

MINUTES
WEST BOYLSTON CONSERVATION COMMISSION JUNE 2, 2014 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 pm, Ms. Hopkins moved to open the meeting. Mr. Chase seconded. All in favor.

Informal Discussion With Lorraine Gardner Regarding 247 Worcester Street:

(Lorraine Gardner and David Edelberti represented). (Ms. Gardner had contacted Mark Brodeur, Building Inspector, regarding re-constructing the bridge over the brook that runs along Worcester Street, this bridge allowing access to their property. Ms. Hopkins contacted Ms. Gardner, who explained her situation, and Ms. Hopkins invited Ms. Gardner to attend tonight's meeting to discuss how to proceed). Ms. Gardner discussed the fact that that a culvert on her property is rotted, and is looking to rebuild an access bridge over the culvert to her property. According to Ms. Gardner, when the sewer line was installed down her street, her neighbors' bridges were fixed or re-constructed as part of the project but they did not work on her bridge because her sewer line is within an easement area from a neighbor's property. Ms. Gardner also thought that a pipe needs to be replaced.

Mr. Eckhardt asked Ms. Gardner and Mr. Edelberti how they wanted to proceed and when. Mr. Edelberti replied that he would like to see the water level go down, so perhaps August. Mr. Eckhardt and Mr. Chase agreed that Ms. Gardner should apply for a Request for Determination of Applicability, to be scheduled for the next meeting, which they opined would result in a negative determination. Mr. Eckhardt explained to Mr. Edelberti and Ms. Gardner that, when they grant the negative determination, they will need to agree to erosion controls, and what shoring and pumping they need to do, and if their situation changes before the next scheduled Commission meeting (July 7, unless the Town holds a Special Meeting, in which case re-scheduling will have to be done), they should call the Chair and there are emergency provisions whereby the applicant can do the work as soon as possible. Mr. Edelberti added that he would give a courtesy phone call to DCR notifying them of what is taking place, and Mr. Eckhardt added that he needs to give Concomm notice as to when work will commence. The Clerk and the board also explained to them the timing and fees necessary for filing of the Request for Determination paperwork and the Determination paperwork.

Minutes of May 5 Meeting:

After review of the minutes by the Commission members, Mr. Hadley moved to accept the minutes as submitted. Ms. Hopkins seconded. All in favor (Mr. Eckhardt abstained, as he was absent for the May 5 meeting).

Crescent Street Gas Main:

(Mr. Eckhardt requested this item to be placed on the agenda). Mr. Eckhardt discussed the plan by the Town to convert all public schools in West Boylston to gas heat that currently have oil. The Town hired a contractor to do an energy study, which found that the Town could save 2 million dollars on various means of saving energy. Besides converting from oil to gas in the schools, other methods of energy saving include modern lighting to reduce electricity used, air conditioning updating, and proper

closures on doors, with no cost to the taxpayers. If the savings are not achieved by the Town, they will be reimbursed. The time frame for the work will be July 7-9, when the schools are out for the summer. Mr. Chase asked about funding for the project coming from the government, and Mr. Eckhardt opined that it will be found for the Town. Mr. Hadley and Mr. Eckhardt discussed the fact that old equipment is being used that must be replaced, such as pneumatic equipment for air conditioning. Mr. Eckhardt added that NStar tentatively agreed to install a 2000-foot, 4 to 6-inch gas main on Central and Crescent Streets that the schools would need for the gas conversion free of charge.

The Concomm members then discussed what wetland filing issues might be involved with this project. Mr. Eckhardt said that they would need to determine if the routing of the gas would go through wetlands, and what filings would be needed. If Concomm has no jurisdiction, a letter would be required from NStar asking Concomm if they have jurisdiction and Concomm replying that they don't should be on file stating this. Mr. Hadley suggested that, if the main involves Franklin Street, there are wetlands there. Mr. Chase responded that Concomm has jurisdiction there but it is all secondary water; they would need to talk to Dave Getman of DCR and visit the site, as the water flows to the reservoir. The board agreed that they would also need detail of, besides proposed routing, elevation and crossings, and at the first meeting after obtaining all of this information, Concomm can tell them of the filings that they will need. They will also speak with DCR. Mr. Chase continued that he would like the entire Commission involved with this.

