

MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
DECEMBER 2, 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 7:01 pm, Ms. Hopkins moved to open the meeting. Mr. Eckhardt seconded. All in favor.

Leaf Problem on Valley Forge Circle:

Susan Spellane of 38 Valley Forge Circle attended the meeting to inform the Commission members that people have been dumping leaves on Valley Forge Circle, which she opines are going into the wetlands. Ms. Hopkins replied that she saw evidence of dumped leaves when she visited the site several months ago. Ms. Spellane added that the dumping took place despite the presence of a sign which states that there is a \$200.00 fine for dumping there. Ms. Spellane was also able to point out in which house the person lives who is suspected to be doing the dumping. Mr. Chase replied that the Town can impose a fine, but the Conservation Commission cannot without a wetland bylaw. Ms. Hopkins requested that Ms. Spellane email photos of the area of dumping to the Concomm, and they would forward them to Mark Brodeur, Building Inspector.

Minutes of November 4 and 12 Meetings:

Mr. Hadley moved to accept both sets of minutes as submitted. Mr. Chase seconded. All in favor.

Development of Wetland Bylaws With Mark Archambeault, Nashua River Watershed Association:

Mr. Archambeault reiterated to the Commission members that he submitted an introductory paragraph, which explained the rationale for the local wetland bylaws, as well as a second draft. He explained that he took the first draft and cut it down, putting many extra provisions into the "Regulations." Some areas that he discussed were:

- "Purpose and Intent" and "Jurisdiction" – they remained the same.

- "Exemptions" – he opined that they are important to have upfront

- "Definitions" – most of which apply to the "Regulations"

- "Presumptions" – he also opined are important upfront in the bylaw

- "Applications, Fees and Consultants" – mostly in the "Regulations"

- "Notices and Hearings"

- "Permits and Conditions" – he opined that waivers are important and that conditions may be waived so long as that does not weaken the Wetland Protection Act

- "Regulations" – they do not affect the bylaw. They can be revisited and amended. This can be done at a public hearing; it does not have to be done at a Town meeting. Mr. Eckhardt

asked if this is consistent with the Town's policies, and Mr. Archambeault replied that the Commission would need to do whatever complies with the Town's regulations. Mr. Archambeault added that the "Regulations" section gives the Commission flexibility and shortens the bylaw.

"Vernal Pools" – applies to "certified" vernal pools only. Ms. Hopkins and Mr. Chase added that there are none in West Boylston at this time.

The Commission members decided that they would submit this draft to Leon Gaumond and the Bylaw Committee, have them make corrections, and return it to the Concomm. Mr. Hadley said that he will distribute it to them. Mr. Eckhardt asked the other members if the Concomm needs to be present when the Bylaw Committee reviews the draft. Mr. Chase opined that, after we make corrections to it, the Concomm should first invite the Bylaw Committee to a Conservation Commission meeting. Mr. Archambeault added that they would have a public hearing, and he would have a Powerpoint presentation for them. Mr. Chase suggested that, after the bylaws are completed, that the Commission meet with the Conservation Commissions of the surrounding towns to deal with the repeating situation of beaver removal. Mr. Archambeault requested that the Concomm forward to him any reply from Mr. Gaumond. Also, the Clerk will proceed with processing the invoice from NRWA for \$1,000.00, one-half the total amount charged for the process, to cover the work done to date.

15 Shady Lane, Informal Discussion:

Mutual Builders, Inc. filed a Notice of Intent for the above property for the installation of a subsurface disposal system. Mr. Hadley said that he reviewed the file. He looked at the septic system present, which is at the edge of wetlands (within the 100 ft. buffer zone of a bordering vegetated wetland). Mr. Eckhardt suggested, that with so many wetlands in the area, he would like to be taken to the actual site of the proposed work. The Commission members reviewed the map of the site, and noted test pits and a leach field in the wetlands. The Clerk was instructed to email Tristan Lundgren of DCR to notify him that this public hearing will be held at the next meeting (January 6). Mr. Chase suggested that the Concomm conduct a site visit/public hearing, with the applicant flagging the site prior to the visit. The Clerk was instructed to send a letter to Bertin Engineering, engineers for the applicant, notifying them that the Concomm had an informal discussion, and would like them to flag the house, water, wetlands, leach field, and area of disturbance, and would like to meet with them on a Monday before Christmas, possibly December 9 or 16, at 2:00 pm. The Clerk was instructed to post this meeting as soon as the applicant responded regarding a date and time.

Tentative Concomm Meeting Schedule for 2014:

The Commission members reviewed a tentative schedule submitted by the Clerk. Mr. Hadley moved to approve the schedule. Ms. Hopkins seconded. All in favor.

Ms. Hopkins moved to adjourn the meeting at 7:58 pm. Mr. Hadley seconded. All in favor.

Submitted by: _____

Date accepted: _____

