

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
AUGUST 12, 2013 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 7:00 p.m., Mr. Eckhardt moved to open the meeting. Ms. Hopkins seconded. All in favor.

Minutes of 7/1/2013 Meeting:

After review of the draft minutes by the Commission members, Ms. Hopkins moved that an item be added, stating that a vote was taken authorizing all Commission members to sign any invoice, time sheets for the Clerk, or administrative documents. (These names were all added to a sheet for this purpose that was provided by the Accounting Dept.) Mr. Eckhardt seconded. All in favor.

Clinton Savings Bank, Request for Certificate of Compliance, 152 Goodale Street, DEP File #327-0199:

(Sue Meola represented). Ms. Hopkins discussed the history of the Order of Conditions for this property. Previously, a Partial Certificate of Compliance was issued on 192 Goodale Street only. #152 needed a separate Certificate for completion of work at that address. Mr. Hadley moved to issue a Partial Certificate of Compliance on 152 Goodale Street, subject to the receipt of the \$70.00 filing fee. Mr. Eckhardt seconded. All in favor.

Discussion with Anthony Sylvia of DPW Regarding MDC Fast Track Sewer Projects:

Mr. Eckhardt discussed the background of the above projects to Mr. Sylvia, who is fairly new to his position as director of DPW. Ms. Hopkins added that the Town issued (3) separate Orders of Conditions, with the same DEP file numbers, to the (3) separate projects. All were issued Certificates of Compliance, which were never recorded; the Commission would like Mr. Sylvia to find the original Certificates, but if they do not exist any longer, the Commission can take the copies on file and issue affidavits of their authenticity. Mr. Sylvia requested copies of our copies if he is not able to find the originals. Ms. Hopkins offered to help him get the Certificates recorded, to certify that the projects are, in fact, complete, as the Commission periodically has individuals appear before them applying for Certificates of Compliance on their own, individual properties. The Clerk was instructed to email the (3) Certificate copies to Mr. Sylvia.

8/12/13, p. 2

Public Hearing, Joseph Curtin, PE, EH Perkins Construction, Notice of Intent, Prescott Street at Waushacum Brook, DEP File #327-0254:

(Mary Trudeau and Joseph Curtin represented). The applicants discussed the proposed project, which was the extension of an 8-inch gas main from West Boylston to Sterling, MA. The main would be approximately 18,000 ft., 8" diameter, using PVC piping. It would be located just below the roadway. Nothing would be left open during construction, as the work would be done in sections. The applicants discussed two issues of concern. First is the crossing of Waushacum Brook. They are

proposing to cross the top of an existing culvert. But, with an 18-32" cover, there is room to cut into the road above the pipe, and they propose that there should be no impact upon the brook or disturbance of the culvert. Mr. Chase asked them to provide an "As Built" when completed.

The second concern is that there would have to be crossing of railroad tracks. They would have to go under the tracks to do the work. Ms. Trudeau mentioned that NStar is designing a railroad crossing project in another town, also. Mr. Chase asked for an "As Built" upon completion of this work, also.

Mr. Eckhardt opined that this project is analogous to an 8" water main replacement taking place in West Boylston currently.

Ms. Trudeau pointed out that the railroad crossing and Waushacum Brook crossing are both in proximity to wetlands. The southeast corner of the railroad crossing has a bordering vegetated wetland. She explained that sediment would be handled by a dump truck that would come up to the crossing. The area would also be hand-swept. With reference to erosion controls at the work area, she mentioned that they are using straw waddles in Clinton that are 18" in diameter. Mr. Eckhardt asked if they would use 18" ones in West Boylston, if available, and Ms. Trudeau replied that they would use 12" ones if that is all that is available. Mr. Eckhardt noted that the erosion controls will be located on relatively flat ground. Ms. Trudeau opined that there would be no concern about dewatering, as the work will be high above the railroad track. Mr. Eckhardt asked her to advise the Commission if unexpected dewatering occurs.

Mr. Curtin discussed some of the background of the project. NStar approached the involved residents regarding converting to gas use, sending a notice to the residents. The work would involve 50 houses in West Boylston, and 50 houses in Sterling. The applicants will be working with the NStar crew. In response to a question from Mr. Eckhardt regarding commencement of the work, Mr. Curtin replied that they are only waiting for DCR approval in Sterling, and with a 7:00 am to 4:30 pm workday, they hope to finish the work in the Spring. He added that NStar is also awaiting a permit from the railroad company.

Mr. Eckhardt then asked for any public comment. Barbara Mard Of 181 Prescott Street asked the representatives if their work on Prescott Street would involve Shady Lane, and they replied that it would not. Ms. Mard commented on the document sent from NStar that was previously mentioned, and she opined that many residents did not understand the content and many threw it away. Mr. Chase suggested that someone else could send out a letter to the residents, and Mr. Curtin suggested that Tom Angelo, their representative, could do that. Mr. Hadley suggested that it could be sent with the sewer bills to the residents.

With no further public comment, Mr. Eckhardt moved to close the Public Hearing, and issue an Order of Conditions with standard conditions. Mr. Hadley seconded. All in favor.

E-Mail from Leon Gaumond Regarding Purchase of Three Rivers Building:

After a Facilities Committee meeting, Mr. Gaumond requested support from various Town boards, the Conservation Commission included, for a proposed purchase of the Three Rivers Building, 140 Worcester Street, for a new Town Hall. The Commission voted unanimously to endorse the

8/12/13, p. 3

purchase, and instructed the Clerk to draft a letter to Mr. Gaumond (to be signed by Mr. Chase), stating this endorsement, and the fact that the Commission sees no impact of this building on wetlands, as it is a pre-existing building that had no previous impact on wetlands.

