

**MINUTES  
WEST BOYLSTON CONSERVATION COMMISSION  
AUGUST 13, 2012 MEETING**

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

**MEMBERS ABSENT:** Mark Meola

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

**Minutes of June 6, June 26, and July 9, 2012 Meetings:**

After reviewing of the above minutes by the Commission members, Mr. Eckhardt motioned to accept all of the minutes as submitted. Mr. Chase seconded. All in favor. (Mr. Hadley abstained from acceptance for 6/6 and 7/9, due to not being present at those meetings).

**Continued Public Hearing, Pan Am Railways, Request for Determination of Applicability:**

This Request involves verification of rights-of-way for herbicide application by the applicants. Mr. Eckhardt and Ms. Hopkins met with Dave Getman and Tristan Lundgren of DCR, at the DCR Office, 180 Beaman Street to discuss the matter. DCR wanted to see the applicants' field markers. Mr. Eckhardt felt that the Commission should issue a Negative Determination, with annual DCR approval before the herbicide application can be done. Therefore, Mr. Eckhardt motioned to issue a Negative Determination for herbicidal treatment of the railroad rights-of-way as necessary, with the condition that annual DCR approval will be obtained by the applicants before the treatment is done. Mr. Chase seconded. All in favor.

**Baldarelli, Informal Discussion Prior to Notice of Intent Filing:**

(John Farnsworth, Richard Baldarelli, and Edward Baldarelli represented). This discussion concerned proposed work in Oakdale, at 12 and 20 Laurel Street, 38 Almanac Way, and 45 and 47 No. Main Street, for which a Positive Determination was issued on March 7, 2012. Mr. Farnsworth reviewed a map of the site, which included changes in the original work planned. Changes in topography are now mapped in. He will clarify which abutters are participating. He is also consulting with DCR shortly. Mr. Eckhardt suggested that the Commission should have a field visit of the site, with DCR, before the September 10 meeting, which is when the Public Hearing for the Notice of Intent can be held. The Commission members agreed, proposing either August 20 or August 21 for this. Mr. Farnsworth said that he would contact Tristan Lundgren and confirm a date with the Commission. He also pointed out a resource area across the street from the proposed work, showing the buffer zone and wetland flags. The

area is owned by Mass Highway. Mr. Eckhardt asked Mr. Farnsworth when the applicants would be meeting with the Earth Removal Board, regarding the amounts of earth to be removed and relocated due to the work process, which includes re-grading. He suggested that, once the field visit is scheduled with DCR and Concomm, that he invite the Earth Removal Board to join them for their input. Mr. Farnsworth said that, starting at Laurel Street, estimated earth removal is approximately 80,000 cubic yards, but entirely contained, with all material coming back in to the work area. Richard Baldarelli added that they will try to save what's salvageable. Ed Baldarelli added that the project will probably take 1 to 2 years to complete.

The Baldarellis also discussed an attempt to obtain a 10-day emergency permit from the Board of Health for beaver removal. Mr. Farnsworth may consult with DCR about their problem in obtaining the Permit. Mr. Chase will talk with the Board of Health about this also.

**DCR Approval of 35 Pine Arden Drive:**

DCR did grant Mr. Guida, the owner of the above property, a variance. (Concomm had issued him an Order of Conditions on June 6, 2012).

**Update on 66 West Boylston Street Request for Certificate of Compliance:**

Mr. Hadley said that the above property passed before the Planning Board. The Concomm has requested several times for a representative for the applicants to appear before them to discuss what work has been done on the property since an outstanding Order of Conditions was issued (DEP File #327-0181, issued 11/1/2002, to Flagg Realty LLC). There has been no response.

**Update on Olde Century Farm Drive:**

Ms. Hopkins said that new information regarding the property and possible maintenance trust is still pending.

**Concomm Representatives for Community Preservation and Open Space Committees:**

Ms. Hopkins agreed to be representative for the Community Preservation Committee, but needs to know their meeting schedule, and Mr. Hadley agreed to represent on the Open Space Committee, provided he is allowed to serve for us as he is already on the Committee as a Selectman.

Mr. Eckhardt motioned to adjourn the meeting at 7:45 p.m. Mr. Chase seconded. All in favor.

Submitted by: \_\_\_\_\_  
Date accepted: \_\_\_\_\_