



# Town of Boylston Conservation Commission [conservation@boylston-ma.gov](mailto:conservation@boylston-ma.gov)

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## REGULAR MEETING MINUTES NOVEMBER 21, 2022

Members Present: Joe McGrath, Ron Aspero, Jeffrey Walsh, Mark Coakley

Members Absent: Chip Burkhardt

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

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

Ron Aspero made a motion to set December 19, 2022 as the next meeting date; Jeff Walsh seconded; seconded; all voted in favor; motion approved. Jeff Walsh made a motion to approve the October 17, 2022 meeting minutes; Joe McGrath 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. He is still waiting to hear from DEP on the Water Quality Certification. Jeff Walsh made a motion to accept the request for continuance to December 19, 2022 at 7:05 p.m.; Ron Aspero seconded; all voted in favor; motion approved.

**PUBLIC HEARING (continued) – 100 Shrewsbury Street (Trailside Apartments, Steven Venincasa) – Notice of Intent Application** to construct a residential apartment building and small commercial building on the 19.24-acre site located on the southeast corner of Shrewsbury Street and Sewall Street. (DEP#115-447)

Jeff Walsh recused himself from this hearing. Patrick Healy (Thompson-Liston) was present. DEP issued a file number (115-447) along with comments from Judy Schmidt which Mr. McGrath read. Graves Engineering file correspondence included the original letter in response to the first submittal on September 1, 2022, and a Stormwater Review #1 for Trailside Apartments response dated October 11, 2022; a number of concerns were raised in that letter. Mr. Coakley said at the September meeting there was discussion about reflagging and wetland confirmation but didn't see any correspondence from EcoTec.

Mr. Healy briefly discussed some of Ms. Schmidt's comments. Mr. McGrath commented that there were a number of changes requested by Graves and asked if they had been incorporated into the plans. Mr. Healy said most of them were but he was waiting for DEP comments before submitting another plan. As far as the project being classified as "Buffer Zone Only", they will withdraw the application for a walking trail crossing the stream if it is an issue. Mr. McGrath said the Commission has received comments from some of the abutters because they are concerned about it. They will remove the word "alleged". The tree line will be shown on the plan. Infiltration basins can be refigured to beyond 50-feet from the BVW borders. Stormwater Report documentation submitted noted that test pits elevations are meeting the 4-

foot groundwater offset of Basin 3; it will be forwarded to the DEP. Detailed drawings will be provided for each of the stormwater basins. Calculations will be provided for all flared end aprons.

Mr. Healy addressed items 2-13 of the Graves Engineering letter dated October 11, 2022; they will be included in the updated submission. Mr. McGrath will contact EcoTec tomorrow since they were not informed after the last meeting to do a site visit. Mr. Coakley suggested they look at the trail crossing for an opinion before the applicant withdraws that part of the application.

Mr. McGrath asked for public comment; there was none. Mr. Healy asked for a continuance. Mark Coakley made a motion to accept the request for continuance to December 19, 2022 at 7:10 p.m.; Mr. Aspero seconded; all voted in favor; motion approved.

**PUBLIC HEARING (continued) – 220 East Temple Street (Keith’s Music House) – Notice of Intent Application and Stormwater Control Permit Application** to construct a small addition to the existing building and construction of associated improvements on the site. (DEP#115-445); (SCP-2022-5)

Jeff Walsh recused himself from this hearing. Patrick Healy (Thompson-Liston Associates) was present. Items 8-33 of the Graves Engineering letter dated November 7, 2022 were addressed; revised plans will be submitted before the next meeting.

Mr. McGrath asked for public comment; there was none. Mr. Healy asked for a continuance. Joe McGrath made a motion to continue the public hearing to December 19, 2022 at 7:15 p.m.; Ron Aspero seconded; all voted in favor; motion approved.

**PUBLIC HEARING – 12 Bay Path Drive (Jack Wentzell) – Notice of Intent Application** for the installation of a 750 square foot leaching field and associated grading to accommodate a septic system proposed for a 3-bedroom dwelling. (DEP#115-446)

The hearing notice was read into record. Jack Maloney (Dillis & Roy) was present. It’s a septic system repair for a single-family house. A DEP file number has been received with no comments. Notice from the DCR dated October 26, 2022 was received stating that the division has determined that the project is exempt from provisions of the Watershed Protection Act; therefore, no further action is needed. Mr. Maloney explained the area of the current septic system and where the proposed leach field will be; it’s the only area on site where it can go; straw wattles are proposed. It has been approved by the Board of Health.

