

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
MAY 7, 2008 MEETING**

MEMBERS PRESENT: Barry Esteves, Acting Chairman, Colin Cahill, David Eckhardt, Heather Feland, and Clerk Toby Goldstein.

MEMBERS ABSENT: William Chase, Ryan Killman.

Mr. Eckhardt motioned to open the meeting at 7:00 p.m. Mr. Cahill seconded. All in favor.

John Westerling Discussion of Water Problems at Bunker Hill Parkway/Trenton Lane and 18 Temple Street:

Mr. Westerling first discussed the problem at Bunker Hill Parkway/Trenton Lane with the Commission. There is an open swale between Trenton Lane and Fort Niagara. Water from the swale ran off under Bunker Hill parkway through a pipe, which became filled with debris from the swale. The Town flushed out the 36" pipe, whose outlet was at Gates Brook, and began to reconstruct the swale. DCR stopped the reconstruction of the swale after silt entered Gates Brook. After years of siltration, the pipe is now buried 5 feet under ground level, with a 5 foot trench. Mr. Westerling wants to install 1 or 2 lengths of 36" pipe and backfill the pipe to level it off. The work will also help prevent siltration into Gates Brook. Gary Metcalf, the son of an abutter, was also present, and said that his father supported the proposed work. Mr. Westerling then shared photographs of the current pipe situation. Mr. Eckhardt motioned to grant the Town of West Boylston authority for maintenance of the system, pending DCR approval. If DCR decides that the work is subject to an Order of Conditions, the Commission can cover the work under Emergency Conditions for Public Safety, and filing can take place after. Ms. Feland seconded. All in favor.

Mr. Westerling then discussed the water problem at 18 Temple Street. It appears that water from the neighboring property runs off onto the 18 Temple Street property. This water buildup freezes in the winter. Mr. Westerling and members of the Commission visited the site about 18 months ago. If this is not a natural flow of water, the Town needs to correct it. Mr. Westerling's opinion is that the Gordons, who reside at

18 Temple Street, should petition the Board of Selectmen to involve the Department of Public Works, who would incur the cost to fix it. The Commission agreed, and Mr. Esteves motioned to the Commission to send a letter to the Gordons about this.

Public Hearing, Amended Order of Conditions, Thomas Chalker, 392 Worcester Street, DEP File #327-0190:

Mr. Chalker represented. After the April 2 meeting, the Commission sent a letter to Mr. Chalker, with a copy to Joseph Evangelista, requesting their appearance at the May 7 meeting, with "As Built" plans, stamped by a professional engineer, because the Commission needs to know exactly what is underground on the property before Mr. Chalker can construct a fence. Mr. Chalker did not bring the plans, and Mr. Evangelista did not attend. Also, the owner is requesting a Certificate of Compliance on the Order of Conditions. Mr. Esteves and Mr. Eckhardt explained to Mr. Chalker that, without the plans requested, the Commission could not issue the Amended Order, and could not issue a Certificate of Compliance without the plans and final grading with seeding and a season of stabilizing grass growth. Mr. Eckhardt moved to continue the Public Hearing and postpone action on the Certificate until the June 4 meeting, at 7:15 p.m. Ms. Feland seconded. All in favor. (The clerk was also instructed by Mr. Esteves to send another letter to Mr. Evangelista and Mr. Chalker, a second notice to obtain the above-mentioned plans and bring them to the next meeting).

Minutes of April 2, 2008 Meeting:

Mr. Eckhardt motioned to accept the minutes as presented. Mr. Cahill seconded. All in favor.

Open Space and Recreation Committee Report:

Vincent Vignaty and Brenda Bowman represented. Mr. Vignaty explained to the Commission that every five years the Town updates their Open Space and Recreation Plan. The public hearing will be held June 5. He discussed the draft of the updated plan. He mentioned key sections. Section 1 is a summary, section 2b is the vision, the need to apply for grants, section 4g fiscal issues, sections 7 and 8 goals, and section 9 is action items that refer back to the goals of the previous section. They also discussed items pertaining to the Conservation Commission, such as Wetland Bylaws and Dumping Bylaws. The Open Space Committee wants the support of the Commission. According to surveys, 76% of town residents want to continue to have open space and undeveloped areas in the Town. The Open Space Committee is trying to encourage low-intensity development, with reasonably-sized clusters of industrial/commercial development, or otherwise open-space. They will meet on May 15 at Dr. Tashjian's office at 7:00 p.m., and Mr. Vignaty would like any comments or questions from Commission members by then so they can be addressed. He asked if any Commission members had questions at this time, and Mr. Cahill asked about the Bioterror Proposal, involving Dr. Tashjian's property on Lee Street. He wants a monitoring station for diseases or environmental exposures that may affect the sentinel animals in that corridor. Some suggestions were

made by Commission members, also, regarding the use of prison inmates too perform vital services for the Town. Mr. Esteves instructed the clerk to send out the prior email from Mr. Vignaty with the attached file of the draft plan to all the Commission members, and especially notify members who could not attend the meeting about the Open Space meetings and the need for questions and comments.

Other Business:

185 Laurel Street:

Wells Fargo Bank now owns the property due to foreclosure. It formerly belonged to Stephen McNamara. There is still an outstanding Order of Conditions on the property. The Commission must send a letter to the bank, asking a representative to attend the June 4 meeting to discuss completion of the work so that a Certificate of Compliance can be issued and the property can be sold. Mr. Eckhardt will get contact information and draft a letter for the clerk.

Dumping on Valley Forge Circle:

Mr. Eckhardt will discuss with Leon Gaumond about a letter being sent from the Town Selectmen to the town residents regarding illegal dumping and the consequences of doing so.

Publications for Commission:

Mr. Eckhardt will email Board members for input regarding which publications need to be ordered to replace those misplaced during the move from the Mixter Building.

Appreciation Letter:

Mr. Esteves and the Commission discussed requesting from the Town a document of appreciation for Carolyn Padden for her years of service to the Commission and the Town. Ms. Feland offered to contact the Town Administrator about this.

Boston & Maine Corporation Request for Determination of Applicability:

The applicants sent materials to the Commission, stating that they were looking for re-verification of the rights-of-way which were verified in 2002 by the Commission. The clerk was instructed to look for an outstanding Order of Conditions for this.

Commission Elections:

Mr. Esteves, who was acting Chairman following the resignation of Carolyn Padden, nominated Mr. Eckhardt for Chairman. Ms. Feland seconded. All in favor. As his replacement, Mr. Esteves nominated Ms. Feland for Vice-Chairperson. Mr. Eckhardt seconded. All in favor.

Workshops for Conservation Commissioners:

Mr. Eckhardt informed the Commission members about various orientations and

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workshops available to them.

At 8:32 p.m., Ms. Feland motioned to adjourn the meeting. Mr. Cahill seconded. All in favor.

Submitted by: _____

Date accepted: _____