



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

MARCH 16, 2015

Members Present: Mark Coakley, Jeff Walsh, Joe McGrath, Chip Burkhardt, Shannon Holgate

Members Absent: None

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

Compass Pointe (Status Report/Bond Discussion) – Jeff Walsh recused himself from the matter. Casa Builders met with the Planning Board and is still in negotiations with Country Bank. Steven Venincasa is scheduled to meet with the Planning Board on March 30th for an update. The Conservation Commission feels it is in the best interest not to take any bond action until something substantive comes from the Planning Board.

COMMISSION BUSINESS

Vouchers were approved.

Joe McGrath made a motion to approve the February 17, 2015 Meeting Minutes; Shannon Holgate seconded the motion; all voted in favor; motion approved.

April 13th was confirmed as the date for the next meeting.

30 Stiles Road Update (Brett/Gerald Sarno) – An email was received March 10th from Stephen Poole stating that he is preparing an NOI filing based on the best information he has. He will update the submission as soon as the snow melts and he can survey the site, hopefully before the next meeting.

Tighe & Bond Proposal for NPDES Phase II Stormwater Permit – The proposal for engineering services for Stormwater Assistance (2015 Annual Report and Record Keeping) was received. Joe McGrath made a motion to approve the \$5,000 expenditure and forward the proposal to the Town Administrator for approval; Chip Burkhardt seconded the motion; all voted in favor; motion approved.

Old Boylston Builders, LLC – Request for Building Permit Sign-Off for Lot 2, 3 & 4 Heywood Street – Residents from Compass Pointe attended to ask if there was any leverage not to sign off on the building permits since James Venincasa is involved. They were told that the commission has no leverage since they are two separate projects, and can only act on what is jurisdictional to the commission.

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The amount of disturbance is 40,800 square feet and the nearest water body is the pond by the Worcester Sand & Gravel operation. There was concern if the square footage triggered the threshold for the Stormwater Control Bylaw because of the proximity to the limit of work. After reviewing the plans, it was determined that they are not jurisdictional under the Wetlands Protection Act or the Stormwater Control Bylaw. Jeff Walsh told Mr. Venincasa that should there be any disturbance over the threshold, he must come back and file with the commission.

Mark Coakley asked if there was breakout where would it go. It is believed to go down Heywood Street to Mill Road. Mr. Venincasa was told once it affects a resource area, it becomes jurisdictional under the Wetlands Protection Act and he would need to file an NOI.

Mark Coakley asked about provisions on keeping the street clean. Chip Burkhardt said he believes the street is dirt and not sure if it is accepted by the town. He said it was not wide enough for the fire trucks to go through so the residents paid to have it widened and believes the town plows it. Paul Baril (8 Compass Circle) asked if Heywood Street is a private street and, if it was, why the town is plowing it since he has the same situation. Jeff Walsh told Mr. Baril that we are here talking about the jurisdiction to the commission, not whether Heywood Street is private or public. We don't know if it's private or public. Mr. Baril said one of the members on the board said he believes it is private. Chip Burkhardt said that was his opinion. Jeff explained that the town plows it and the residents paid to have it upgraded. With Mr. Baril again interrupting, he was asked to let Jeff finish speaking. Jeff said we don't know if it is private or public; the residents would not have paid to widen the street at their own expense if it was a public street, and the town would not plow it if it is a private way. More importantly, it is not under our jurisdiction and said that this was the end of the discussion on that topic. Mr. Baril said he would be back in the morning and was told it is under Highway jurisdiction.

Sue Sleczkoski (1A Northeast Way) said that he (Jeff Walsh) didn't have to be rude. Mr. Baril became visibly upset and said it was very rude for a board that represents the Town of Boylston, and he pays taxes and he doesn't feel very happy with what Jeff said and glad it was on the board. Jeff said that he tried to explain himself along the way but we seem to get off on tangents that are not germane to this board and have given them a lot of latitude. Mr. Baril interrupted with "what have we gotten from your latitude?" Chip Burkhardt said he understands they are frustrated, but show us the same respect. He was asked not to start an argument or he would be asked to leave. This is a public meeting and if things get out of control, we can ask you to leave. Mr. Baril said it is a public meeting so we have a right to talk. Chip agreed and said if it gets out of control he will be asked to leave. Jeff apologized if he offended Mr. Baril.

Chip Burkhardt said the proximity is close and engineered as such, but did not see any barriers not to sign off on the building permits. Jeff Walsh told Mr. Venincasa that should the commission sign, he strongly urges him to exercise good erosion & sediment control barriers. Chip Burkhardt made a motion to sign off on building permits for Lots 2, 3, & 4 Heywood Street for Old Boylston Builders; Shannon Holgate seconded the motion; all voted in favor; motion approved.

696 Linden Street, LLC – Request for Building Permit Sign-Off 696 Linden Street – Having no issues, Chip Burkhardt made a motion to sign off on the building permit for 696 Linden Street; Joe McGrath seconded the motion; all voted in favor; motion approved.

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Request for Partial Certificates of Compliance for 21 Adams Road – Mark Coakley made a motion to issue partial Certificates of Compliance to DEP #115-79 and DEP #115-98 for 21 Adams Road; Joe McGrath seconded the motion; all voted in favor; motion approved.

Joe McGrath made a motion to adjourn; Shannon Holgate seconded the motion; all voted in favor; motion approved. The meeting was adjourned by unanimous vote at 7:50 p.m.