the fence protocol would be to how low the bottom of the fence would get and was told to the top of the bank on either side. There is an 18" gap between the bottom of the fence to the top of the water. Mr. Walsh said deer would not be able to pass through the stream channel but smaller mammals could pass under the fence. Mr. Richardson said it will not be difficult for animals that have the capacity.

Mr. Burkhardt read the February 9, 2021 Division of Fisheries & Wildlife letter which read in part..."please note that this determination addresses only the matter of rare wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project". It also read..."please note that this determination addresses only the matter of state-listed species and their habitats". Mr. Coakley pointed out that it is work in a resource area and concerned about that and the impacts. Mr. Duffy didn't disagree with building the fence that it isn't going to cause much of an impact; his concern is more to the long-term impact to wildlife in the areas that are protected under the Wetlands Protection Act. Mr. Walsh said there are construction phase impacts and long-term impacts.

Mr. Coakley asked if they considered a gate in that section to use the rest of the property. Mr. Richardson said there are gates all over the property. Mr. Coakley explained the section and asked if they could put a fence and crossing and wouldn't lose the 25-30 acres. Mr. Richardson said they would because it comes directly into the garden. There are parts of the naturalistic gardens that are all throughout that area. Mr. Coakley asked if they were gardening in the resource areas. Mr. Richardson said yes there are existing gardens in the resource area. Mr. Burkhardt asked if they were cultivated gardens; have they planted in there; if they are naturalistic, they are natural species that thrive in that particular area. Mr. Richardson said there is a path that runs through the wildlife pond which is a core piece of the garden.

Mr. Burkhardt asked Mr. Richardson the thought process behind not sectioning off that particular wetland finger because it seems like they could avoid the crossing. Mr. McGrath commented especially since in other areas they located the fence in the 25-foot buffer zone and we haven't had objections to that. Why can't they do the same there. Mr. Richardson said it has to do with the culvert, riprap, and the path in the area; he said he does not have the physical space and does not have the trees to tap into. Mr. Duffy said we need more information. Mr. Richardson said the Commission hired EcoTec for a peer review. Mr. Duffy commented that EcoTec reviewed the construction impacts and delineation. Mr. Coakley would like to get Mr. McManus on record. Mr. McGrath suggested meeting with Mr. McManus and possibly the fence contractor to see if there is a viable option for it. There are concerns because it is an extended wetlands area. Mr. Walsh will visit the site as well. The flagging needs to be on the plan. The Commission would like to see it pulled away from the 25-foot buffer; Mr. Richardson will do that. Mr. Burkhardt will contact Paul McManus to arrange a time to meet.

The applicant asked for a continuance. Mark Coakley made a motion to accept the request for continuance to August 16, 2021 at 7:10 p.m.; Joe McGrath seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – 8 Gulf Street (Boylston CP, LLC) – Notice of Intent Application and Stormwater Control Permit Application to construct 20 senior housing units, access driveway, stormwater management facilities and associated site work. (DEP#115-xxx) Stormwater Control Permit SCP#2021-1

Chip Burkhardt recused himself from the matter. John Grenier said the wetland flags have been updated; they are waiting for the surveyor and will have plans next month. Attorney Matthew Watsky, via email, requested a continuance for the applicant. Mark Coakley made a motion to accept the request for continuance to August 16, 2021 at 7:15 p.m.; Dan Duffy seconded; Duffy/Walsh/McGrath/Coakley voted in favor; Burkhardt-recused; motion approved.

PUBLIC HEARING (continued) – 313 Main Street (Pond View on Main) – Notice of Intent Application and Stormwater Control Permit Application to construct a 94,000 square foot warehouse/storage building, driveways, parking areas, stormwater management facilities and associated site work. (DEP#115-432).

John Grenier and Mike May were present. Mr. Grenier said there was an historic wetland line that was used in a previous application. Matt Marro has reflagged the wetlands; Mr. McManus was in agreement with the line. The surveyor located the updated flags. There were some items from Graves Engineering that were addressed. He submitted updated plans tonight. The wetland line is in the same location as it historically has been; it did not affect the design. There is a steep slope from west to east; doing a 20-foot plus cut, creating a pad; there is a 3:1 slope on the easterly side adjacent to the wetland. One large cut, some fill, they are capturing runoff from the site, installing a subsurface recharge chamber field under the parking lot in the fill area; it meets DEP stormwater requirements.

