

MINUTES
WEST BOYLSTON CONSERVATION COMMISSION
OCTOBER 6, 2014 MEETING

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

MEMBERS ABSENT: David Eckhardt, Associate Member, and Mark Meola.

At 7:08 pm, Ms. Hopkins moved to open the meeting. Mr. Hadley seconded. All in favor.

Public Hearing, Robert Armstrong, Lot 5 Hosmer Street, Request for Determination of Applicability:

(Representatives were Arthur Allen of Ecotec and Robert Armstrong of 57 Keyes Street). Ms. Hopkins read aloud the legal advertisement. Mr. Allen summarized the proposed plan for construction of a single-family house, driveway, septic system and municipal water connection at Lot 5 Hosmer St. He explained that Lot 5 Hosmer Street is an undeveloped wooded parcel cut out of the larger 66 Keyes Street property. There are (2) wetland areas on the property, an isolated land subject to flooding which is a shallow depression out on Hosmer Street, and there is a bordering vegetative wetland in the back of the lot with a 100-ft. buffer. The only work proposed in the buffer zone and subject to jurisdiction is in the outer buffer zone. He said that the Board of Health approval for the septic system is pending Concomm's determination. Mr. Allen summarized that the applicant is seeking a Negative Determination that the work, though it will be in the buffer zone, will not alter the wetlands. Mr. Allen discussed the intended work, which involves grading for a septic system. He said that the erosion barriers will keep the work outside of the wetlands.

Ms. Hopkins asked what they would be using for erosion barriers? Mr. Allen replied that they would utilize silt fence and a long line of continuous barriers. They would then loam, seed, and stabilize, and grade for the septic system. Mr. Armstrong added that they are not sure how soon they would start, probably not until the spring. The Commission opined that wattles (Mr. Allen described straw-filled mesh that they would use) would be less expensive and messy than haybales, and with there not being much of a grade, would be an option.

Ms. Hopkins moved to issue a Negative Determination, subject to conditions as delineated on the plan, "5 Hosmer Street, West Boylston, MA." Mr. Hadley seconded. All in favor. Ms. Hopkins asked the applicant and Mr. Allen to notify the Commission when the erosion controls are in place and they are ready to begin work so that Concomm can inspect if they choose to do so; Mr. Allen replied that they should write that into the conditions. She also informed him of the 10-day appeal period.

Joseph Evangelista, Request for Certificate of Compliance, 150 Worcester Street:

This matter was continued to the November 3 meeting, as neither Mr. Evangelista nor a representative appeared at the meeting, no Request for Certificate of Compliance form and fee were filed, as the Clerk had instructed Mr. Evangelista to do, and it was not clear as to which DEP File Number

was completed, as Concomm had two files pertaining to 150 Worcester Street and the Request form would have specified the DEP File Number.

Afra Terrace:

This matter was also continued to the November 3 meeting at 7:15. Mr. Ali did not have an “as-built” to present to the Conservation Commission in response to the letter sent to him on August 6, 2014, and all matters discussed in the letter were not addressed yet.

Also, Ms. Hopkins investigated the Certificate of Compliance situation of the Order of Conditions issued for Afra Terrace originally, to determine if there were partial Certificates issued for various units. She found that only one was issued that the Commission has record of, a partial Certificate of Compliance, for Unit 38, and discussed that they would not issue a complete Certificate of Compliance due to maintenance issues, but only partial ones on the lots not affected by the maintenance issues.

