



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

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REGULAR MEETING MINUTES DECEMBER 19, 2022

Members Present: Chip Burkhardt, Joe McGrath, Ron Aspero, Jeffrey Walsh, 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.

Chip Burkhardt made a motion to set January 23, 2023 as the next meeting date; Joe McGrath seconded; all voted in favor; motion approved.

Joe McGrath made a motion to approve the November 21, 2022 meeting minutes; Ron Aspero 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. Chip Burkhardt made a motion to accept the request for continuance to January 23, 2023 at 7:05 p.m.; Joe McGrath 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) and Steven Venincasa were present. Since the last meeting, revised plans and a revised stormwater report were submitted; comments from Graves Engineering were addressed, and a review from Art Allen (EcoTec) was received. Mr. Allen wanted them to create alternatives analysis in the riverfront area. Mr. Healy presented three alternatives. The preferred alternative shows the scope of work that is shown on the site plans, it has a limit of work of approximately 5.5 acres, work in the buffer zone is approximately 1.5 acres, and work in the riverfront area is approximately 13,000 square feet. It is slightly increased from what they had originally had in the NOI; an increase from approximately 8,500 to 13,300 square feet which is specifically for the septic system where they had to add a recirculating sand filter; they are still under the 5%. The second alternative would reconfigure the septic system which gets the alteration in the riverfront area smaller, but when the primary and reserve are added together it would impact the largest wooded area. The third alternative would be a significant alteration to the buffer zone and riverfront area. With regard to the walking trail crossing through the wetlands, it would require crossing in accordance with the stream crossing standards. Mr. Healy said the intent was never to significantly alter that area; they have withdrawn that crossing from the proposal.

Mr. Healy reviewed Mike Andrade's (Graves Engineering) comments regarding stormwater. Additional calculations were provided. They are in the process of providing a groundwater mounding analysis for the septic system and the adjacent stormwater (Pond 1). Monitoring wells and drawdown details for the infiltration ponds were added to the Grading and Drainage Plan. Emergency spillways were added; calculations were provided. Inverts were verified; pipes are above ground; elevations and grades were adjusted. The RV calculation has been corrected; there is adequate volume provided. Stage storage tables are provided to show how they arrived at the stored volume at various elevations for each of the ponds. Comments from Judy Schmidt (DEP) were addressed. Mr. Healy felt he had addressed all Commission and DEP issues.

Mr. McGrath noted that the Commission did receive a letter from Art Allen (EcoTec) dated December 16, 2022 which indicated that he has reviewed the changes by Thompson-Liston and agrees that they have addressed all his concerns and he feels alternative analysis 1 meets the standards. Mr. Coakley asked if the calculations for the future proposed commercial building were included and was told they were in the alternative analysis. He also asked if the site was a balanced site. Mr. Healy said he believes it will be a net import, specifically for the septic system to bring in Title 5 sand; he does not expect any material to be exported from the site. Mr. Coakley wanted to review the construction sequence. Mr. Healy explained the erosion and sediment control construction sequence to the Commission's satisfaction.

The Chair asked for public comment. Greg Rozak (197 Sewall Street) asked how close tree cutting would come to his property. Mr. Healy said approximately 250 feet from his property line. The Commission has not yet received the final letter from Graves Engineering. The Board of Health has not yet reviewed the plan (but it has been submitted). Mr. Coakley said special conditions should include a pre-construction meeting, mark the limit of work before any trees are cut, and have our consultant do site inspections during construction.

Mr. Healy asked for a continuance. Mr. McGrath made a motion to accept the request for continuance to 7:10 p.m. on January 23, 2023; Mr. Coakley 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)

Patrick Healy (Thompson-Liston Associates) was present. Comments were received from Graves Engineering, DEP and EcoTec. Addressing Graves comments, minor adjustments were made to the drainage areas; calculations and details were provided for stormwater discharges. The original infiltration swale that was shown on the plan was too close to groundwater to get credit for infiltration so they eliminated it from the plan and adjusted the design for the surface pond. The limit of clearing and disturbance is shown on the plan; the Mean Annual High-Water Line is shown. The construction detail for the overflow spillway has been corrected. Mr. Healy said there is a riverfront area that extends from Sewall Brook into the property from across the street onto the property so it was important to draw the Mean Annual High-Water Marks to know that it was properly delineated; Mr. Allen agreed. Three alternative analyses showing how the parking could be reconfigured was discussed. The preferred alternative keeps the driveway curb cut where it is and puts the pavement on the side of the riverfront area. As a mitigation effort for that part of the pavement, Goddard Consulting has prepared a mitigation planting plan. There is also a plan to manage invasive species. Mr. Healy received an email from Mr. Art Allen saying that he agreed with his findings on the delineation of Mean Annual High-Water Mark and the alternative analysis; a revised plan will be submitted.