Mr. Grenier said the 2:1 slope will be armored with stone; the 3:1 slope will be loamed and seeded. Mr. Duffy asked if Graves had finished their review. Mr. Grenier said he addressed the comment letter but has not has a response to that from Mike Andrade. Ms. Duffy asked what the stormwater concerns were. Mr. Grenier said there

were technical issues with the cover types on some of the areas and drainage calculations. Mr. Coakley commented that the stream shown on the USGS was perennial and they had to overcome it. Mr. Duffy said it was done on this property before and it does not expire. To overcome the presumption, Mr. Grenier needs to submit those specific documents with this application. Mr. Duffy mentioned the O&M Plan for the infiltration gallery. Mr. Grenier said there is an O&M Plan in the drainage report for both pre- and post-construction; there are some details on the plan as well. Mr. Coakley asked the construction sequence for clearing and rock crushing. Mr. Grenier they will strip off the top and sub and stockpile it (per the Stormwater Plan), they will do the major cutting, possibly blasting, will start creating the fill slope, bring it to pad elevation, stabilize the slopes, will use the subsurface recharge as a temporary basin. Once the building is constructed, they will dig it out and clean it up, install the recharge; nothing will flow into it until the infrastructure is in. Mr. Coakley, as the representative on the Earth Removal Board, asked if the site was a balanced cut site. Mr. Grenier said it will be more cut. Mr. Coakley suggested he get on the agenda for the Earth Removal Board. Mr. May asked if there were any special instructions before he contracts with S&M Farms for tree removal; there were none. Before taking any action, the Commission will want to review Graves comments.

The applicant requested a continuance. Joe McGrath made a motion to continue the public hearing for the NOI and Stormwater Permit to 7:20 p.m. on August 16, 2021; Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – Pine Hill Drive Lot 2A (Owen Hall, NBPIII Boylston, LLC) – Notice of Intent Application and Stormwater Control Permit Application to construct a 396,375 square foot industrial building for warehouse distribution. (DEP#115-~~xxx~~) Stormwater Control Permit SCP#2021-4

Matt Costa and Todd Morey (Beals & Associates) and Owen Hall (Northbridge) were in attendance. Mr. Costa gave an overview since the last meeting and the existing conditions. Art Allen's (EcoTec) comment letter dated July 19, 2021 was reviewed. Regarding peer review of the wetland lines, plans have been updated (dated July 19, 2021). Regarding wetland disturbance, there were impacts due to soil testing; they will provide restoration. Mr. Allen commented that soil testing in the buffer zone is exempt, but not if it has any wetland impacts associated with it. Mr. Coakley would like to see a sheet included with the plan detail. Mr. Morey said it could be included in the Order of Conditions that it be restored before any other construction on the site. Regarding Mr. Allen's comment not agreeing with the proposed location of the wetland replication area on the side of the wetland across from Pine Hill Drive, they agreed to relocate it. The proposed replication area is two times the size of the impact area. Mr. Allen did not see a reason to provide two times as much, particularly in a site such as this with relatively high-quality buffer areas that would have to be disturbed for replication. The shrub plantings within the wetland are very sparse; Mr. Allen said that appropriate spacing is one shrub for every 25 to 50 square feet; they agreed to do that. It does not appear that there is a defined stream channel in the vicinity of the proposed wetland crossing; therefore, an open-bottom culvert is technically not required. Mr. Costa said they plan to do the same as Fed-Ex, using the same general contractor. Regarding construction phasing, Mr. Costa said they are in the process of working with the general contractor on how to do that.

Regarding the retaining wall cross-section, Mr. Costa showed a picture and explained that it would be building face, sidewalk with landscaping, two-lane road, and 10-feet of shoulder before getting into the exposed rock face. There is a 1:3 slope and about 10-feet to the top of the rock face to the property line. Regarding vernal pool impact, the Commission had asked with all the cutting and earth work on site, would it be drying out the vernal pool. Mr. Costa said they ran the stormwater calculations for that area and after the storms it will actually be adding water. Mr. Allen said they need to remember that by definition, vernal pools need to dry up. Mr. Torey said the volumes they are adding are small; on a 100-year storm, they are adding 1,600 cubic feet over what is there today. The biggest impact happens with the 10-year storm (about 2,300 cubic feet over what is there now). Mr. Allen said it's good to balance the amount of runoff and this didn't seem like a large amount of runoff. Mr. Costa said they are working with the general contractor to work out the erosion control construction phasing. Mr.

