



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

MAY 18, 2015

Members Present: Mark Coakley, Jeff Walsh, Joe McGrath, Shannon Holgate, Chip Burkhardt (7:45 p.m. arrival)

Members Absent: None

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

PUBLIC HEARING – Gerald Sarno (30 Stiles Road) – Notice of Intent Application to make miscellaneous property improvements, including a new deck & expansion of the driveway.

Scott Morrison (EcoTec), Stephen Poole (Lakeview Engineering), and Mr. Sarno were present. The hearing notice was read into record. There is an existing Enforcement Order. Mr. Morrison explained the proposed project; the deck will be replaced and the gravel driveway will be reconstructed. Erosion measures will be in place until the site is stable. They propose to swale the tree line to the house which will redirect the water to the pipe. Jeff Walsh asked what the source of the water was. Mr. Poole said it was supposed to be constructed as a drainage swale, but was dug up. Joe McGrath noted that the plan shows a bulkhead which he did not see when he visited the site. Mr. Sarno said it was there but it was decayed; there will be a new metal door. No paving will be done. Mark Coakley asked the detail of the swale and was told it is an existing trench that they will swale which will be stabilized with grass. With no further issues, Joe McGrath made a motion to close the Public Hearing; Shannon Holgate seconded the motion; all voted in favor; motion approved. Joe McGrath made a motion to issue a standard Order of Conditions; Mark Coakley seconded the motion; all voted in favor; motion approved. Joe McGrath made a motion to lift the Enforcement Order based on the successful issuance of an Order of Conditions; Shannon Holgate seconded the motion; all voted in favor; motion approved. The Order will be held pending receipt of the advertising fee.

Ron Aspero (Informal Discussion re 205 School Street) – Mr. Aspero explained that he has a customer who wants to build on the property. He would be working within the parameters that the Commission approved with an Order of Conditions and Stormwater Permit in 2008. The Commission did not see any issues but Mr. Aspero would be required to file a new NOI and Stormwater Permit since the originals have expired and not applicable to the Permit Extension Act. He will bring the information back to his client.

Compass Pointe (Status Report/Bond Discussion) – Jeff Walsh recused himself from the matter. Mark Coakley read the email from Town Counsel as to the process that needs to be followed in order to call the bond. Ralph Viscomi (Planning Board Chair) updated the Commission saying that the Planning Board found the developer in default and filed a claim for the bond (the paperwork was sent to the surety company last week). There was an interested party, but the

deal fell through. The Planning Board did not want to wait any longer because it had been going on since January. Mr. Viscomi spoke with Country Bank who said they would put the note out to bid to multiple, reputable builders that operated in the Worcester County area; hopefully to close at the end of June. It has not yet been awarded. Joe McGrath asked if the note was sold to another building company and they did foreclose on the project, is the Planning Board of the opinion that they would have to refile for the permits or would the board stop attempting to revoke the bond? Mr. Viscomi said they were originally of the opinion that if someone did buy the note, the streets and infrastructure would be taken care of faster than with the surety company, but it is not known if someone would want the financial risk now that the bond has been called.

Having two permits on the project, the Commission discussed delaying calling the bond until Graves Engineering can provide a report as to the extent of work that needs to be done; specifically what would fall under the bond should it be claimed, and the cost. Mark Coakley said we have a risk assessment to do, but that currently the site is not a high risk; it has been partially stabilized, and the soil is drained. He would like information on what part of the Stormwater Permit ties into the road and thinks there is more risk claiming it now.

Joe McGrath made a motion to delay the vote to enforce the surety for the Stormwater Permit & Order of Conditions until our next regularly scheduled meeting and request Graves Engineering to produce a report with the expectation of work to be done in relation to what has been done with the bonds that are currently in place; Mark Coakley seconded the motion; all voted in favor; motion approved. Mark Coakley will contact Graves. Joe McGrath made a motion that if supplemental funds are required for Graves Engineering to conduct the analysis on Compass Pointe, those funds will be taken out of the Commission's revolving account; Mark Coakley seconded the motion; all voted in favor; motion approved.

