



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

JANUARY 25, 2016

Members Present: Mark Coakley, Joe McGrath, Dan Duffy, Chip Burkhardt, Rebecca Longvall

Members Absent: Shannon Holgate, Jeffrey Walsh

Others Present: See Attached Sign-In Sheet

Recorder: Melanie Rich

PUBLIC HEARING continued – Worcester Pistol & Rifle Club (255 Sewall Street) – Notice of Intent Application for the installation of a replacement bridge deck, excavation and replacement of soil, grading, and associated site work:

Scott Morrison (EcoTec, Inc.) said the project includes removing soil, excavating, processing, and removing the lead shots which have been going into the hillside for a number of years. A berm is proposed as well as a stream crossing for access; ESC barriers will be put in place for protection of the work areas. At the last meeting the members questioned what type of equipment is needed to process the material. Mr. Morrison said an excavator, primary and secondary screener, Bobcat, and generator. 250-500 cubic yards will be processed and replaced. Paperwork will be required for any fill brought to the site for berms confirming that the material is from a clean source and does not contain any building debris, trash or contaminants. Revised plans dated 12/30/15 were provided; the sequencing plan is included on it.

Mark Coakley researched and received information from Dan Gilmore (DEP Southern region), who has done this type work at the Cape. Mr. Gilmore directed him to an EPA document that has BMP listings for lead shot remediation and suggested that we follow that. There is also a safety management plan in the list and suggested the applicant look into the BMPs and take further action going forward; keep documentation. A management plan for the project should include recordkeeping and monitoring the PH level of the soil on site. If it gets below 6, lime spreading should be done. They should review the material and use it as part of the plan. He also said it was suggested not to put a permanent crossing in; the long-term impacts outweigh a utility crossing. Mr. Bonofiglio said they need a crossing not only for maintenance, but to drive over it to set up for shoots. Mr. Morrison said they could possibly incorporate the EPA comments into the application and it could be conditioned.

Ed Sleczkowski (1 Northeast Way) asked if lead was removed in the past and was told not from the outdoor ranges. Elaine Jones (250 Sewall Street) asked about air quality and lead dust during the process. Mr. Morrison said there will not be any. Dan Duffy said the dust should be monitored and control measures implemented if it becomes an issue. Sue Sleczkowski (1 Northeast Way) asked if it was going to be monitored. Joe McGrath explained that they notify us before the work starts and we make a site visit to be sure ESC measures are in place. If it was

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a long process we would have an environmental engineer visit the site, but it is only a three-day process.

Chip Burkhardt made a motion to close the Public Hearing; Dan Duffy seconded; all voted in favor; motion approved. Joe McGrath made a motion to issue a standard Order of Conditions with Special Conditions #34-applicant shall annually monitor PH values in soil in backstop area prior to and after processing and provide a report on analysis to the Commission. If analysis warrants, applicant shall treat soil per best practice. #35-applicant will monitor dust emanations and take appropriate action to keep dust from leaving the site. #36-screened material shall remain on site and applicant shall produce an as-built plan showing final material location. Mark Coakley seconded; all voted in favor; motion approved.

PUBLIC HEARING – Charles & Christine Gray (27 Flagg Street) – Stormwater Control Permit Application for the construction of a one-lot residential subdivision:

Neither the applicant nor the representative was present. There is missing information and the comment letter from Graves Engineering needs to be addressed. Mark Coakley made a motion to close the Public Hearing; Chip Burkhardt seconded; all voted in favor; motion approved. With no applicant or representative present to request a continuance, Joe McGrath made a motion that the Commission does not issue a Stormwater Permit at this time due to missing information such as drainage calculations and the open items on the Graves Engineering comment letter dated January 15, 2016 being addressed; Mark Coakley seconded; all voted in favor; motion approved. The applicant will have to re-apply. Mark Coakley made a motion that the Commission will waive the application fee, but not the advertising fee; Joe McGrath seconded; all voted in favor; motion approved.