Duffy said we would like to see that as part of this application. Mr. Coakley would like to see Graves final comments, EcoTec's review of the new replication area, and long-term details for the O&M plan.

Hearing no public comment, the applicant requested a continuance. Joe McGrath made a motion to accept the request for continuance to August 16, 2021 at 7:25 p.m.; Jeff Walsh seconded; all voted in favor; motion approved.

PUBLIC HEARING – 160 Shrewsbury Street (Nicholas Smith, Route 140 RW LLC) – Notice of Intent Application and Stormwater Control Permit Application for development of two industrial buildings totaling 680,400 square feet. (DEP#115-~~xxx~~) Stormwater Control Permit SCP#2021-5

The hearing notice was read into record. Brittany Gesner, Project Manager (VHB) and Lauren Gluck, Wetland Scientist (Pare Corp) were in attendance. Green cards and advertising fee were received. Matt Piekarski, Project Manager and Ted Fire, Vice President of Development (The Kraft Group) were also in attendance. Ms. Gesner explained it is a 61-acre site north of Fed-Ex. The project does have frontage along Route 140. In 2007 Rand Whitney acquired approximately half of the property (30 acres) and was before the board to permit an approximate 400,000 square foot building for their headquarters and started construction. In 2008 they constructed a stream crossing over Sewall Brook. Construction stopped due to the economy not being favorable. They have acquired approximately 27 acres in the rear that used to be connected to the property that has frontage on the corner with Route 140 and Sewall Street. It is contiguous by uplands and can be developed without any stream crossing. When the Fed-Ex facility was built, Rand Whitney negotiated an easement from Pine Hill through the Fed-Ex driveway.

The applicant is proposing two buildings on the site; the front building will be approximately 370,000 square feet; the rear building approximately 307,000 square feet. The front building will be owner-occupied. They are actively marketing for a tenant for the rear building. The site has 2 points of access; approximately 465 parking spaces are proposed; loading and trailer parking is associated with each of the buildings.

Ms. Gluck did the wetland delineations in April and explained it. They are not doing any work within the 100-year floodplain. The riverfront area is 292,991 square feet total; approximately 36,105 square feet of work is proposed within the riverfront area. The impacts associated with stormwater management features will be excluded from the calculation formula per the performance standards. The stormwater basin overlaps with an existing stormwater basin. Excluding the exempt features, the total in riverfront is 21,500 square feet (7.43% on the site). The front portion of the site lacks topsoil and is already prepared for development; it's redeveloping an area that is already developed (13,800 square feet of the total impact). There are impacts to the buffer zone; they minimized by using steep slopes and retaining walls to stay as far outside of the resource areas as possible; there are no impacts to the vegetated wetlands.

Mr. Duffy asked the closest distance between the proposed work and a wetland area. Ms. Gesner said within approximately 5-feet. She said they are surrounded by wetlands on all sides of development. There is 100-feet of grade change from the existing driveway they are connecting to the existing driveway connecting to Fed-Ex. The stormwater system meets DEP standards as well as the town's stormwater regulations. They are adding approximately 31.4 acres of impervious area (1/2 of the property). The closed drainage system has been designed for the 10-year storm. They are reducing peak rates of runoff in the 1- 2- 10- and 100-year storm. The adjusted recharge volume for the site 36,000 cubic feet; they are recharging 116,000 cubic feet. Four stormwater basins are proposed: 2 surface basins and 2 subsurface recharge basins. 80% TSS will be removed; BMPs are designed to treat the 1" water quality volume. No stormwater discharge will be directed from the developed parts of the site to the vernal pool. The SWPPP will be prepared in advance of construction; an O&M Manual is included in the Stormwater Report. Proposed is a silt fence and straw wattles for the entire perimeter. They have shown

suggested stockpile locations and temporary sediment basins. They have received their peer review from Graves on the stormwater; there were no real concerns; none of the comments change their overall approach.

Mr. Burkhardt said they are not directing any water towards the vernal pool, but they said the center of the site is high and the water is sheeting off which he assumed was feeding the vernal pool. How did that figure into their stormwater calculations? Ms. Gesner the new tributary area to the vernal pool follows the curb line. The peak rates and the volumes decrease slightly in the 1-year storm; by the time it gets to the 100-year it does decrease more. Mr. McGrath asked if there would be any vehicle maintenance done at the facility and was told incidental by the Mr. Piekarski. He will be getting hazardous permits from the fire chief for whatever will be stored onsite and has taken in account diesel fuel that could be in the parking area that go into the storm drains, etc.

