



Town of Boylston Conservation Commission conservation@boylston-ma.gov
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REGULAR MEETING MINUTES NOVEMBER 15, 2021

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

Members Absent: Jeffrey Walsh

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

The Chair opened the meeting at 7:00 p.m. Ron Aspero was welcomed as a new member.

December 20th was confirmed as the next meeting date. Chip Burkhardt made a motion to accept the October 18, 2021 Meeting Minutes; Joe McGrath seconded; Burkhardt/McGrath/Coakley voted in favor; motion approved (Coakley viewed the video).

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)

Chip Burkhardt made a motion to table as the last order of business; Mark Coakley seconded; all voted in favor; motion approved. Scott Heim (Northeast Ecological Services) requested a continuance via email. Joe McGrath made a motion to accept the request for continuance to December 20, 2021 at 7:05 p.m.; Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – 205 School Street (Sandeep Shah) – Notice of Intent Application and Stormwater Control Application for proposed construction of a single-family home and accessory building. (DEP#115-437) Stormwater Control Permit SCP#2021-6

Ron Aspero recused himself from the matter. Patrick Healy (Thompson-Liston Associates) requested a continuance. Joe McGrath made a motion to accept the request for continuance to December 20, 2021 at 7:10 p.m.; Mark Coakley seconded; Burkhardt/McGrath/Coakley voted in favor; motion approved (Aspero was recused).

PUBLIC HEARING – 750 Main Street (Keith Lewis) – Notice of Intent Application and Stormwater Control Application to replace the existing building and parking lot with a new building, parking lot and drainage system. (DEP#115-~~xxx~~) Stormwater Control Permit SCP#2021-7

The hearing notice was read into record; the advertising fee is outstanding. Keith Lewis (Applicant) & Bob Murphy (Murphy & Associates) were present. DEP issued a file number with no comments. They plan to redevelop the existing building, which is currently uninhabitable, and enlarge it. The majority of

the work is outside the buffer zone, but it falls within the BVW adjacent to and partially on the property. The jurisdiction is for the parking area and grading landscaping. The entire site drains towards the wetlands. They propose to develop onsite infiltration basins for roof runoff and the parking lot; the site is designed for a 100-year storm. There is an existing septic system that meets the requirements for the use. There is an existing driveway that goes to the back; erosion control barriers will be around it. It is in the Heritage Zone and meets all requirements for the use.

Mr. Burkhardt asked about the stormwater management plan. Mr. Murphy said they did complete hydraulic calculations. He explained the stormwater management plan. They created sub-catchment areas for drainage from the roof which goes into the subsurface system, and another for the parking and majority of the brick paved walk patio which goes to the stormceptor. Mr. Burkhardt asked about the O&M Plan. Mr. Murphy said it follows the SWPPP requirements; details are included. Native trees are proposed and included in the landscape plan.

Mr. Coakley asked the square footage of disturbance and was told just under an acre. He said we would want to see the stormwater calculations that the town engineer will do, and asked if we wanted to confirm the wetland boundaries? EcoTec will be asked to establish the wetlands. The applicant will provide \$1,000 for the 53G account. Mr. Murphy said the stream is intermittent. Mr. McGrath commented that it is on the topo map and one that DCR is concerned about. Mr. Murphy said they have filed a determination with DCR but don't have a final decision yet. Mr. Coakley was concerned about the stream across the street because Jasiak's Dance School was determined to be perennial. Mr. McGrath said we would need the proper evidence to show that it is an intermittent stream and not perennial. Mr. Murphy will research it. The Commission will want to see the DCR finding as well.

The Chair asked for public comment; there was none. The applicant requested a continuance. Mark Coakley made a motion to accept the request for continuance to December 20, 2021 at 7:15 p.m.; Chip Burkhardt seconded; all voted in favor; motion approved.

PUBLIC HEARING – 160 Shrewsbury Street (Route 140 RW, LLC) – Amend Amended Stormwater Control Permit SCP#-2021-5 and Order of Conditions DEP#115-438 issued September 20, 2021 to reduce the building footprint from 680,400 square feet to 670,500 square feet.

The hearing notice was read into record. Abutter notification was received. The ad fee is outstanding. Lauren Gluck (Pare Corp.), Justin Dufresne (VHB), and Kyle Merkosky (The Kraft Group) were present. Mr. Dufresne gave an overview of the project. The prior conditions and revised conditions were shown. For Building 1 they removed loading area and reduced the parking (they are doing land bank parking in the event more parking is needed). For Building 2 they reduced the site parking and flipped loading docks which gets them further away from one of the residential abutters. The building was reduced by 10K square feet. The changes represent approximately six acres over the entire site of reduced impervious area. Art Allen's review comment regarded slope stabilization which the applicant is working on. One of Graves review comments was the need for a taller fence for the detention basin. VHB responded, addressed all comments, and Graves responded saying they were satisfied with the changes.

