



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 18, 2022**

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

Members Absent: Ron Aspero

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 August 15, 2022 as the next meeting date; Joe McGrath seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to approve the June 27, 2022 meeting minutes as amended; Mark Coakley seconded; McGrath/Coakley/Burkhardt approved; Walsh 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. Chip Burkhardt made a motion to accept the request for continuance to August 15, 2022 at 7:05 p.m.; Joe McGrath seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – Lot 11 Longley Hill Road (Farooq Ansari) – Stormwater Control Bylaw Permit Application to construct a single-family home on Lot 11 Longley Hill. Stormwater Control Permit SCP#2022-2

Jeff Walsh recused himself from the matter due to a potential conflict. James Tetreault (Azimuth Plan Design) and Paul McManus (EcoTec) were present. Mr. Tetreault received a July 23, 2022 comment letter from EcoTec and review letters dated June 6, June 24 and July 13, 2022 from Graves Engineering (GEI). GEI recommended labeling the proposed infiltration structure on the plan, and that copies of the Site Plan be included in the Stormwater Operation & Maintenance Plan; this has been completed. EcoTec's comment letter was more involved. Revised plans dated July 8, 2022 were submitted; there were more items that needed emphasis and to be addressed. Plans dated July 17, 2022 were submitted tonight; Mr. Tetreault explained the difference between the two; it was primarily adding notes to the plans and clarifying some points. He felt now there is a fairly good, detailed plan; the onus will be on the contractor to be proactive and responsible.

Mr. McManus said his focus was on having it done systematically, orderly, and efficiently. It's a tough site and needs some thought and planning. His fear has been that it gets opened up with work being done sporadically and turning into what's going on now. There is approximately 1,000 feet of horizontal run and 100 feet of vertical along the easement. He was concerned that if it's cut in such that all the

runoff from above gets on there, it would be a serious erosive flow by the time it got to the bottom. He said if what's on the plan is followed judiciously and efficiently, his hope is that it could be developed and not end up in the street, and ultimately the brook.

Mr. Coakley asked about item #4-how the proposed leach field will be accessed for required mowing maintenance in the long term. Mr. Tetreault said the neighbors let the grass grow and occasionally use a weed eater on it; he doesn't think it will be regularly mowed.

The Chair asked for public comment; there was none. Joe McGrath made a motion to close the public hearing; Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue Stormwater Control Permit SCP#2022-2 with Standard Conditions #1-22 and Special Conditions #23-easement path to septic system area must be maintained in a passable condition for maintenance, and #24-"Post Construction (Long Term) Stormwater Operation & Maintenance Program" dated June 20, 2022, shall be recorded at the Registry of Deeds with the Stormwater Permit. Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC HEARING (continued) – Lot 11 Longley Hill Road (Farooq Ansari) – Notice of Intent Application to construct a single-family home on Lot 11 Longley Hill. DEP#115-442

Jeff Walsh recused himself from the matter due to a potential conflict. James Tetreault (Azimuth Plan Design) and Paul McManus (EcoTec) were present. Mr. Tetreault said there was nothing more to add that wasn't already talked about during the Stormwater Control Permit discussion. Mr. Burkhardt noted that the green cards were not yet received.

The Chair asked for public comment; there was none. Joe McGrath made a motion to close the public hearing; Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue Order of Conditions DEP#115-442 with Standard Conditions #1-34 and Special Conditions #35-easement path to upper septic area must be maintained in a passable condition for maintenance (in perpetuity); #36-"Post Construction (LONG TERM) Stormwater Operation & Maintenance Program" dated June 20, 2022 shall be recorded at the Registry of Deeds with the Order of Conditions (and followed in perpetuity); and #37-homeowner shall provide a written report at 18 months post-move in with the status of the maintenance program. Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath amended the motion to include #38-the Order of Conditions shall not be issued until the green cards have been received; Mark Coakley 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

The applicant requested a continuance via email. Joe McGrath made a motion to accept the request for continuance to August 15, 2022 at 7:10 p.m.; Mark Coakley seconded; Burkhardt/McGrath/Coakley voted in favor; Walsh abstained; motion approved.

PUBLIC HEARING – Boylston Conservation Commission to update Section 6–Permit Procedures and Requirements; Sections 6, 7, and 11; and Sections 6.I and 12–Project Completion/Certificate of Completion of the Stormwater Rules & Regulations.

Mr. McGrath said at the last meeting the Commission continued the hearing until our consultant, Tighe & Bond, reviewed the forms associated with the regulations; that has been completed. The permit

application has been revised; the changes were strictly administrative to include the new fees and to allow the Commission to better access sites for inspections.

The Chair asked for public comment; there was none. Joe McGrath made a motion to close the public hearing; Mark Coakley seconded. Mr. Walsh noted an error on page 11; “Billerica” will be replaced with “Boylston”. All voted in favor; motion approved. Joe McGrath made a motion to accept the amendments to the Stormwater Control Bylaw Regulations as previously discussed in the public hearing, accept the version of the new permit form submitted by Tighe & Bond, and make the regulations and form active as of this meeting; Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC MEETING – 11 French Drive (Worcester County Horticultural Society) – Request for Determination of Applicability Application to reduce and weaken the population of invasive species in the Wildlife Garden and replant with native species.

The meeting notice was read into record. Ellen Sheid (New England Botanic Garden) was in attendance. She explained the area she will be working in and that she wants to clean it up and plant native species. The work is allowed under the Wetlands Protection Act 310 CMR 10.02. Ongoing monitoring will be needed for years; Ms. Sheid hopes to plant natives every year.

The Chair asked for public comment; there was none. 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 by reason #3; Joe McGrath seconded; all voted in favor; motion approved. Documents will be held pending payment of advertising fee.

COMMISSION BUSINESS

Consider issuing a Certificate of Compliance for 320 Sewall Street, DEP#115-408 and Stormwater Permit #SCP-2017-1 (Greater Worcester Land Trust) AND 320 Sewall Street, DEP#115-412 – Colin Novick was present. Mr. Burkhardt told him that we did not have a letter from the engineer stating that it was completed to plan, an engineer did not stamp the as-built plan, and we did not receive a letter of request from Mr. Novick asking for a Certificate of Compliance for the correct DEP File Number (115-412). Mr. Novick will provide all the information for the August meeting.

Compass Pointe Update – Jeff Walsh recused himself from the matter. In response to the letter sent last month, Attorney Watsky called and said he could not make tonight’s meeting because he was going to be on vacation; he plans to attend the August meeting. Onni Wartinen asked if there was any information on the bonds and letter of credit. Mr. McGrath said the dates and the effectiveness need to be confirmed; he will follow up with Town Counsel. Mr. Wartinen also asked about a site visit to check the status on the slopes. Paul McManus will be asked to visit the site. Mark Anttila had questions on a retention pond. The members believe there may have been a waiver; Mr. McGrath will follow up.

Correspondence and emails were reviewed. Joe McGrath made a motion to pay the balance of the Tighe & Bond stormwater consulting invoice from the Wetlands Protection Fund not to exceed \$320.00; Jeff Walsh seconded; all voted in favor; motion approved. This was a result of the accountant not paying a portion of the bill in FY21 and taking it from FY22 funds.

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 8:09 p.m.