There is a marginal amount of Zone 2 on the property. Mr. Coakley asked about the areas that come within 25-feet of the resource areas. The closest pinch point is in the back of the building; they are proposing a gravel path. Another pinch point is at the tip of the wetland; they are proposing a wall along the road to keep 5'-10' off the wetland. Regarding the pavement runoff containment, Ms. Gesner said all the pavement will be curved; everything will be collected in deep sump and put into catch basins. Most of the slopes for the site will be 1:1. They are exploring whether they will have a rock face or if they want to vegetate them. Mr. Coakley asked where the rain goes on the pavement. Ms. Gesner said it will get caught in one of the catch basins to a hydro-dynamic separator into the infiltration basin and out the back. The back of the parking lot is high, there is not a lot of area on that side that is tributary to the vernal pool. The Commission will have Art Allen verify the wetland delineation and also look at the hydrology of the resource area of the vernal pool. Mr. Duffy explained that the Commission has an unofficial standard that we require at 25-foot setback from the limit of work to wetland areas. He would encourage them to look at how they can achieve that setback. He would also be interested in seeing what type of 1:1 vegetative slopes they are proposing and how it will be maintained in the long-term. Ms. Gesner said the plans include the detail, but still exploring what makes more sense. The applicant will establish a 53G account with \$5,000. Mr. Burkhardt will contact Art Allen (EcoTec) once received.

The Chair asked for public comment. Greg Dionus (Trustee, D&G Realty) asked how they can confirm that they will keep water off the D&G property. Ms. Gesner explained that in between the development and what remains of his property is Sewall Brook which flows almost along the new property line established. There is a 200-foot riverfront area associated with Sewall Brook. They are staying almost entirely out of the 100-foot buffer zone. During the construction phase they will have silt fence and straw wattles and will also have temporary sedimentation basins to control stormwater that heads towards his property. Regarding the long-term stormwater system, the property line is established as a design point. They analyze how much water gets to that design point under the existing conditions and propose to demonstrate that they are not increasing peak rates to that property. There is a wetland between the portion of the property that he could develop so all the water would get caught in that wetland before it got to his property. Mr. Dionus asked if they had factored in the rain we've had now. Ms. Gesner said a 100-year storm is a storm that is likely to occur every 100 years; it could have happened yesterday or could happen tomorrow. It is 12" rain in 24 hours. The stormwater management system is designed so it does not overflow in that 100-year storm. Mr. Dionus asked when the project would be completed. The Kraft Group said they are trying to get the Rand Whitney facility opened by the end of 2022 and possibly the following quarter for the other building. They would like to start site work in the fall.

The applicant requested a continuance. Joe McGrath made a motion to accept the request for continuance to 7:30 p.m. on August 16, 2021; Jeff Walsh seconded; all voted in favor; motion approved.

COMMISSION BUSINESS

Compass Pointe Update – No information was received since the last meeting from Matt Marro or Attorney Watsky. Mr. McGrath talked with the Town Planner, Paul Dell'Aquila. He plans to attend the August 2nd PB

meeting before talking to Town Counsel. Onni Wirtanen (5B Cheryl's Way) asked if the Commission ever received the soils samples that Mr. Marro was going to do and was told no. Members have not visited the site since the May site visit. Mr. Wirtanen said there was riprap at the end Cheryl's Way driveway (Lot 13C) that was spread on July 12th; erosion on the slope has gotten worse with the rain. Mark Anttila (46B Compass Circle) talked to the Town Planner who plans to gather information from the various boards. The Town Planner will visit the site Wednesday. Mr. Anttila asked how much it would cost for the as-built plan and was told more than the remaining funds in the 53G. Nothing on the expired Orders. The extensions for the Orders were never recorded. Mr. McGrath will ask Town Counsel if recording an Enforcement Order on the project will give the Commission any leverage. He will try to have more information for the next meeting. Mr. Anttila said they cleaned the south side retention pond; the one below has not been touched. Mr. Burkhardt said both ponds require attention; there was woody vegetation in both. Mr. Wirtanen said it was discouraging seeing how other presentations move along and this has been going on since September 2019.

