

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
JANUARY 2, 2008 MEETING**

MEMBERS PRESENT: Carolyn Padden, Chairperson, Barry Esteves, Vice-Chairman, Colin Cahill, David Eckhardt, Ryan Killman, and Clerk Toby Goldstein.

MEMBERS ABSENT: William Chase, Heather Feland.

Mr. Eckhardt motioned to open the meeting at 7:00 p.m. Mr. Killman seconded.

Request for Certificate of Compliance, Crossroads/Rayann Physical Therapy, 140 Worcester Street, DEP File # 327-0185:

(Mr. Killman recused himself). The building replaced the previous dwelling on the same footprint, which was going to be upgraded. An intermittent stream runs along the north side of the property, with wetlands in the back. The stream runs under Worcester Street, under various properties, and back to the reservoir. Ms. Padden believes that the work under the Order of Conditions is complete. Mr. Eckhardt motioned to issue the Certificate of Compliance, Mr. Esteves seconded. All in favor.

Letter From Attorney Ritter, Representing 154 Prospect Street (Grundberg Property), Regarding Order of Conditions Issued in 1987:

The property is located across from Wachusett Country Club. There were problems with drainage, with the drainage running into the 154 Prospect Street property. The attorneys (Pojani, Hurley, Ritter and Salvidio, LLP) said that there was a written agreement concerning the drainage between the owner of the property and the contractor of the road. Ms. Padden photocopied the Commission's files regarding the property, and instructed the clerk to send the copies to the attorneys by Certified Mail, Return Receipt Requested, along with a bill for the photocopies and postage.

Request to Extend Order of Conditions, Ernie's Car Wash, 114 West Boylston Street, DEP File #327-0207:

Mr. Esteves motioned to extend the Order of Conditions the two years requested by the applicants, to 12/1/09. Mr. Killman seconded. All in favor.

Minutes of 10/3/07 Meeting:

Mr. Esteves motioned to accept the minutes as written. Mr. Cahill seconded. All in favor. (Mr. Eckhardt did not vote, as he was not in attendance).

Minutes of 10/14/07 Special Meeting:

This meeting involved the Dunn Notice of Intent (DEP File # 327-0240) and a site visit to Sterling Meadows. An Order of Conditions was issued for Dunn. Mr. Esteves motioned to accept the minutes as written (the minutes were submitted by Ms. Padden), Mr. Cahill seconded. All in favor. (Mr. Eckhardt did not vote, as he was not in attendance).

Minutes of Special Meeting, 11/14/07:

The purpose of this meeting was to continue the Public Hearing and issue an Order of Conditions for Sterling Meadows, DEP File # 327-0239. Mr. Esteves motioned to accept the minutes as written. Mr. Killman seconded. All in favor. (Mr. Eckhardt and Mr. Cahill could not vote, as they were not in attendance).

Minutes of Executive Session, 11/14/07:

The purpose of this Executive Session was for the Commission to vote to recommend to Town Counsel dismissal of the legal suit against Stephen McNamara, 185 Laurel Street. Mr. Esteves motioned to accept the minutes with changes. Mr. Killman seconded. All in favor. (Mr. Cahill and Mr. Eckhardt did not vote, as they were not in attendance).

Other Business:

Franklin Street 40B:

Ms. Padden provided information regarding current status of the project. More soil testing is being done.

National Grid Maintenance Work:

They will be allowed to place down swamp mats, but were reminded by Ms. Padden that the Commission must be notified.

Schedule of Meetings for 2008:

The Commission gave permission to the clerk to post the schedule.

Sale of Bisceglia Property, Worcester Street, DEP File # 327-0190:

A house is being built now on the property, under an Order of Conditions with Special Conditions, and the Order goes with the property being sold. However, because the ground is not stable now, a Certificate of Compliance cannot be issued at this time.

201 Maple Street:

The Hubbells want to purchase the property, but there is a marsh in the back of the property. Ms. Padden informed them that they cannot fill it or build on it.

Bunker Hill Parkway Drainage Maintenance:

The town of West Boylston DPW must build a new, larger culvert there, parallel to Trenton Lane, and will discharge to Gates Brook. They will have to file at least a Request for Determination of Applicability with the Commission.

Crossroads/Rayann Physical Therapy Environmental Site Assessment:

Informational.

Appropriation of Money For New Laptop and Equipment:

Mr. Eckhardt motioned to authorize up to \$1,500.00 for new computer system including printer and software to meet the increasing needs of the Conservation Commission. Mr. Esteves seconded. All in favor.

Kittredge Property, 24 Worcester Street:

DCR is discussing the matter with the Kittredges, regarding addition of fill and removal of trees.

Mr. Esteves motioned to adjourn the meeting at 8:23 p.m. Mr. Eckhardt seconded. All in favor.

Submitted by: _____

Date accepted: _____