Lauri Esposito (2 Compass Circle) asked if the bonds included the stabilization of certain lots. Joe McGrath said he specifically wants Graves to identify what lots need to be stabilized since the bond was for sliding coverage; as lots were closed and stabilized, new lots were opened.

Barnard Hill – James Tetreault was present to talk about the installation of the box culvert that was installed in the reverse direction. It is not symmetrical and has several openings that were designed to be in specific locations within the roadway and shoulders which now conflict with the roadway elements. Thompson-Liston proposed a modification rather than go through the expense of a crane to reset the culvert. The roadway would be shifted up to a maximum of 4 feet to the north such that the culvert openings align properly with the roadway elements. The following would also need to be adjusted: (1) shift the sidewalk from the north side to the south side between Cross Street where it would cross back to the north side as currently proposed; handicap ramps would be provided at this crossing, and (2) adjust four catch basins at the low point on both sides of the culvert and one DMH to follow the relocated curb line. Joe McGrath said it is an acceptable mid-work change and we will need to see it on the as-built plan. Chip Burkhardt made a motion that the changes on the Thompson-Liston Associates "Sketch of Proposed Revisions to Perry Road Traveled Way" dated May 6, 2015 are de minimis in nature; Joe McGrath seconded the motion; all voted in favor; motion approved.

Matt Lozoraitis (156 Green Street) – Chip Burkhardt said there is a brook that runs down through there and picks up some drainage from the subdivision that abuts Mr. Lozoraitis' property.

May 18, 2015 Conservation Meeting Minutes

When the road was paved, the drainage changed. Mr. Lozoraitis would like to seed and flatten it. There is a drainage easement. Jeff Walsh said not to push anything over the edge, and if the base of the slope going down needs to be stabilized, he was told not to use boulders. Work on the top is out of the resource area; he was told to take dirt and drag it away from the resource area.

COMMISSION BUSINESS

There were no vouchers for approval tonight.

Mark Coakley made a motion to approve the Meeting Minutes dated March 16, 2015; Joe McGrath seconded the motion; all voted in favor; motion approved.

June 15 was confirmed as the next meeting date.

OSRP (Open Space & Recreation Plan) Grant Application Process – Joe McGrath said the deadline for submitting the grant application was missed. There is a grant which the town can apply to for Camp Harrington but, in order to apply for that grant, the OSRP has to be updated. They are waiting to see if the Selectmen can find funding.

Newton Pond Update – Chip Burkhardt emailed Phil Nadeau on May 1st for an update and found he retired. He forwarded the information to Mariell Stone; she has not responded yet. He will inform the commission when he receives an answer regarding a meeting.

Budget – The approved budget did not include the four additional hours for Melanie the Commission requested to be put in the Clerical Wages line item at the Finance Committee budget meeting. Last year the Commission approved paying the hours from an allowable use of the Wetlands Protection Fund. Joe McGrath made a motion to continue paying Melanie the four hours (roughly \$4,500) from the Wetland Protection Fund for FY16; Chip Burkhardt seconded the motion; all voted in favor; motion approved. The Commission will be more aggressive in requesting the hours be put back in the Clerical Wages line item next year.

The Commission opted out of the InterMunicipal Agreement CIC Grant that was paid from the Wetlands Protection Fund. It was not worth the cost and will be a savings of \$4,000.

The Commission continued discussions about the differences between and the purpose and uses of the Revolving Account and Wetlands Protection account.

Jeff Walsh informed the members that Dan Duffy is planning to return to the Commission.

Joe McGrath made a motion to adjourn; Chip Burkhardt seconded the motion; all voted in favor; motion approved. The meeting was adjourned by unanimous vote at 9:00 p.m.