



Town of West Boylston
140 Worcester Street, West Boylston, Massachusetts 01583

Conservation Commission Meeting Minutes

Date / Time / Location of Meeting	Monday, 7/12/2021/6:00p.m./ <u>MEETING TOOK PLACE AT WEST BOYLSTON SENIOR CENTER, 120 PRESCOTT ST., WEST BOYLSTON, MA; FACE COVERINGS WERE REQUIRED AND SOCIAL DISTANCING TOOK PLACE.</u>
--	--

Members Present	William Chase (Chair), David Mercurio (Vice-Chair), Emily Eaton, Carl Haarmann and Clerk Toby Goldstein.
Members NOT Present	
Invited Guests	N/A

Welcome – Call to Order

Time: 6:05 p.m.

Approval of Previous Minutes

6/14/2021

Motion Originator Ms. Eaton

Motion Seconded Mr. Haarmann

Treasurer – Financial Report

Mr. Chase reviewed the report prior to the meeting.

Motion to Accept N/A

Seconded N/A

At 6:05 pm, Ms. Eaton made a motion to open the meeting. Mr. Mercurio seconded the motion. All in favor.

Public Hearing, Steve Cooley, on Behalf of Bethlehem Bible Church, Notice of Intent, 307 Lancaster Street:

(Mark Arnold represented, on behalf of Steve Cooley). Ms. Eaton made a motion to open the public hearing at 6:05 p.m. Mr. Mercurio seconded. All in favor. (Mr. Chase read the public hearing notice aloud). Mr. Mercurio recused himself, as he was an abutter of the project, and left the room during the hearing.

Mr. Arnold described the proposed project, which would allow for expansion of the existing parking lot on the property. He mentioned that MA DEP issued a file number for the project, 327-0285. He added that the project is currently under review by Planning Board and VHB (through Planning Board) for stormwater design, and he hoped that the Conservation Commission would allow VHB's stormwater peer review to count as the Commission's peer review. Mr. Arnold described the existing conditions; there is a church building on the property, a paved parking lot, a gravel area in the back, he pointed out steep slopes, wetlands in the back, (2) catch basins, an old stormwater basin, and frontage along Lancaster Street. He explained that wetlands surround the property, and there is an existing septic system in the middle of the property. He noted that there is an existing electric easement maintained by the Electric Co. which cuts diagonally through the property, he pointed out an electric tower, and noted that the property is cleared down to the wetlands to maintain access for equipment to the edge of the wetlands. There is also another electric tower on the other side of the wetlands.

Mr. Arnold explained that an RDA was obtained previously for wetlands review, and a Notice of Intent was filed and withdrawn, as the applicant decided not to go forward because of timing and funding. He said that the wetland line was re-hung with flags by Goddard Consulting, but nothing else has changed from before, and that they are planning to stay fairly far from the wetlands with the proposed work in a lot of places. A resident, Warren Heller of 6 Lancaster Meadows, asked Mr. Arnold if there have been changes since the 2008 plan? Mr. Arnold replied that there had not been significant alteration of the property. He described that some minor work was done in the back, outside of the buffer zone, which didn't significantly alter the property. He noted that the pavement hadn't changed but has deteriorated, and that the gravel area of the lot still was basically the same as well as the shed that is there. Mr. Arnold then pointed out on the map of the site to Mr. Chase the erosion control line that was set, noting the existing silt fence set along the buffer zone had deteriorated and was set, and noted that the slopes are basically stabilized. In response to Mr. Chase, Mr. Arnold replied that the work area is basically defined and the definition not changed.

Cameron White of 26 Lancaster Meadows then asked if the work will stay far from the wetlands? Mr. Arnold replied that he will get to that when he discusses the proposed conditions. Justine Beaudoin of 243 Lancaster St. then asked Mr. Arnold how many lights are currently on the building and in the lot? Pointing to the pole on the map, he replied that there would be about 3 or 4 on the building, and asserted that it is basically a dark lot at night and noted that they never ran electrical equipment around the lot. In response to a question from Mr. Heller, Mr. Arnold replied that the work will basically be outside of the buffer zone (he pointed that out). Mr. Chase added that the applicant will have an active maintenance plan, too. Mr. Arnold added that, for 20 or 30 years, the applicant has maintained the conditions around the building. Mr. Chase noted that one concern of the residents is the amount of light that will come from the site and he asked if this will be part of the proposal later? Mr. Arnold replied that this is being dealt with through the Planning Board to insure that there is no light spillage over the property.

