

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
JUNE 27, 2007 MEETING**

MEMBERS PRESENT: Carolyn Padden, Chairperson, David Eckhardt, Heather Feland, and Clerk Toby Goldstein.

Ms. Padden opened the meeting at 7:03 p.m.

Public Hearing, Hanioti Properties, Notice of Intent, 327 West Boylston Street, DEP File # 327-0238:

(This public hearing was postponed from June 6, 2007, due to lack of quorum at that meeting).

Paul McManus of Ecotec, Nickolas Moudios, owner, and Matthew Brassard, BDE, Inc., represented. Ms. Padden, Mr. Esteves, and Mr. Chase visited the site on June 24. The applicants are proposing the building of a Honeydew Donuts on the property with the removal of existing structures and pavement. The property is under the Riverfront and Wetlands Protection Acts. DCR has requested alternatives analysis. The applicants stated that no feasible alternatives are available other than to abandon the project. They also provided details of how vegetation will be planted and restored. Mr. Brassard discussed the stormwater system construction. Regarding water quality, a swale receives almost all of the runoff, and can receive 1 inch rainfall depth. Streamwater, not groundwater, causes the wetland line. Roofwater will be received by a subsurface recharge field. They will need an Earth Removal permit to level off the site. Ms. Padden said that VHB reviewed this with the Planning Board. Regarding catchbasins and other stormwater management along West Boylston Street, Mass Highway needs to be involved. Ms. Feland motioned to close the public hearing and issue an Order of Conditions. Mr. Eckhardt seconded. All in favor.

Ernie's Car Wash, 114 West Boylston Street, Amendment to Order of Conditions Dated 12/1/04, DEP File # 327-0207:

Justin Richardson and James Tetrault of Thompson-Liston Associates represented. The applicants showed map of the parcel to the Commission, and discussed changes made. First, 3-1,000 gallon propane tanks were added. Originally, the building

was thought to be serviced by gas, and the plans originally indicated a gas main that no longer exists. Second, there will be a water cistern underground, partly under grass, serviced by a deep well. When the car wash is busy, it will serve as an extra clean water storage area. Third, a sewer manhole will be moved 10 feet north, and minor changes in the water recycling system will take place with the addition of a 500-gallon storage tank. Fourth, the amount of impervious area will not be changed. Mr. Tetrault added that the propane tanks must be placed where they plan because they must be fenced in to restrict access, and that erosion controls are already in. Mr. Richardson explained the filtration system. Mr. Eckhardt motioned to accept the proposed changes as reflected on site plan revised 6/1/07 ("Site Plan of Land on 114 West Boylston Street," revised 6/1/07), with no amended Order of Conditions needed. Ms. Feland seconded. All in favor.

Conservation Restriction from Angell Brook to the Town of West Boylston:

The Commission received a copy of the document. The Board of Selectmen will deliver an actual document to the Commission for their signatures.

Minutes of May 2, 2007 Meeting:

Mr. Eckhardt moved to accept the minutes as corrected. Ms. Feland seconded. All in favor.

Municipal Light Board Meeting:

Ms. Padden discussed a meeting that she attended regarding the building of a wind power station at the crest of the hill on the side of Tivnan Drive at the West Boylston / Boylston town line. This will require a Zoning Board permit, but the Commission has no jurisdiction. Its operation will depend upon wind velocity. The Commission discussed the need of a bylaw by the Planning Board to regulate the building of these towers so that they will be contained within their own property and not be a hazard to homes and businesses in case of collapsing.

Italiano Property and Agricultural Exemptions:

Ms. Goldstein was instructed to send Joan Italiano, P.O. Box 175, West Boylston, a copy of "Farming in Wetlands," which would explain agricultural exemptions under Chapter 61 of the Wetlands Protection Act. The owners of the property want to put in a dirt road mainly through meadow into wooded area.

McNamara Cease and Desist Order:

The Commission received notice that the McNamara's, 185 Laurel Street, were issued a Cease and Desist Order and were being taken to court by the town, with no details of the charges. They were to fill part of the wetland on their property, and the work was supposed to have been completed last year during the dry season. According to a neighbor, their work stopped water flow and caused the septic system to fail. The Commission was going to get more information regarding the matter.

Update on Worcester County House of Corrections:

The Commission was notified that the applicants have put in fill, graded and seeded.

Update on Crescent Street Affordable Housing:

The applicants still have not filed paperwork.

Update on Angell Brook Phase II:

The applicant said that the pending work was done, but they need to send the Commission a letter stating this.

Community Preservation Committee Representative:

Ms. Feland volunteered to take on the role.

12 Laurel Street:

Ms. Padden said that excavation is in progress. Wetlands are across the street from the property, and 480 cubic yd. of sand are being removed.

Minutes of June 6, 2007 Meeting:

Mr. Eckhardt moved to accept the abbreviated minutes of the informal June 6 meeting (there was a lack of quorum). Ms. Feland seconded. All in favor.

Mr. Eckhardt moved to adjourn the meeting at 8:10 p.m. Ms. Feland seconded. All in favor.

Submitted by: _____

Date Accepted: _____