Angell Brook Issues:

Robert Mercier of 22 Angell Brook Drive had spoken with Mr. Chase several months back, and it was decided that he would appear before the Commission in the fall as the liaison between the Afra Terrace Trustees and the Conservation Commission. He mentioned that there are only 3 units remaining to sell. He pointed out on a map the 11 acres of conservation land. Mr. Mercier expressed the desire of the Trustees to work with Concomm to be sure that they are handling the property properly, especially the retention ponds. He mentioned that they have \$40,000 bond on the property. He also mentioned that there is an easement to the Worcester Land Trust, and abundant wildlife on the premises. Mr. Hadley asked him about maintenance for the retention ponds, and Mr. Mercier responded that, before Michael Staiti, the developer, is done with his involvement with the project, the Trustees wanted to find out what they needed to do regarding maintenance. They have hired an engineer, lawyer, and accountant. They are inviting the Concomm to come out and meet with the Trustees or perhaps all the condo owners and explain what the Commission does and how it affects the residents of Angell Brook. Mr. Mercier mentioned that they know where the conservation land is, and that they will need to trim certain trees that are being encroached upon but it may be along conservation land. Mr. Chase responded that the Commission should review a set of plans by their engineer. Regarding the retention ponds, he also mentioned that they are for sheet water, to try to slow it down. Mr. Mercier said that the retention ponds are working, except there is one large one behind his property that drains very slowly. Mr. Mercier asked, if there is grass in there and a maintenance contract, does it have to be cleaned out? Mr. Chase replied that, in a standard maintenance program (Ecotec was given as an example), it will indicate what needs to be done, usually in August or September. Ms. Hopkins added, when the grass is cut and dead, it later becomes sediment. Mr. Hadley said that the engineer will develop a plan, and come before the Conservation Commission. Mr. Chase added that the environmental engineer will present to the Commission the maintenance plan. Ms. Hopkins added that they should do that when they are finished with the work. Mr. Hadley added that they need the plan before they sign off of the project. Mr. Chase continued that the engineer will come before the Commission and they will agree or disagree. Ms. Hopkins continued that the engineer will work with Mr. Staiti. Mr. Chase added that both parties will be involved. Mr. Mercier added that the Trustees will also invite the Conservation Commission to meet with the Village to determine what's required of the Trustees to maintain on a yearly basis.

Minutes of September 8 Meeting and September 16 Special Meeting:

Regarding the September 8 meeting, after reviewing of the minutes by the Commission members, Mr. Hadley moved to accept the minutes as submitted. Mr. Chase seconded. All in favor.

Regarding the September 16 special meeting, after reviewing of the minutes by the Commission members, Ms. Hopkins moved to accept the minutes as submitted. Mr. Chase seconded. All in favor.

CPC Open Space Funds:

Ms. Hopkins, who is a member of the Community Preservation Committee, forwarded an e-mail to the Commission from George Bernardin regarding funds that were available in the CPC Open Space account and in an Undesignated account, which can be used for open space and other permitted uses. This means that there are substantial financial resources available if the Open Space Committee identifies good land protection opportunities. The e-mail stated that there is currently (as of 9/4/14)\$317,150 in the Undesignated bank account, and \$80,751 in the CPC Open Space account. (This was briefly discussed at the 9/8/14 meeting as well; Ms. Hopkins did not attend, which is the reason why it was discussed again at tonight's meeting).

Wetland Bylaws:

(Mark Archambeault of Nashua River Watershed Association was present to discuss). Mr. Archambeault attended the meeting in preparation for the presentation of the bylaws for vote at the Town Meeting to be held on October 20. He asked about the availability of certain equipment (projector and laptop), so that he could bring a presentation to the meeting. He also asked if the meeting would be televised. He asked if the draft bylaws were shown to the Bylaw Review Committee? Mr. Hadley replied that the Town Administrator approved them and Mr. Chase replied that Town Counsel did, also. Mr. Archambeault opined that the comments/suggestions made regarding the bylaws were good, especially regarding the buffer zone. The Commission members informed Mr. Archambeault of the exact date and time of the meeting and address of the West Boylston Middle School, which will be the venue of the Town Meeting.

At 7:54 p.m., Mr. Hadley moved to adjourn the meeting. Ms. Hopkins seconded. All in favor.

Submitted by: _____

Date accepted: _____