Mr. Arnold explained that the proposed project involves reconfiguration of the parking lot. He said that, due to safety concerns and traffic coming in and out, they will be shifting the entrance slightly towards the property line, and he showed the flow of traffic, additional handicapped spaces, and he asserted that there will be good circulation in the parking lot. The parking lot will be pushed back towards the woods but it will stay in the outer edge of the buffer zone. He pointed out the 50-foot and 100-foot buffer zone lines and Mr. Arnold explained that the nearest work will be about 5 to 10 feet from the wetlands, which will be further than existing conditions. They propose to fill in the existing basin and smooth out the slope so there will be a gradual slope. He explained that they cannot maintain the basing because of the easement so they will remove the basin and smooth it over and the stormwater measures will be set back farther from the wetlands. He noted that the work will be within areas already disturbed and maintained by the owner or Electric Co. Mr. Arnold continued that they are proposing a retaining wall in the back of the building and will create a recreation area to flatten out the area. (He explained to Mr. Chase the dimensions of the wall, and replied to him that he thought that they will have a railing on top of the wall). He added that they will be moving the shed (he showed this on the map). Mr. Arnold continued, that they are proposing dumpsters with gates around them for easier access. He explained that there will be a conventional stormwater system, with catch basins all connecting to a stormwater basin, and the basin outlet will be 100 feet from the wetlands; he noted that it is currently 25 feet from the wetlands. He also described that the work in this area is about 65 to 70 feet from the wetlands, and the easement is within 50 feet of the wetlands (he reiterated that the Electric Co. had already cleared and maintained this area). In response to Mr. Chase, Mr. Arnold explained that the elevation of the basin is 190, and in back 195, so the grade increases, and there will be a

slight swale at the edge of the property line so water will stay on the property line or goes into the basin itself. He showed the existing basin to Ms. Eaton, explain that it is within the buffer zone but the proposed one will be out of the buffer zone, and he described that they will be raising the back section of the property so that they can direct the stormwater, asserting to Mr. Chase that it will be designed to dry out. He said that VHB will have plan revisions for Planning Board, and those will be shown to the Conservation commission so they can see the comments on the stormwater treatment, and will be made part of the maintenance program; the Commission will have the applicant's responses to VHB and how they will deal with them. (Mr. Chase mentioned scarifying of the bottom of the basin to help prevent mosquitoes). Mr. Arnold pointed out the lights proposed and islands with lights that they are proposing. He showed them the lighting plan, with the location of lights, lumens and amounts. He explained to Mr. Chase that there will be minimum lumen change and the light will be directed with shutters. In response to questions from Mr. Chase and Mr. Varney, Mr. Arnold pointed out the area in the lot where lighting will be added and replied that there will be 6 to 7 added; Mr. Varney responded that he heard that 38 will be added. Mr. Arnold opined that perhaps that is a total of number of fixtures on the posts, but that 7 posts with 4 fixtures each would only come out to 28 added lights. Mr. Chase attempted to explain that not the number of lights, but that the brightness is what they should be concerned with. Several residents commented that they had concerns about how much light will spill over onto their properties, and Mr. Arnold noted that Planning Board is in charge of this and they have had previous, and will have additional, meetings with Planning Board coming up. Mr. Heller opined that his house will be most affected (he pointed out where his house is located, noting that it is right behind the light poles). Mr. Arnold pointed out where the lights are proposed and where they exist now, and said they propose shields to adjust the spillage of light and minimize it in each direction. Mr. Heller asked if it would be along the tree line? Mr. Arnold responded that he did not say that, and that there will only be one along the property line and asserted that the lumens will dissipate. Mr. Haarmann asked Mr. Arnold what Mr. Heller will see from his house? Mr. Arnold replied that it was hard to tell, depending on how much vegetation and screening that he has, and noted that the bylaws deal with allowed lighting and they are focusing on protection of the wetlands with the Conservation Commission; Mr. Chase agreed that this was not the place to deal with that.