Flooding on Stiles Road – Steve Mero (Highway Superintendent), Steve Chwiecko (179 Stiles Road) and Wayne Belec (Land Design Collaborative) for Farooq Ansari were present. Mr. Belec said they did exploratory testing last year on the hill; the wetlands were delineated by Scott Heim; there has been no construction on Stiles Road. Mr. Belec said they took a machine (not through the wetland); passed beneath the culvert crossing and worked there because they did not want to cross the wetlands. The majority of the test pits were done outside the buffer zone. He was informed Friday by Mr. Ansari of Mr. Chwiecko's email. He did a site inspection at the intersection, saw evidence of sediment that had gotten on the road; there are boulders on the paved section of the roadway. The west said had a 3-foot-wide ravine; it was filled with pea stone by Mr. Ansari's workers. Mr. Belec showed and explained photos he had taken. Mr. Chwiecko clarified that the boulders were placed after the storm. The concern of the Commission is where is the sedimentation going; DPW's concern is the integrity of the road. Mr. Belec said there is a runoff problem within Stiles Road within the undeveloped portion. Mr. Chwiecko felt there a few parties responsible. Mr. Belec informed Mr. Ansari that he had to stabilize the area at the intersection (grading, stabilizing, and putting in riprap). He said there will be continued events like this until it is addressed. He thought the stormwater runoff was the town's issue and the sediment is Mr. Ansari's issue.

Mr. Coakley said before Mr. Ansari went in to do soil testing, there was a big mound of material at the end; it was blocked so you couldn't drive up. Steve Mero said they walked that area many years ago and blocked the road on both ends because people were driving down the gravel road. To do soil testing, the developer entered the east side of the road; the swale that water did once pass through was blocked. Where they entered the blocked the right-of-way for the water to flow ended up in the roadway and onto Mr. Chwiecko's property. The washout was better than 30" on the pavement. One of the highway employees scraped the road with a loader. Mr. Chwiecko said Mr. Ansari's workers put the barrier back and in place and doesn't think there is now much risk. With the latest rains there is very little water coming down the road. Mr. Belec asked if it looked like that whatever was altered has been restored in terms of its water carrying capacity. Mr. Walsh said temporarily; they may need more armoring. Mr. Burkhardt said there was fresh sediment in the brook; there are impacts to the resource area. Mr. Belec said suggested armoring the area downstream to Mr. Chwiecko's property immediately. Mr. McGrath made a motion to issue an Enforcement Order; Mr. Duffy seconded; all voted in favor; motion approved. It will include "road erosion and sediment issues into a resource area from heavy equipment working on soil sampling and pre-construction activity". A restoration plan is required on or before August 1, 2021 for "additional armoring of breakout area as discussed with Land Design Collaborative (LDC)". The NOI will be required on or before August 9, 2021 for "clean-up and restoration of resource areas and methods and actions to prevent future flooding and erosion. No further work, except as noted, shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work."

Consider issuing Certificates of Compliance for Pine Street Boylston Realty: DEP#115-405 (Lot 1 Pine Street); 115-406 (Lot 2 Pine Street); 115-407 (Lot 3 Pine Street) – Tabled to the next meeting.

Consider issuing Extension Permits for DEP#115-373 and Stormwater Control Permit SCP#2014-2 (Barnard Hill Estates) – James Tetreault was present. Barnard Hill Road and Jacobson Drive have been paved; Hunt Circle has been graded. Progress is being made. Mr. Duffy commented that they need to keep up on the maintenance of the erosion controls. Mark Coakley made a motion to issue an Extension Permit for DEP#115-373 and Stormwater Control Permit SCP#2014-2 for a two-year period to July 19, 2023; Joe McGrath seconded; Burkhardt/McGrath/Coakley/Duffy voted in favor; Walsh abstained; motion approved.

Central Mass Mosquito Control Program (Tire Disposal at Town Landfill) – Mr. McGrath wanted to publicly thank CMRPC for removing 127 tires from the old landfill. Some very large tires still remain. All agreed with sending a thank you note on Commission letterhead.

Review Draft Stormwater Rules & Regulations – Tabled to the next meeting.

Sign Stormwater Permit for Lots 1 & 2 Perry Road – Signed.

Correspondence/Emails: Correspondence from Avalon Consulting (representing The Haven Country Club) was received regarding the Water Quality Certification issue with DEP. Mr. McGrath responded to an email from Kimberly Roth at DEP; no action is needed by the Commission.

Having no further business to discuss, Jeff Walsh made a motion to adjourn; Dan Duffy seconded; all voted in favor; motion approved.

The meeting adjourned at 10:30 p.m.