Mr. Eckhardt summarized that there are (2) parts to the project, conversion to gas in the schools, and extension of the current gas main to reach the schools. Mr. Chase asked what it would take to involve local businesses in the gas use and suggested notifying businesses in Town. Mr. Eckhardt suggested to Mr. Hadley that he notify the Town Administrator that abutting property owners might be interested in availability of the gas. Mr. Chase suggested, why not convert all public buildings in West Boylston to gas? Mr. Hadley discussed some developers in Town that are now using gas. Mr. Eckhardt discussed that the Municipal Lighting Co. will be converting all Town street lights to LED's, with no cost to the Town but considerable energy savings; the Town is also considering changing park illumination. He said that the lighting changes would be done before school opens, and the fuel changes at the schools before winter.

Questions From DPW Regarding Retention Pond At 67 West Boylston Street:

Anthony Sylvia of DPW had sent an e-mail to Concomm (on file), asking them if they give permission to Cove Corp. to modify/maintain the above mentioned retention pond which is behind the Post Office. Mr. Chase discussed how other businesses in the plaza at that location have cleaned up the retention pond and maintained it, but Mr. Hadley questioned if it could be asked that they do maintenance more often. Mr. Eckhardt suggested that, for the next Concomm meeting, they draft a letter thanking the tenants of 67 West Boylston Street for their diligence in maintenance of the retention pond, and asking them to do an annual inspection and update of maintenance every year and send Concomm an update every year; Mr. Chase agreed to do this.

Comments Regarding Removal of Property at 405 and 405A Prospect Street (Malden Brook Farms) from Chapter 61A/Right of First Refusal Option:

This property may be sold to Scott Goddard or his nominee; it is 11.2 acres of property, to which the Town has the right of first refusal. The Commission members discussed what they knew of the property. Mr. Chase recalled that the property owner wanted at one time to run a pipe through the property and connect to sewer, and wetlands were present. Mr. Eckhardt suggested that they should look over available maps and opine as to what are significant wetlands to protect. With the right of the

Town of first refusal, Mr. Hadley and Mr. Chase opined that the Town should purchase the property. Mr. Eckhardt saw significant wetlands in the parcel of land. Mr. Hadley thought that 60 houses could possibly be developed on that parcel, and opined that the Town should purchase it. The other Commission members were in agreement on that. Mr. Eckhardt moved that the Conservation Commission recommend that the Board of Selectmen actively pursue the purchase of 405 and 405A Prospect Street, under Chapter 61A, Right of First Refusal Option. Mr. Hadley seconded. All in favor.

Update on Work by Mass DOT on Routes 12 and 110:

(This work was approved by the Request for Determination of Applicability issued at the May 5 meeting). Mr. Chase reported to the Commission members that the work is half completed. Mass DOT would not put in a drain from Horseshoe Drive to the Baldarelli property, however. This part is not owned by Edward Baldarelli, but by Richard, and his son-in-law does not want the work to be done. Mr. Chase commented that the septic system is only 18" above the water line, such that a large storm would cause overflow. The Baldarellis were told that work needs to be done on this or they will face repercussions from the Town, but they do not want to do it. Mr. Eckhardt suggested to Mr. Chase that he send a letter to Leon Gaumond, DCR, Mass DOT, and DPW about this matter, and he agreed that he would do so.

E-Mail Regarding Gates Brook, Gate 25, Work By DCR, DEP File #327-0259:

(This work was approved at the May 5 meeting when an Order of Conditions was issued to DCR. The e-mail discussed at tonight's meeting was sent by Fish and Wildlife). This e-mail informed the Conservation Commission that the resource area will not be adversely affected by the work done in this project.

Update on Shady Lane Title:

Ms. Hopkins has been following any updates on resolution of ownership. She reported to the Commission members that it is still going through the courts, but DCR opines that the project proposed on the property will not go through. Ms. Hopkins opined that the title question will probably be elevated to land court eventually, and the Concomm agreed with her that it should be removed from future agendas unless anything further takes place.

Update on Development of Wetland Bylaws:

Mr. Hadley informed the Concomm members that the issue is coming before the Board of Selectmen for their vote; it will then go before the Bylaw Committee. Meanwhile, Tristan Lundgren of DCR e-mailed the Conservation Commission a favorable response to the draft of the bylaws which was sent to DCR. Mr. Chase asked the board if perhaps, once the bylaws are adopted, the Concomm should send them to abutting towns, and perhaps they might adopt similar policies; Mr. Eckhardt opined that, as a professional courtesy, they should share it with the other towns and tell them that they have adopted it and are implementing it.

At 7:52 p.m., Mr. Hadley moved to adjourn the meeting. Mr. Chase seconded. All in favor.

Submitted by: _____

Date accepted: _____