Worcester Sand & Gravel (Mike Trotto) – Resident complaint concerning grading of slope:

Marie Phillips (5 Heywood Street) attended with concerns about her property which is behind Worcester Sand & Gravel. She provided photos for review. She said back in 2014 Mr. Trotto was to begin grading, loaming and seeding; two years later it has not been done, only excavation continues. Trees are falling because of undercutting. As of Sunday she said the safety fence is no longer up. She asked if any extensions had been granted. She was told the permit was issued by the Earth Removal Board. Mark Coakley explained to her the RFD that was filed by Mr. Trotto. Kim Ames (Earth Removal Board) said she told Mr. Trotto to cease and desist and informed him the ERB permit has expired and he needs to come before their board. Ms. Ames said no extensions were issued; she will issue a formal Cease and Desist to Mr. Trotto on behalf of the ERB. Ms. Phillips was informed that the Commission can only act on resource area impact. Joe McGrath said Mr. Trotto has significantly altered the buffer zone and an Enforcement Order can be issued under the Stormwater Control Bylaw. Joe McGrath made a motion to issue a Cease and Desist under Section 9.0 B(b) of the Stormwater Bylaw; Mark Coakley seconded; all voted in favor; motion approved. Joe McGrath made a motion to have the Conservation Administrator write an Enforcement Letter and send it by certified mail; Chip Burkhardt seconded; all voted in favor; motion approved. It was noted for the minutes that there is an existing Stormwater Control Permit in place.

COMMISSION BUSINESS

Barnard Hill (Lot 6 Perry Road) Request for Signature for Building Permit – They will be informed that the Commission did not sign for the Building Permit because #36 of the Special Conditions (if the limit of work and/or amount of impervious surface is increased on Lots 3, 5, 6, 7, 8, 11, 13, 15 and 43, the Commission will require review to determine if a new or amended approval is required) has not been satisfied. Biweekly reports are also needed. Peer review was discussed; Joe McGrath will contact Graves Engineering.

Charles Hill (Lot 6 Nature’s View Way) Request for Signature for Building Permit – Charles Hill (the new owner) was in attendance asking for a Conservation signature for a Building Permit. The before and after plans were reviewed; the work is now further away from the buffer zone. Mark Coakley made a motion to sign the Building Permit; Chip Burkhardt seconded; all voted in favor; motion approved. A copy of the Order of Conditions will be sent to Mr. Hill for his file.

Highway Garage (Drainage Swale Adjustments) – Chip Burkhardt was contacted by Steve Mero; the Highway Department needs more area to access the new salt shed. They are proposing to narrow the swale and to widen the paved area so they have more distance to drive the trucks around. In order to keep the same volume, they need to increase the depth of the swale as it flows into the infiltration basin. They propose to add approximately 500 square feet of additional asphalt and add a width equal to 550 square feet of stone which would not be pervious area. Bob Bourassa was present for the Highway Department. He said the architect suggested adding stone so it would meet the exact percentages. Commission members preferred that this area be paved since it is all outside of the buffer zone. The Commission is comfortable with the adjustment being shown on the as-built plan. Joe McGrath advised him that the SWPPP was to be provided before the work began. Mr. Bourassa will see about getting it. Joe McGrath made a motion that the Commission has reviewed the proposed change to the swale and the paved area and has no issues with making the change as long as it is included on the as-built plan at the end of the project; Chip Burkhardt seconded; all voted in favor; motion approved.

Vouchers were approved.

Review Correspondence/Emails – The annual reporting from Phillips Precision was received.

Review Annual Report – Joe McGrath made a motion to approve the revised 2015 Annual Report and submit it to the BOS; Rebecca Longvall seconded; all voted in favor; motion approved.

Land Stewardship Town Article – Joe McGrath is scheduled to appear before the Board of Selectmen on February 5th to present a proposed draft article authorizing the Tax Title Custodian to transfer certain town-owned parcels to the Conservation Commission. He explained the map and article he will be presenting. If it passes at town meeting, the town would have to deed the lots to the Conservation Commission. The town will still own the lots, but the deeds would be reissued showing Conservation as the custodian for the properties. We would be within our jurisdiction to do what we would like, e.g., create trails, sell wood. Nothing would be done without first holding public hearings. We could not do anything in violation of land use laws. Mark Coakley suggested adding the 2014 tax receipts generated from those lands (which

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amounted to 11¢). Chip Burkhardt made a motion that Joe McGrath, in association with the Tri-Town project, present to the Selectmen an article for submission to the warrant to transfer tax title of the listed parcels described earlier to the Conservation Commission; Dan Duffy seconded; all voted in favor; motion approved.

Mark Coakley made a motion to approve the December 21, 2015 Meeting Minutes; Dan Duffy seconded; all voted in favor; motion approved.

Confirm February Meeting Date – Chip Burkhardt made a motion to confirm February 22nd as the next Conservation meeting; Dan Duffy seconded; all voted in favor; motion approved.

Joe McGrath made a motion to adjourn; Rebecca Longvall seconded; all voted in favor; motion approved. The meeting was adjourned by unanimous vote at 8:45 p.m.