Ms. Gluck showed the map and explained the limit of work and where they are pulling out of resource areas and other areas where there are slight encroachments. The changes in the limit of work are small. Some of the impacts they are pulling away from are within the 100-foot buffer zones and 25-foot no disturb zones. In some of the areas with the encroachment there will be some new impacts for an earthen slope as opposed to a vertical retaining wall which is why there is some minor increase in the riverfront area; they are still within the allowable performance standards under the 10%.

Art Allen commented on the slope stabilization measures. His primary concern is in regard to the increased amount of long, earthen slopes within Buffer Zones and Riverfront Areas. These slopes are 2:1 (horizontal : vertical) and steeper. The project plans note “Loam and Seed” for the slopes and the plan details show a reinforced 1:1 slope as well as a detail for erosion control blanket installation. There are no specifics as to the slope treatments for 2:1 and 1.5:1 slopes. For slopes of 2:1 or steeper, that are proposed to be stabilized with vegetation, there should be additional detail provided as to how the slopes will be constructed and quickly stabilized so as to prevent erosion and sedimentation impacts to wetland resource areas. In addition to rolled-on or sprayed-on erosion control blankets, the details should include slope interruption to prevent formation of erosion gullies as well as seeding details including pollinator-friendly seed mixes which can help to increase the habitat value of disturbed areas. Mr. Dufresne did not have the recommendations tonight. Mr. McGrath will want to see the details on the stabilization before approving but was amenable to approve pending receipt of those. Mr. Merkosky said they installed the erosion and sediment controls before the change and started clearing. For any area they knew was going to be set back with the redesign, they brought in silt fence to not disturb what was on the original plan. Mr. Burkhardt was concerned with what was happening tonight at the Planning Board meeting and asked would they be back before the Commission again. Mr. Merkosky said the Commission has the revised plan that the Planning Board is reviewing. The members agreed that the impact is less, the building is smaller, and there is less impervious and pulled away from the boundaries.

The Chair asked for public comment. Mark Anttila (46B Compass Circle) commented that it was good pulling away from the resource areas. Chip Burkhardt made a motion to close the public hearing; Joe McGrath seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue an Amended Order of Conditions for DEP#115-438 with Special Conditions #32-#36 as previously approved and adding Special Condition #37-applicant will provide detail on revised site stabilization plans (Site Plan dated October 22, 2021) received by the Commission on 11/9/2021) which will require review and approval by the Commission; Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue Amendment #2 to Stormwater Control Permit SCP#2021-5 with #21-#25 as previously approved, adding Special Condition #26-applicant will provide revised site stabilization plans to be reviewed and approved by the Commission; Mark Coakley seconded; all voted in favor; motion approved. Graves Bond Estimate will be attached to the Stormwater Permit.

COMMISSION BUSINESS

Compass Pointe Update – Mr. Burkhardt told those present that we have not received any information from the developer. At the last meeting, erosion/gullies behind the house were discussed. We had Graves Engineering look at the proposed remediation. Mr. Andrade had concerns; his letter was forwarded to Mr. Grenier and we have heard nothing to date; therefore, the Commission has not approved them to fill in the gullies. We are waiting a response from the developer to answer the Graves questions, namely the plans need to be stamped by a registered professional engineer, 6” minus stone may not be big enough rock and subject to erosion, and they need to incorporate erosion control blankets. Mark Anttila (46B Compass Circle) said Attorney Watsky and Mr. Grenier were before the Planning Board tonight. When the project is completed, boundary markers will be required; they are not surveyed. Joe McGrath said he attended the Board of Health meeting; they issued an Enforcement Order. Regarding the bond, no action has been taken. Mr. McGrath and the Town Planner hope to talk with Town Counsel before the end of the month. There are still issues with the validity of some Orders of Conditions. Mr. Anttila said the Maintenance Trust and HOA were supposed to be transferred in 2018. Mr. Belmonte (7B Cheryl’s Way) commented that the Commission approved a plan in 2017 which says the work was supposed to be done within nine months; it has been almost five years and it is still not completed. Mr. McGrath said when the list for the boards is completed, he would like to send it to Town

Counsel and have him present his finding and recommendations to the three combined boards. It's doubtful that the project will be on the warrant for acceptance of the road for the next town meeting.

176 & 179 Stiles Road – (no NOI filing or request received from Land Design Collaborative for Farooq Ansari) – Joe McGrath will follow up.

Chip Burkhardt will be attending a Zoom Meeting on November 17th for discussions on the possible purchase of Camp Harrington.

25-foot No Disturb Policy Update – Information was received from Town Counsel; it was tabled to the next meeting.

Bob Frem (Cyprian Keyes) Conservation Restriction Update – Joe McGrath let the members know that Town Counsel said it was acceptable to proceed. It is with the EOEa presently.

Correspondence and emails were reviewed. The bond for Pine Hill Drive was received.

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

The meeting was adjourned at 8:45 p.m.