



**TOWN OF WEST BOYLSTON
CONSERVATION COMMISSION
127 HARTWELL STREET
WEST BOYLSTON, MASSACHUSETTS 01583**

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
SEPTEMBER 10, 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 7:03 p.m., Mr. Eckhardt moved to open the meeting. Mr. Hadley seconded. All in favor.

Minutes of 8/12/2013 Meeting:

After review of the draft minutes by the Commission members, Ms. Hopkins moved that the minutes be accepted with changes. Mr. Eckhardt seconded. All in favor.

Request for Certificate of Compliance, 9 Olde Century Farm Road (Lot 20), DEP File #327-0199:

(Mr. Hadley is recusing himself, due to the fact that his personal lawyer is the one requesting the Certificate for her client). Ms. Hopkins visited the site on 9/10/13. (See attached addendum for report on site visit). She discussed the finding that Number 9 Olde Century Farm Road has a fenced area to the right which contains an overgrown detention basin. Mr. Chase added that there is a maintenance agreement in the Order of Conditions. Mr. Eckhardt suggested that Ms. Hopkins make field notes of that visit, to be added as an appendix to this meeting's minutes. Ms. Hopkins added that the aforementioned basin seems to be the only potential problem. She suggested that each homeowner in the development could finance a fund for maintenance of the development. The Concomm members then looked at the GIS of the site (on the Town website), where they could see that Lot 20 does appear to have wetlands. After reviewing plans of the property, Mr. Eckhardt opined that, on the drawings, there is not any indication of stormwater retention. The property owners would have to address any problems that might arise. Ms. Hopkins added that, except for the detention basin, the subdivision appears to be in order. Mr. Eckhardt suggested that, if they issue the Certificate of Compliance, they should point out to the attorneys that there appears to be a stormwater structure not documented in Concomm's records, and that others may have an issue eventually. He then moved to issue a Partial Certificate of Compliance, Lot 20 only, referencing West Boylston Planning Board Plan Dated 8/30/04 (endorsement 9/22/04). Ms. Hopkins seconded. Mr. Hadley recused himself. The Clerk was then instructed to send an e-mail to Atty. Janet Richardson, stating that Concomm voted to issue the Certificate, when it will be available (mentioning the 10-day appeal period), asking to whom they should send the original, and indicate that a field inspection identified a probable stormwater structure. However, Concomm does not have jurisdiction on this structure.

Update on DPW Certificates of Compliance for MDC Fast Track Sewer Projects:

To date, Anthony Sylvia of DPW has not been able to locate the originals of the above documents, so the Clerk was instructed by Mr. Eckhardt to e-mail Mr. Sylvia, notifying him that this was again discussed at tonight's meeting, and that the Commission members hope that he will be able to attend the October 7 meeting to discuss this further.

Informal Discussion of Purchase of Three Rivers Building:

The Concomm members discussed various aspects of the above property, which may be purchased for the purpose of a new Town Hall. Ms. Hopkins mentioned visiting the site, and found the property to be well maintained. Mr. Hadley discussed the cost to taxpayers of building a new Town Hall building, versus the purchasing of the already-present Three Rivers Building. Mr. Chase mentioned that the wetlands in the area are maintained by drainage. Mr. Eckhardt opined that, in larger storms, there might be flooding, and, to the west on Route 12, there may be wetlands created by stormwater flow. There is a large detention pond underground also. Mr. Eckhardt instructed the Clerk to write a letter to Leon Gaumond, to be signed by Mr. Chase, stating that the Concomm discussed the subject of the purchase at their meeting, and found no evidence that there is wetland on the property, and that the property has a retention basin underground. However, enlarging to the west is not really possible.

Update on Wetland Bylaws:

Mr. Chase walked the Concomm enforcement problem areas in West Boylston with Mark Archambeault of the Nashua River Watershed Association, who is helping the Concomm develop wetland bylaws for the Town. The first draft of the bylaws is expected to be ready by the October 2013 Concomm meeting. Necessary signatures for the draft were taken previously, at the August 12 meeting.

Asian Longhorned Beetle Update:

Mr. Eckhardt discussed some current activities regarding management of the above. He discussed tree removal on Lee Street. Only infected trees were removed. There was some concern about a possible vernal pool being present and therefore wetland damage taking place. If the area in question is a vernal pool, it will be registered as such. Meanwhile, the project was smoothly completed, with careful tree removal and clear-cutting not done. Mike Kane of the Banner visited the site with Mr. Eckhardt and took pictures for the newspaper.

Ms. Hopkins moved to adjourn the meeting at 8:07 p.m. Mr. Eckhardt seconded. All in favor.

Submitted by: Toby L. Goldstein
Date accepted: October 7, 2013

MEMORANDUM

TO: WEST BOYLSTON CONSERVATION COMMISSION

FROM: CHARLENE HOPKINS, VICE-CHAIR

DATE: SEPTEMBER 10, 2013

RE: REQUEST FOR CERTIFICATE OF COMPLIANCE
9 OLDE CENTURY FARM ROAD (LOT 20)

I had opportunity today to conduct a site visit of the property from the street.

In passing #9 Olde Century Farm Road, I stopped in front and viewed a fenced in area to the right front corner of the lot, which appeared to be a very overgrown storm water detention basin.

Prior to performing my site visit, I had reviewed the GIS online data for this lot which appeared to have wetlands on or very near it. Upon viewing the property, I see no evidence of wetlands, other than the overgrown fenced in detention basin area.

The Order of Conditions for the Olde Century Farm project included language that a homeowners association would be formed with a general maintenance fund being managed by a trustee to perform periodic storm water maintenance of the detention basins on the property. Based on past conversations with property owners who have come before our Commission for their respective partial certificates, the owners have indicated that there is not a homeowners association, although the association documentation is of record at the Worcester Registry of Deeds naming the initial trustee.