Mr. Heller then mentioned that he has a tree line that is about 3 or 4 trees-deep along his back yard, and wanted to know if they will be cut down? Mr. Arnold replied that they will have to clear along the edge of the property line but not exactly sure where. Mr. Heller opined that, without the leaves from the trees, he would have a clear view of the church and parking lot. Mr. Arnold responded that the design is to comply with the zoning bylaws and that Planning Board and VHB are reviewing the project that way. Mr. Heller opined that once they cut trees and move the entry way, the cars will be at an angle and shine lights in his backyard. Mr. Arnold responded that this would be an additional question to ask Planning Board; he reiterated that this project is designed to meet zoning requirements, and explained that the entrance is being moved for safety of pedestrians and children, and asserted that traffic volume will be minimal at night and there will be minimum spillage of light even from cars.

Ronda Farraj of 21 Lancaster Meadows asked Mr. Arnold how the clearing and grading will be done within the 100-foot buffer zone? Mr. Arnold explained this to her, and noted that only slope will be changed and it will be greater than 50 feet from the wetlands. They both had a discussion about effects on the wetlands and buffer zone of the work, and Mr. Arnold asserted that it will improve water quality as the current stormwater measures are outdated now. He noted that the Wetlands Protection Act allows this work as the main activities are far enough from the wetlands, asserted that there will still be significant buffer zone to the wetlands, and he reiterated that they are basically filling in the current basin which is maintained by Electric Co. already, and smoothing it out.. (Mr. Chase then discussed with Ms. Farraj the differences between the "letter of the law" and "spirit of the law", and noted that the Conservation Commission has jurisdiction here and opined that the overall plan is far superior to what exists now). In response to questions from Ms. Farraj regarding the aforementioned strip of land to be used for recreation, which she noted has trees and vegetation that filter water (Mr. Chase opined that the only problem is near the retaining wall), Mr. Arnold replied that they will be using the existing lawn,, but just flattening it out, and he asserted that it will be more usable than it is now and that children currently run down there. Ms. Farraj opined that it would not help the wetlands; Mr. Chase opined that the project will overall help the Town by getting rid of invasive species on the slope. Ms. Farraj then showed them a handout of the wetlands.

Next, in response to a question from Cameron White about salt from plowing and other runoff, Mr. Chase replied that a designated snow storage area will be in their maintenance plan, and Mr. Arnold added that Planning Board will

deal with this. In response to a question from Mr. White regarding the parking lot materials, Mr. Arnold replied that they will go from gravel to asphalt, and explained that they saw sediment wash off the gravel so there was some infiltration into the water, but net runoff will be cleaner off pavement vs. gravel. He noted that there will be some infiltration so the basin will take that into account. Mr. Arnold also explained that sheet water runoff from the lot will go to two catch basins from the pavement, and explained that gravel doesn't have stormwater management, just sheet flow control. Now all the water will be controlled by the basin. He noted that this is designed according to DEP stormwater standards which are being peer reviewed by Planning Board. Mr. Chase explained that there will be direct recharge versus just sheet water.

In response to a question from a resident regarding the applicant's 2019 NOI filing (previously mentioned), Mr. Arnold replied that the applicant's previous filings were withdrawn and not denied. (Mr. Chase verified this, stating that he was Chair of the Concomm at that time).

Ms. Beaudoin then asked if the engineers do water volume calculations, noting that they have had a lot of snow in the winter and over 4 inches of rain lately, and wanted to know how large the basin will be and the capacity of it? Mr. Arnold replied that the existing basin is less than 2 feet, and the proposed basin will be 4 feet in depth. He explained that the bottom will be about 25' x 50', the outer part about 50', then one side about 80' (he showed them), and asserted that it is designed to improve the overall existing conditions of an undersized basin which is not treating all the stormwater runoff on the parking lot (he explained the amount of water that the design will handle). He noted that water will discharge further from the wetlands, asserting that this is significantly important for wetlands protection. In response to a question from Mr. White about what will happen to wildlife there, Mr. Chase replied that, from what the applicant proposes to do, water will move slower and it will be a better effect on recharge, and he said that he understood the concern about converting trees to a grass area but he looked at it as overall being a better plan than the present one. Mr. Arnold added that DEP did issue a file number and did not raise any wildlife issues, only one stormwater issue, and as the work will be outside of resource areas they did not have to conduct any wildlife evaluations and the work will be within the same existing disturbance area and so far from the wetlands that there will be no impact on wildlife habitats within those areas. He also asserted that, when the basin fills, it will reduce flooding within that wetland because they are changing the location of the basin. Mr. Chase explained that this project is really at the headwaters of an actual river, and asserted that this will create cleaner water. He explained that they need a buffer zone between the clean and dirty water and asserted that this project would do that, and noted that grass cleans the water quite a bit because it's a buffer and that is why they try to remove invasive species. Mr. Chase suggested, with so many residents involved, that perhaps they would want to continue the public hearing for 30 days. Mr. Arnold responded that they need to get the revised plans to Planning Board and want the Commission to see the VHB peer review information. Mr. Chase added that the audience would have a chance to refine their information and questions now that they have knowledge of the project.

