

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
JANUARY 4, 2012 MEETING**

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

MEMBERS ABSENT: Mark Meola.

At 7:02 p.m., Mr. Eckhardt motioned to open the meeting. Mr. Hadley seconded. All in favor.

Minutes of December 7, 2011 Meeting:

After review of the minutes by the Commission members, Mr. Hadley motioned to accept the minutes as submitted. Ms. Hopkins seconded. All in favor.

Discussion With Mark Brodeur, Building Inspector:

Mr. Brodeur was invited by the Conservation Commission to join them at this meeting to discuss several issues. (Tristan Lundgren of DCR was also present). One issue involves Orders of Conditions that have expired without Certificates of Compliance having been issued. The Commission has had several instances of this occurring, with the titles on the properties needing to be cleared in the event of sale or the wish to do additional building upon them. Ms. Hopkins suggested the need to document expiration dates of Orders of Conditions and be responsible for followup on this. The Commission also would like to see other Town boards notify each other when they sign off on permits for various types of work to be done so that the Commission can be sure that there are no wetland issues. For instance, the Commission requires 4 seasons of growth before building

can take place. Mr. Brodeur stated that, normally, if DCR does not find any issue with the matter, the Town does not pursue it any further with the Commission. Also, the Commission has had a problem in the past with applicants failing to record Orders of Conditions and Certificates of Compliance after they are issued. One suggestion that Mr. Brodeur made was for the Commission to send to him a copy of any Order of Conditions that they issue, and no building permit will be issued until the Order of Conditions is recorded. Or, as was suggested by Ms. Hopkins, this could be listed as a condition in the Order of Conditions. Mr. Eckhardt suggested that he could periodically check in with Mr. Brodeur to check on compliance with this instruction.

Public Hearing, Joseph Evangelista, A & E Realty, Request for Certificate of Compliance, 250 Worcester Street, DEP File #327-0211:

This is the location of Gates Brook Landing Condominiums. This Order of Conditions was issued in 2005 and expired in 2008. The Commission determined that, as the project was completed in 2006, and there is no proposed work to be done, and all that is needed is the Certificate of Compliance for the completed work as this is needed in order for condominiums to be sold, the Commission did not need a new refiling of a Notice of Intent. Mr. Eckhardt motioned, therefore, to close the Public Hearing, and to issue a Certificate of Compliance for the property at 250 Worcester Street, DEP File #327-0211. Mr. Hadley seconded. All in favor.

Update on 412 Worcester Street, Ruas Property:

(Tristan Lundgren represented DCR for this discussion). Mr. Lundgren said that DEP contacted him on this matter. Martin Jalonski had also requested from Ms. Goldstein copies of all correspondence from the Commission to the Ruas family regarding the alleged violations that were taking place on their property. Mr. Lundgren said that DEP contacted the Ruas', ordering them to remove trash, a shed, and other disposed items from the property. Mr. Chase stated that, because of the Rivers Act, DEP is the body that must deal with this. Mr. Lundgren said that he would inform the Commission of what happens in the matter.

Letter Regarding Olde Century Farm Road:

Ms. Hopkins drafted a letter to United Bank, who took possession of, and foreclosed upon, the properties on this development several years ago, inviting a

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representative to attend our February 1 meeting, in order to define what work has been done on the properties, and to define who owns what properties presently. Several Orders of Conditions involving the development have expired but requests for Certificates of Compliance have come to the Commission, therefore the Commission needs to have the above areas clarified in order to deal with the matter.

At 8:00 p.m., Ms. Hopkins motioned to adjourn the meeting. Mr. Eckhardt seconded. All in favor.

Submitted by: _____

Date accepted: _____