The Chair asked for public comment; there was none. Chip Burkhardt made a motion to close the public hearing; Jeff Walsh seconded; all voted in favor; motion approved. Chip Burkhardt made a motion to issue an Order of Conditions with standard conditions #1-#34, adding Special Condition #35-the applicant is required to submit annually for a period of 4 years after receipt of the Certificate of Compliance a report by a qualified individual demonstrating invasives species mitigation activity to the Commission; report is to be submitted by December 31st of each year. The first report being due December 31st of the year the Certificate of Compliance is issued. Mark Coakley seconded. Joe McGrath amended the motion to include that the Order of Conditions will not be issued until the revised plan is received. Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue Stormwater Permit SCP#2022-5 with standard conditions; Jeff Walsh seconded; all voted in favor; motion approved.

COMMISSION BUSINESS

Greg Rozak (197 Sewall Street) to discuss Trailside Walking Trail – Discussed in the public hearing.

Consider Amendment or Field Change for Rain Garden Repair at New England Botanic Garden (Stormwater Control Permit #SCP-2021-1) – Rob Lussier (CMG) was in attendance. He said there are two rain gardens that were constructed; one is not working properly; it's not draining properly; it has some conveyance issues. A swale was supposed to be constructed along the pavement but was not. He showed the as-built of the parking improvements. Soils are poor on the site. Samiotes designed underdrains for the rain gardens. The underdrain was not installed in both and the swale was not constructed well. A proposed forebay was constructed and filled with rip rap so it is not conveying the water the way it should. To fix the issue, CMG is proposing an underdrain be installed within the limits of the rain garden. There are some siltation issues that may have occurred during construction. They would take that out and have everything to grade per the initial design plan. From the proposed grade to the underdrain there will be engineered soils to allow for better infiltration which will eventually discharge to where the existing drainage point is now. A river rock diaphragm along the edge of pavement going to a swale and then to the forebay which will be properly constructed is proposed. Mr. Walsh thought it should be a field change to bring the stormwater features in line with what was originally intended. Mr. McGrath noted that we did receive a revised plan dated 11/15/2022 that shows the proposed changes to the rain garden. Mr. Lussier was told to send the stamped plan along with the as-built plan.

Consider issuing a Certificate of Compliance for 85 Sewall Street, DEP#115-420 – Tabled to the next meeting.

FY24 Budget (due December 29, 2022) – Joe McGrath made a motion to request a \$250 increase to the expense line item due to increased activity; Ron Aspero seconded; all voted in favor; motion approved. There was discussion about the Clerical Wages. Mr. McGrath suggested either another 5% increase or bring her to the top of her range based on her seniority and the work she does for the Commission. Joe McGrath made a motion to request an additional 5% increase in clerical wages for our Administrative Assistant for the next fiscal year budget; Ron Aspero seconded; all voted in favor; motion approved. Mr. Walsh noticed that the current figures don't make sense and not sure how they were arrived at. Mr. McGrath will talk to the HR person. Mark Coakley made a motion to reconsider the previous motion; Joe McGrath seconded; all voted in favor; motion approved.

Annual Report (due January 16, 2023) – To be reviewed.

Correspondence was reviewed. The MACC dues for FY24 will be \$452. Chip Burkhardt made a motion to pay \$452 to MACC to continue the membership; Joe McGrath seconded; all voted in favor; motion

approved. Joe McGrath made a motion to approve \$4,000 for the Tighe & Bond Stormwater invoice; Chip Burkhardt seconded; all voted in favor; motion approved.

Mark Anttila asked what the Conservation monuments represent and was told they are to make residents aware that there is a resource area and there is to be no dumping grass clippings there. He asked what people can do with yard waste. Mr. Burkhardt said they should not be disposing of anything in those areas, no branches, grass clippings, leaf blowing. Mr. Anttila asked if the erosion and sediment controls could be removed and was told they should remain until the project is completed and stabilized.

Ron Aspero (Shrewsbury Homes) recused himself while the Commission reviewed the request for a Certificate of Occupancy sign off 57 Warren Street. All work was outside the buffer zone; the permit was signed.

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

The meeting was adjourned at 8:30 p.m.