

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
JULY 7, 2010 MEETING**

MEMBERS PRESENT: William Chase, Chair, David Eckhardt, Co-Vice-Chair, John Hadley, Co-Vice-Chair, Charlene Hopkins, Co-Vice-Chair, Leonardo Angiulo, and Clerk Toby Goldstein.

MEMBERS ABSENT: Colin Cahill and Mark Meola.

Mr. Eckhardt moved to open the meeting at 7:07 p.m. Ms. Hopkins seconded. All in favor.

Minutes of June 9, 2010 Meeting:

After reviewing of the draft minutes for the above meeting by the Commission, Mr. Hadley moved that the minutes be accepted as submitted. Ms. Hopkins seconded. All in favor.

248 Goodale Street:

Discussed at the previous meeting was a question of past legal filings by owners of this property and legal interest by the Conservation Commission in the way of open documents on the property. The questions were raised as a result of foreclosure taking place on the property, now owned by Jonathan and April Anderson. After research done by Ms. Hopkins, it was determined that a Certificate of Compliance was issued for the Order of Conditions issued on the property, DEP File #327-0200. Therefore, the Commission no longer has any legal interest in the property. The copies of the documents obtained by Ms. Hopkins are on file in the Conservation Commission office.

Public Hearing, Star Tower Company, LLC, Request for Determination of Applicability, Century Drive Road, Map #182, Parcel 14, for Construction of a Cellular Communications Tower and Supporting Infrastructure:

(Alec Macleod of Northeast Land and Water represented). Mr. Macleod discussed the plans for the proposed work. At the work area is a stormwater detention basin which receives water flow from the road and the nearby Federal Express distribution center. The cellular tower would be slightly downhill from two swales. Wetland at the bottom of the hill would be greater than 300 ft. from the tower. The question is if the stormwater detention basin is a bordering vegetative wetland. The Commission decided that they needed to visit the site to determine this.

Mr. Eckhardt moved that the Request for Determination of Applicability be continued to the site visit, decided by the Commission to take place on Friday, July 9, at 5:15 p.m. Mr. Hadley seconded. All in favor.

Present at the site visit on July 9 were Mr. Angiulo, Mr. Chase, Mr. Eckhardt, Mr. Hadley, Ms. Hopkins, and Clerk Toby Goldstein. After inspecting the site of the proposed work, and determining that the road runoff does not flow into wetlands, Mr. Eckhardt motioned to close the Public Hearing and issue a negative determination, with the already existing conditions of ongoing maintenance of the existing drainage swale (these conditions were already existing on the property as part of the original Order of Conditions, DEP File #327-0084). Mr. Angiulo seconded. All in favor.

Goodnow, 174/180 West Boylston Street:

The Commission received notification that Chris Goodnow Auto Sales, LLC wishes to open a retail auto sales business on the above property. In 2003, the Commission issued a letter to the property owner, Karla Meola, stating that it was not within our jurisdiction (Ms. Meola contacted the Commission, requesting a date extension of the above letter) but Mr. Chase, in contact with the representative for the property, indicated that they need to file a Request for Determination of Applicability so that the Commission can monitor the work in the event that previously unplanned activities such as use of solvents are being considered.

Asian Longhorned Beetle Update:

Mr. Eckhardt led the discussion with the Commission about the fact that the beetles are now present in the Boston area, specifically in the area of the Arnold Arboretum.

Murphy, 18 Olde Century Farm Road (Lot #3):

On November 10, 2009, following discussion at the November 4, 2009 meeting, the Commission sent out a letter to the Murphys, copy to Nancy McGrath of DCR, stating that no vegetation greater than six inches in diameter is to be removed by them on the property, and the area of removal is fifty feet from the back of the house foundation. Apparently, the Murphys have been removing vegetation other than brush, and beyond the designated area on property that does not belong to them. Mr. Chase discussed with DCR what the Commission instructed the Murphys, and DCR is handling the situation.

Conservation Commission Fee Schedule:

Mr. Eckhardt moved that the Commission collect information on fees charged by other Conservation Commissions, specifically Clinton, Holden and Boylston, and discuss these at the August 4 meeting. The Commission would then ask for any public comment, vote on updated fees for West Boylston Concomm at the September 1 meeting, and make these fees effective October. Ms. Hopkins seconded. All in favor. Also, the Clerk will consult with the MACC Handbook, as suggested by MACC.

Update on Zingarelli Stump Removal:

According to Mr. Hadley, the stumps have not been removed as requested previously. The Commission instructed the Clerk to send a second request letter to Mr. Zingarelli, with a copy to the Building Inspector.

Ms. Hopkins motioned to adjourn the meeting at 7:50 p.m. Mr. Eckhardt seconded. All in favor.

Submitted by: _____

Date accepted: _____