

WEST BOYLSTON CONSERVATION COMMISSION

March 11, 2009 Meeting

Members Present: Dave Eckhardt (Chair), Colin Cahill, John Hadley, Charlene Hopkins

Members Absent: William Chase, Mark Meola, Ryan Killman (resignation pending)

Meeting

On motion of John Hadley, seconded by Colin Cahill, the meeting was opened at 7:04 P.
The motion passed 4-0.

Minutes of the February Meeting

The minutes of the February Meeting were reviewed. On motion of John Hadley, seconded by Colin Cahill, the minutes were accepted. The vote was 2-0 with two members voting present.

National Grid Notice of Intent

In an advertised Public Hearing, National Grid presented its Notice of Intent to raze its decommissioned substation on Temple Street (MA Route 140), just south of the railroad right-of-way.

The project was well defined in National Grid's written submission and had been seen by several Commission members in a February 28, 2009 Site Visit.

We briefly discussed one additional tower footing not discussed during the site visit.

The project will remove all equipment and structures and return the parcel to "green field" condition when complete in several months.

There were no questions/comments from other Town Boards or members of the public.

Mr. Hadley moved to close the Public Hearing and issue an Order of Conditions without special conditions. This motion was seconded by Mr. Cahill. The motion passed 4-0.

National Grid has already begun work above grade (not in the jurisdiction of the Conservation Commission), and will begin work at grade as soon as the 10 day waiting period expires.

We asked for a pre-project meeting at the job site.

Angell Brook Village

Michael Staiti represented Keystone Development Corporation in an informal discussion of the status of two Orders of Condition for the Angell Brook Village project.

The project has one DEP number and has two Orders of Condition. The first Order of Conditions was granted in 2005 and has expired. The second Order of Conditions was granted in June 2006 and will expire, if not extended, in June 2009.

Mr. Staiti asked if the June 2006 Order of Conditions could cover the entire project and be extended. (Under Massachusetts law, the expired 2005 Order of Conditions cannot be extended.)

After a brief discussion, Mr. Hadley moved and Mr. Cahill seconded a resolution encouraging a request for an extension of the June 2006 Order of Conditions, submitted before June 2009. The motion passed 4-0.

Mr. Staiti asked if an advertised hearing will be required. The Commission indicated that it will determine if the advertisement is necessary and advise Mr. Staiti.

We advised Mr. Staiti that our (West Boylston Conservation Commission) extension is subject to review by the state DEP.

Angell Brook Village Conservation Restriction

The Angell Brook Village Conservation Restriction had been executed by both the Board of Selectmen and the Conservation Commission and mailed, by certified mail, to Keystone Development Corporation in Marlborough, MA in early February.

The Post Office misplaced this mail, and Keystone asked that we execute a duplicate original, scheduled for our March Meeting.

In the interim, the Post Office has found and returned the missing certified mail. We now have delivery conformation.

Water District 2006 Negative Determination

Victoria Zabierek, Tata & Howard (acting as the WB Water District's Engineer), has asked if a January 2006 negative determination remains valid for a minor project at the Water District's Route 12 Pump Station.

The January 2006 Negative Determination was made without Condition(s).

After a brief discussion, Mr. Hadley moved and Mr. Cahill seconded a motion to accept the 2006 Negative Determination as valid for the current minor project. The motion passed 4-0.

The chair was instructed to advise Tata and Howard that the 2006 Negative Determination remains valid, but that the water district remains obligated to report any construction incidents in the buffer zone or any significant changes of scope in their project.

At 7:35 P Ms. Hopkins moved, and Mr. Hadley seconded a motion to adjourn. The motion passed 4-0.

DRE 03-13-09