In response to a question from Sandy Babson, 25 Lancaster Meadows, Mr. Arnold replied that the proposed stormwater basin will be located at the lowest point so water can run into it. In response to Ms. Farraj, Mr. Arnold explained why they plan to flatten the parking lot and pointed out where the filling and grading will take place. He replied to Mr. Chase that the basin will be 4-5 feet, to raise it, and he asserted that this was typical for a basin. To Ms. Farraj, Mr. Arnold explained that the Wetlands Protection Act allows work in the buffer zone if approved by the Conservation Commission, and that it is decided case by case. Ms. Farraj claimed that DEP stopped another case where the applicant was building a house in the wetlands. Mr. Arnold responded that what the applicant filed in this case is not illegal. Ms. Farraj then opined that it was not right to dig where it's wet, and commented that the buffer zone is needed to protect the water and that it takes a lot of runoff from all the streams in their area. She also commented that there is a lot of wildlife behind her property, and claimed that someone from Planning Board said that the catch basin won't hold everything after a bad downpour and the rest will go into the wetlands. Mr. Arnold replied that professional engineers designed the system for DEP stormwater standards and that their licenses are for this type of work. He asserted that Mr. Chase said it will be a significant improvement to the current water trapping rate. Ms. Farraj asked if the work can be done without taking out the buffer zone? Mr. Arnold replied that the applicant has the right to permit projects within the buffer zone under the Wetlands Protection Act, and he needs additional parking, and asserted that it will improve stormwater management. Ms. Farraj commented on the applicant needing the buffer zone to go from 81

to 138 parking spaces. Mr. Chase commented that Mr. Arnold represents his client who has a list of proposals, but Ms. Farraj lives there so they all need to find middle ground.

Mr. Heller then suggested to Mr. Chase that he could recommend that the board not allow the applicant to decrease as much of the buffer zone as they want, and perhaps issue an Order of Conditions stating this to try to protect the neighbors' interests. He and hoped that Planning Board would do the same, and opined that the applicant does not need 138 spaces so that they could find middle ground and preserve the neighborhood and the wildlife. Mr. Chase commented that he would like to see Planning Board's input, and reiterated that the issue of parking spaces does not involve the Commission. (Mr. Haarmann commented that the proposal at first looked straightforward but it is really not).

Mr. Arnold then explained, for the board, that there will be a minor retention of pavement in front of the building and patio space around the building to allow people to walk around (he pointed this out). He noted that there will be no parking in the buffer zone, the only activity there will be grading activities for the slopes (Mr. Chase opined that he agreed with the retaining wall, grading and play area). Mr. Arnold added that Planning Board will review the lighting and parking lot layout, and they will be sure that the stormwater management complies with the zoning bylaws. He asked the board to think about any further questions before the next meeting. In response to Mr. Varney, Mr. Arnold replied that typically the lights are on one night per week and occasionally a Sunday night, and reiterated that if they have any concerns about certain times they can talk to Planning Board. He added that the applicant could have automatic lights, but that could be raised with Planning Board and discussed with the applicant and the engineers.

In response to a question from Mr. White regarding capacity of the parking lot and the church, Mr. Chase replied that the applicant wants 138 parking spaces, and Mr. Arnold replied that the church can seat 375 people, with typically a maximum of 350 at which it is crowded. He noted that is optimal for the parking lot to fit everyone but they do have people double-parked, so they need to work on that issue. Ms. Farraj responded that the Police Dept. asked the residents if parishioners can park at Lancaster Meadows and it was fine with the residents, but her problem is with the buffer zone being used for personal lawn. Mr. Arnold responded that other properties have work in the buffer zone and asserted that there has been no effect on the wetlands, reiterating that it will only be used for recreation and grass slopes.

