

**MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
MAY 5, 2014 MEETING**

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

MEMBERS ABSENT: David Eckhardt and Mark Meola.

At 7:02 pm, Ms. Hopkins moved to open the meeting. Mr. Hadley seconded. All in favor.

Public Hearing, John Scannell, DCR-Water Supply Protection, Notice of Intent, Gates Brook Gate #25:

(Vincent Vignaly represented). Mr. Vignaly showed the Commission members a map of the site and proposed work. The applicants plan to construct an 18" x 6' bridge over an existing culvert. They would have to remove a 4 foot pipe first. There would be an all-stone bottom of the culvert. Wetlands would be replaced. They would need to cut down one tree, and would leave the root ball and stump, and allow the tree to fall to the side. A shed that is at the location will be replaced, with a concrete slab placed underneath, and the shed will be moved off to the side. Also, 2' x 2' x 3' concrete blocks will be placed to which to attach equipment (USGS flow monitoring equipment). Rocks will be adjusted to keep water flow down for traveling fish. The applicants are hoping to work from July 1 to September 1 of this year to complete the work. Mr. Vignaly added that their contractor is licensed and pre-approved by MA DOT. He replied to Ms. Hopkins that there will be wing walls on each side, either blocked in slab or three-sided.

With no more questions or comments by the Commission members, Ms. Hopkins moved to close the public hearing. Mr. Hadley seconded. All in favor.

Ms. Hopkins then moved to issue an Order of Conditions, in accordance with the plans proposed, "DCR Gate 25 Access, dated 3/21/14, Road at Gates Brook Culvert Replacement," with all the conditions referred to on the plan. Mr. Hadley seconded. All in favor.

Minutes of April 7 Meeting:

After reviewing the draft minutes, Mr. Hadley moved to accept the minutes as submitted. Ms. Hopkins seconded. All in favor.

Discussion of Letter Received from Building Inspector:

The Commission members reviewed the letter, which is on file.

Shady Lane Update:

Ms. Hopkins could not access the current ownership status information on line, and will check again. Mr. Vignaly, who was still present at the meeting, informed the Commission members that, with a 200-foot zone where septic cannot be installed, and plans for a new house, the engineer for the project opined that the project will not take place. The Concomm members said they will discuss it at the June 2 meeting.

Status of Bylaws:

Mr. Hadley reported that the Town Administrator had no issues after seeing the draft bylaws. The Concomm members asked the Clerk to send a copy of the draft bylaws to Tristan Lundgren at DCR, and also to the Planning Board and Mr. Gaumond for review and comments and/or questions, and also to ask them to try to reply prior to the June 2 meeting.

Concomm Elections:

William Chase was nominated by Mr. Hadley as Chair, and this was seconded by Ms. Hopkins. He was re-elected as Chair until May, 2015. Mr. Hadley and Ms. Hopkins will remain as Vice-Chairs. (David Eckhardt will no longer be serving as a full board member, but will remain as an Associate Member, as was stated in the April 7 minutes).

263 Maple Street:

Ms. Hopkins showed a map of this location to Mr. Vignaly and the Concomm (on file). Ms. Hopkins explained that, of a parcel owned by the Wiesel family, the Town is to acquire wetlands (through the Land Trust), and DCR will be purchasing property also, with the Wiesels planning to keep (2) frontage lots and (1) buildable lot.

Public Hearing, Mass. DOT-Highway Division, District 3, Request for Determination of Applicability, for the Resurfacing and Repaving of Portions of Route 12, in Sterling and West Boylston:

(William Clougherty of Mass. DOT represented). Ms. Hopkins read the legal ad that appeared in the Telegram and Gazette. Mr. Clougherty showed the Concomm members a locus map of the proposed work area (on file). The work will involve roadway maintenance, milling and paving. It will be limited to building operation and overlay. There will be no clearing, drainage, or guard rail work. They will just be addressing existing conditions on the roadway. Work will also include part of Route 110 (also on map). He pointed out the proposed erosion controls. The applicants would use compost filter tubes or straw wattles. Mr. Clougherty opined that the resurfacing would have little potential impact on wetlands. They will not be working within the shoulders of the road unless there are any drainage issues. He added that they also plan to raise and lower castings. He estimated that the project, to start at the end of May or beginning of June, would take one to two weeks. Mr. Clougherty stated that the work on Route 110 would also include maintenance, milling and resurfacing, and offered to provide a locus map of all towns involved (West Boylston, Sterling and Clinton). He also clarified on the map what the limits would be of the proposed work.