Mr. McGrath asked for public comment; there was none. Having no issues, Jeff Walsh made a motion to close the public hearing; Mark Coakley seconded; all voted in favor; motion approved. Jeff Walsh made a motion to issue a standard Order of Conditions with Special Conditions #21-34; Mark Coakley seconded; all voted in favor; motion approved.

### **COMMISSION BUSINESS**

Consider issuing a Certificate of Compliance for 20 Oak Hill Lane, DEP#115-424 (Scott Rossow) – Mr. Rossow was present; a letter and as-built plan were received. Having no issues, Jeff Walsh made a motion to issue a Certificate of Compliance for DEP#115-424 (20 Oak Hill Lane); Ron Aspero seconded; all voted in favor; motion approved.

Review FY23 Annual Stormwater Report from Tighe & Bond – This is the yearly proposal for Tighe & Bond to complete the annual report for the NPDES2 permit; this year the cost is \$4,000. Mr. McGrath

has approved it for the Stormwater Committee. Mark Coakley made a motion to approve \$4,000 for the Annual Stormwater Report; Joe McGrath seconded; all voted in favor; motion approved. It will be sent to the Town Administrator for signature.

Barnard Hill Subdivision Update (Rich Chehade & James Tetreault) – Rich Chehade was present. He said the Planning Board asked him to vacuum the catch basins on Perry Road and the Commission asked him to replace all the silt sacks. Vacuuming and replacements will be done before November 29<sup>th</sup>. Regarding Barnard Hill, 27 of the 31 basins have new silt sacks. Because there are now multiple builders for the property, he asked how to deal with erosion controls. Mr. Chehade was told that the permit for the roadway drainage structure is under his company; the ultimate responsibility for maintaining the roadway drainage structure is his. If an individual building lot is under the Commission's jurisdiction, Mr. Chehade can let the Commission know and we can talk to them about it, but if it's a non-jurisdictional lot the Commission has no recourse and suggested he talk to the Building Inspector. Mr. Coakley said all of those lots had erosion controls. Mr. Walsh said the permits follow the lot ownership and they are now in it together. If enforcement is needed, it will be on both the lot owner and Mr. Chehade; he needs to work with the builders. They should be controlling the erosion and sediment on their lot so it doesn't impact the right-of-way. Mr. Walsh noted that he was speaking as a resident since Graves Engineering is working on this project. The builders are as responsible as Mr. Chehade is. Mr. Coakley said the Commission can issue a Cease and Desist if needed. Art Allen (EcoTec) will be asked to visit the site and report back. Mr. Chehade will provide \$500 for his 53G account.

Mr. Chehade commented that the sidewalks and berm on Mr. Rudman's side of Perry Road are in to stop the pooling at the bottom of his driveway; it's a temporary fix until the Planning Board allows him to put down the topcoat.

Consider issuing a Certificate of Compliance for 85 Sewall Street, DEP#115-420 – Matt Marro via email asked that it be tabled to next month.

Consider issuing a Certificate of Compliance for 4 Avery Way (Lot 2), DEP#115-422 (Shrewsbury Homes) – Ron Aspero recused himself from this matter. An as-built plan and letter from Vito Colonna (Connorstone Engineering) was received; there were three minor field deviations noted. The stie was inspected on October 14, 2022 and is in conformance with the approved plan. Joe McGrath made a motion to issue a Certificate of Compliance for DEP#115-422 (4 Avery Way); Jeff Walsh seconded; all voted in favor; motion approved.

Review Correspondence/Emails/Additional Items: (1) Email from Stacy Plunkett; Chip Burkhardt did speak with her. (2) Email re Tower Hill-there is a problem with the rain garden proposed for the parking and are asking if their proposed fix would be an amendment to the Order or a field change. It may be a field change, but the Commission would like them to come to the next meeting and present it. If a swale is proposed, a change to the O&M is needed.

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

The meeting was adjourned at 8:10 p.m.