Ms. Eaton asked how far from the building will be the area for personal use? Mr. Arnold pointed out the recreation area and slopes and said that the patio provides a lot of recreation space; he reiterated that the work will be within an existing area cleared by the Electric Co. which brush cuts it every two years (Mr. Chase verified this). Ms. Farraj then asked about trees there, and Mr. Arnold replied that no trees will be there (he showed her). Mr. Chase suggested that there be a site walk, with the board and residents. Mr. Arnold said that they are meeting with Planning Board on Wednesday (July 14). In response to Ms. Farraj, Mr. Chase replied that Roundup is not allowed, and Mr. Arnold replied that they would not want to do so. Ms. Farraj commented that, without the buffer zone, it would be too late when the residents see something like Roundup being used. Mr. Chase asserted that there has been no problem in 30 years and complimented the running of the Town.

Mr. White then asked why the Church needs such a large parking lot, and could they move it back from the wetlands? Mr. Arnold replied that there is currently no safe egress from the lot, Mr. Chase replied that this is a Planning Board question. Ms. Farraj asked if DCR and DEP have no bearing on this? Mr. Arnold replied that a stormwater question was DEP's only comment. Mr. Chase reiterated that, from an engineer's point of view (as he is an engineer), he thought this plan is superior to what is currently there currently and will have a better end result, but acknowledged that other questions must be resolved. Ms. Farraj opined that they will lose the buffer zone, but Ms. Eaton responded that they will still have the 100-foot buffer zone. Mr. Arnold responded, asserting that the parking lot is undersized for new construction, and asserted that they have asked for a reasonable number of spaces; he asserted that parking on Lancaster Meadows was dangerous, and that the applicant has enough land to have all the parking in one area. Mr. Heller suggested that they could solve that problem with a sidewalk to make it easier and more accessible to the congregants. Mr. Chase made suggestions for funding of this. Tamera Bourque of 30 Lancaster Meadows opined that the corner is a "nightmare" for parking for the Church and a sidewalk would help. Ms. Babson opined that they could have a provision to have a smaller parking lot and to replant property line trees that are taken out (she showed where).

Mr. Arnold responded that they could have planned more work in the buffer zone, but they have tried not to do that, and that their goal is to keep the work area tight and in compliance with zoning requirements such as setbacks and screening. He explained that they cannot reforest the slopes because they are stormwater basins, and reiterated that this work was designed to conform with stormwater standards to insure that there is no impact on water quality in the wetlands. Mr. Chase reassured Ms. Babson that there will be clear water and again mentioned scarifying. Ms. Babson brought up the trees to be removed again. Mr. Chase suggested that Planning Board could ask for a temporary property line to be put in and maybe put in some trees, and reiterated that Planning Board will take care of this but the Commission is concerned with water and the buffer zone.

With no further questions or comments by anyone, Ms. Eaton made a motion to continue the public hearing to the August 2 meeting. Mr. Haarmann seconded. All in favor. Ms. Chase noted that they will do a site walk, and asked the residents to leave their phone numbers on the Sign-In Sheet. (He added to Ms. Farraj that the Commission needs the finished grade information).

Other Business:

Minutes of June 14, 2021 Meeting:

After review of the draft minutes by the board members, Ms. Eaton made a motion to accept the minutes as written. Mr. Haarmann seconded. All in favor.

Permitting for Triangle Work:

Nancy Lucier, Town Administrator, asked Mr. Chase what he needed from her as proof of the permitting for this work. Mr. Chase said it was sufficient that the board received an email from her, stating that she spoke with Nick Gove, DCR Deputy Commissioner, who indicated that no permits were needed. This email will be printed out and filed.

Treasurer's/Financial Report:

Mr. Chase reviewed the most recent report prior to the meeting and this was not discussed this evening.

NEXT SCHEDULED MEETING – AUGUST 2, 2021, AT THE WEST BOYLSTON SENIOR CENTER.

.

With no further questions or comments, Ms. Eaton made a motion to adjourn the meeting at 7:09 p.m. Mr. Haarmann seconded. All in favor.

Submitted by: _____

Reviewed by: _____

Date submitted: _____