John Farnsworth, who was present at the meeting, had questions regarding the work in relation to proposed work for the Baldarellis. They had a plan to improve the entrance to 277 Sterling Road. He believed that they previously met with Mass. DOT. The proposal was to get the shoulder of the road defined into the property where a utility pole is located and to have piping underneath to extend to the top of Western Avenue. He asked Mr. Clougherty, while Mass. DOT is there, if that could be incorporated into their work. Mr. Clougherty responded that they would look at it, as long as there is an existing curbcut on Route 12. Mr. Farnsworth continued that there is turbidity coming from sheet flow down Route 12, and their plan is to collect it and have it run underneath and into a discharge basin. They would also like to have work done on the apron.

Mr. Chase asked about the engineer that DOT would be using, and Mr. Clougherty replied that it is an area engineer and he suggested that they can all meet in the field with him. Mr. Farnsworth added that he has a drawing detailing the area, but did not bring it with him. Mr. Chase told Mr. Farnsworth that they would all have to meet with the engineer on the site about his requests.

Mr. Clougherty continued that he is the contact at this Mass. DOT office for now, and reiterated that they would only provide apron work for the Baldarellis if there is an existing curbcut. He added that, whatever the Baldarellis wish to do in the future is all on private property; MA DOT is working up to the limit allowed them by the State.

Concomm, Mr. Clougherty and Mr. Farnsworth discussed times that they could meet, and Mr. Clougherty will have the engineer communicate with them to set up a meeting. Mr. Vignaly suggested that Tristan Lundgren of DCR will work with them on this; Mr. Chase believes that Mr. Lundgren has a copy of the plans, and added that there is piping set aside for this project for water runoff.

With no more questions or comments from those present, Ms. Hopkins moved to close the public hearing. Mr. Hadley seconded. All in favor. Ms. Hopkins then moved to issue a negative determination, approving the project as proposed, with erosion controls as listed on plans "Sterling and West Boylston-Route 12-Resurfacing Project No. 607382 Project Locus Map"(dated April, 2014), "Item 767.12-Compost Filter Tube Standard Specification and Detail Plan", and "West Boylston/Sterling/Clinton-Rte. 110 Resurfacing and Related Work (607382)", dated 5/6/14. Mr. Hadley seconded. All in favor.

Public Hearing, Worcester County Sheriff's Office, Request for Determination of Applicability, 5 Paul X. Tivnan Drive:

(Thomas Perry from PARE Corp. and Scott Ennis from the Sheriff's Office represented). Mr. Perry first discussed what the proposed project involves; it is for the demolition of an existing structure in a secured area at 5 Paul X. Tivnan Drive. They filed the Request for Determination because the project meets the criteria for a "minor act" of removal of impervious area in the buffer zone, replacing it, and fencing in the area. Mr. Perry showed the Commission members a map (on file) of the site, explaining that the structure to be removed has been compromised since 2008 and not used; it had served as a library, office building, and recreation area. After removal, only grass will be there. The applicants are removing the building so that it will not be dangerous. Mr. Perry pointed out where the fencing will be. He said that the wetland delineation was done on 4/18/14. He pointed out the limit of the walkway, and erosion controls, which will be located against the fence, with grass up to that. They propose using filter sock, 12" in diameter. All that will be added on the property will be grass and a new section of fencing.

With no further questions or comments, Mr. Hadley moved to close the public hearing. Ms. Hopkins seconded. All in favor. Mr. Hadley then moved to issue a negative determination, accepting the proposal of the project as given, with erosion controls according to the plan, "SDW-Worcester Jail/HOC-Library Demolition", dated 5/2/14. Ms. Hopkins seconded. All in favor.

At 7:50 p.m., Mr. Hadley moved to adjourn the meeting. Ms. Hopkins seconded. All in favor.

Submitted by: _____
Date accepted: _____