Shell Oil Company, Request for Certificate of Compliance, DEP File #327-0102:

Mr. Chase was familiar with the work done under this Order of Conditions, which was a remedial response actions to a spill in 1993. He stated that the site was visited years ago, and the

required 4 seasons of growth passed. Therefore, Mr. Eckhardt moved to issue the Certificate of Compliance for the work intended. Mr. Hadley seconded. All in favor.

Asian Longhorned Beetle (ALB) Update:

(Mr. Eckhardt addressed the Commission members). Mr. Eckhardt informed the members that, as of a week previous to this date, \$113,000,000 have been spent on ALB treatment. However, there were very few new infested trees when recently surveyed.

Conservation Commission Vendor Policy:

Mr. Eckhardt drafted a policy regarding the acceptance of new vendors by the Commission, whereby the Commission does not interview applicants for Wetlands/Stormwater Management services; applicants for Conservation Commission action are free to choose their own vendors. Mr. Eckhardt moved to accept this policy. Ms. Hopkins seconded. All in favor. The Clerk was instructed to file the new policy.

Stormwater Management Seminar:

Mr. Eckhardt attended a seminar on stormwater management training. He mentioned that the EPA is changing its stormwater management regulations. All towns in Massachusetts will need a stormwater authority. The question would be if the Commission wants to be that authority. Also, Mr. Eckhardt and Anthony Sylvia of DPW will collaborate on a report on the Town's stormwater quality. He opined that DCR would be interested in this report.

Update on Baldarelli, DEP File #327-0252:

(John Farnsworth and Edward Baldarelli represented). Mr. Farnsworth informed the Commission that their proposed work in Oakdale is on hold for now. Now, they are seeking a permit to install a crossing on Ed's property off of Route 12. Mr. Farnsworth said that Mr. Baldarelli would like an aluminum culvert. They have previous approval from the Concomm for a 4-foot pipe. Mr. Chase responded that the Commission needs their proposal under Edward Baldarelli's name, not the Baldarelli Brothers, and do this as an "As Built." Mr. Farnsworth showed photos to the Commission members of the area (on file), and explained that instead of a plank bridge, they want an aluminum culvert. Mr. Chase explained that the Commission does not want the other part of the project, for which Richard Baldarelli is responsible, to tie in with this one. In order to do this, the Commission members agreed that Mr. Edward Baldarelli should request an Amended Order of Conditions to reflect the new scope of work and to whom the portion where the work will take place belongs. The Commission will agree that the applicants will use the existing Order until the September meeting, and the Commission will waive any fees due to the Town; in addition, they must describe the 2 different parcels of land. Mr. Eckhardt explained that the current Order of Conditions allows the work to proceed, but the Amended Order will allow the change in titles. Ms. Hopkins added that tree removal must be mentioned in the Amended Order. Mr. Chase continued that the applicants should add it in as an "as built"; if the applicants need to remove any trees, they should contact the Commission and they will visit the property to see it.

8/12/13, p. 4

Removal of Trees on Lee Street:

Concomm received a notice from DCR Forester, informing them of their intent to clear cut 14 acres of trees for purposes of ALB treatment. Mr. Eckhardt said that he will meet with Leon Gaumond about this, to see if the Board of Selectmen wants to review this at their next meeting so that DCR Forester will need pre-approval before doing tree removal.

Discussion with Mark Archambeault of Nashua River Watershed Association, Regarding Wetland Bylaws:

Mr. Archambeault reviewed a proposal that he e-mailed to the Concomm for the bylaws, first discussed by him at the April 1 meeting. He wanted to discuss the scope of work tonight with the members. If the proposal is accepted, then he and Mr. Chase can sign it tonight. They agreed that the effective date given on the proposal in the scope of work should be changed to spring of 2014. He discussed some areas that the Commission members would like to see addressed. Mr. Archambeault was interested in problem areas, perhaps looking through the files for repetitive problems. He may need to talk with the Town Administrator, who would also need to sign the signature page. Ms. Hopkins suggested that an item stating that the total cost of the process is to be paid from Conservation Commission funds should be added to the agreement, in reply to a question from Mr. Gaumond. Mr. Archambeault asked the Commission members for suggestions as to how to best reach the public with the information. Some suggestions were for the matter to be placed on the warrant for the May, 2014 Town Meeting, a possible article in "The Banner" newspaper, an interview with Mr. Gaumond, or perhaps an information booth on Earth Day in April, 2014.

Mr. Archambeault's goal is to develop a bylaw draft for the October, 2014 meeting. Ms. Hopkins suggested that he could schedule a walk to visit some areas of recurrent problems at this time, and could invite Tristan Lundgren of DCR. He proposed going after Labor Day, on a Monday or Wednesday; the general agreement was for September 4 at 10 or 11 am. Mr. Chase will call Mr. Lundgren and let him know that Mr. Archambeault will call him.

Change in Concomm Meeting Date for September:

Due to the Town Meeting on September 9, the regularly scheduled Concomm meeting will take place on Tuesday, September 10, at 7:00 pm. The Clerk will notify all concerned parties of the change and verify availability of conference rooms.

At 8:48 pm, Mr. Hadley moved to adjourn the meeting. Mr. Eckhardt seconded. All in favor.

Submitted by: _____

Date accepted: _____