



**Town of West Boylston**  
140 Worcester Street, West Boylston, Massachusetts 01583

## **Conservation Commission Meeting Minutes**

<b>Date / Time / Location of Meeting</b>	<b>Monday, 2-4-2019/7:00 p.m./West Boylston Town Offices, Rm. 120/131</b>
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<b>Members Present</b>	<b>William Chase (Chair), John Hadley (Vice-Chair), Emily Eaton, Carl Haarmann, Katelyn Ivers (Associate Member) and Clerk Toby Goldstein.</b>
<b>Members NOT Present</b>	<b>David Mercurio (Vice-Chair)</b>
<b>Invited Guests</b>	<b>N/A</b>

**Welcome – Call to Order**

**Time: 7:03 p.m. (Motion made by Ms. Eaton, seconded by Mr. Haarmann)**

**Approval of Previous Minutes**

**January 7, 2019 Meeting**

**Motion Originator Ms. Eaton**

**Motion Seconded Mr. Haarmann**

**Treasurer – Financial Report**

**Mr. Chase looked over the latest report prior to the meeting.**

**Motion to Accept N/A**

**Seconded N/A**

At 7:03 pm, Ms. Eaton made a motion to open the meeting. Mr. Haarmann seconded. All in favor.

**Public Hearing, Mark Presutti, Request for Determination of Applicability, 159 Laurel Street:**

(Mark Presutti represented). (Ms. Eaton read aloud the public hearing notice). Mr. Chase explained the situation on Mr. Presutti's property. He explained that, when he visited the site, Mr. Presutti was basically losing his driveway and it was washing out due to water flow; Mr. Presutti said that he had a contractor who had installed two stone breakaways, one at the head of the driveway and one at the end, temporarily. Mr. Chase continued, that Butch Jackson from DPW will install a Boston berm once he has all the paperwork, and said that he issued emergency permission to Mr. Presutti so that he would not lose his driveway, and noted that DCR sent a letter stating that the work was done already without their knowledge. Mr. Chase explained that this

Determination was the paperwork to go with what was done, opined that a nice job was done, and said that what was left to do was asphalt work. In response to a question from Mr. Chase, Mr. Presutti replied that water still pours down the driveway; in response to Mr. Chase, Mr. Presutti replied that the contractor did not put a drain at the bottom because he thought that the berm would solve the problem, but because of the slope half of the water still comes down the driveway and the rest onto Laurel Street. Mr. Chase asserted that, at the end of the driveway, eventually he will have this problem again. Mr. Presutti said that Mr. Jackson said to wait and see if the berm this diverts the water before spending money on rip rap.

Mr. Chase replied that they will have to inspect this again later. With no further comments or questions, Mr. Hadley made a motion to close the public hearing. Ms. Eaton seconded. All in favor. Mr. Hadley then made a motion to issue a negative determination (Mr. Chase added that this is emergency repair and the board will inspect it again later, after Mr. Jackson does the work; Mr. Presutti said that he will call DCR and explain that he will have the Determination paperwork early next week).

#### **Minutes of 1/7/19 Meeting:**

(The board voted on the minutes, as it was still too early to open the next public hearing). After review of the draft minutes by the board members, Ms. Eaton made a motion to accept the minutes as written. Mr. Haarmann seconded. All in favor (except for Mr. Hadley, who abstained).

#### **Update on Baldarelli, 301 Sterling Street:**

The board had received a copy of a letter from DCR which stated that they were revoking the beaver removal permit granted to Mr. Baldarelli. The board agreed that there was nothing that they could do about it right now.

#### **Update on Mr. Chase's Plan for Trails:**

Mr. Chase informed the board that, because of the bad weather, the surveying could not be done yet.

#### **Briarwood Open Space Restriction – Discussion and Signature:**

Mr. Hadley told the board that Atty. Longden wanted to be present for any discussion on this, so it was suggested that this be continued to next month's meeting. Mr. Chase said that he still wanted to talk to someone privately to clarify what the Town and others involved want regarding this issue.

#### **Public Hearing, E. Andrew Kazakoff, Request for Determination of Applicability, 215 Shrewsbury Street:**

(E. Andrew Kazakoff represented). (Ms. Ivers read the public hearing notice aloud). Mr. Kazakoff explained to the board that he put greenhouses on the backside of the existing structure that is there, behind the parking lot on the right side (which will remain), and asserted that that it will all look like part of 215 Shrewsbury Street. In response to a question from Ms. Eaton, he replied that the greenhouses are 120 feet behind the building, and added that it is a 3 ½ acre lot. Ms. Eaton commented that there are wetlands back there, behind the existing building, and Mr. Kazakoff described where the wetlands are. Ms. Eaton pointed out that, behind the building, is a wetland line. Mr. Kazakoff responded that he saw it on the back left of the property. Mr. Chase replied that, this evening, he wanted Mr. Kazakoff's idea, so that when he goes to Planning Board, he can tell them that Concomm approves of his idea but that they still need the specifics, such as the engineer's plans. Mr. Kazakoff explained that the wetland flagging was just done, and there is no report yet. Mr. Hadley suggested that the board continue the public hearing until detailed plans are done and they have the delineation report. Ms. Eaton asked if Mr. Kazakoff needed to file an NOI? Mr. Chase replied that he would when he knows what he will be doing and has detailed plans; this evening, he wanted to okay the applicant's idea. Mr. Hadley made a motion to continue the public hearing until the next meeting (March 4, 2019). Ms. Eaton seconded the motion. All in favor. Mr. Hadley instructed Mr. Kazakoff to bring the set of plans; Mr. Chase suggested doing this ahead of the meeting to give the board time to review them. Mr. Hadley also suggested that the board might walk the site if they have enough time after getting the plans. In response to a question from Mr. Kazakoff about what kind of plans he needed, Mr. Chase explained that the plans should contain what they are building, the size, the flooring, access, paving, etc. (he and Mr. Hadley gave examples to Mr. Kazakoff, who understood that he did not just need the wetland delineation). Mr. Chase explained that he did not want to discourage the ideas, and suggested that the applicant get input from the other Town boards, and then come back to the Concomm with a definitive plan.

**Glenn Krevosky For Robert Diverdi, Request for Certificate of Compliance, 99 Hartwell Street (FedEx Training Facility), DEP File #327-0264:**

Mr. Krevosky explained that planting was done three years ago, and that an "as-built" was sent in, they had Quinn Engineering approval for "substantial compliance" on, they included a planting report with their filing information, and he explained that the work met hydrology requirements of the adjacent wetland, and said that the swamp was totally weeded. Mr. Chase opined that the area looked good. With no further comments, Mr. Haarmann made a motion to issue the Certificate of Compliance. Mr. Hadley seconded. All in favor.

**Concomm Response to Planning Board Regarding Shrine Ave.**

Lynn Harding-Smith, Assistant Town Clerk who also is an abutter, her residence at 4 Cavour Circle, explained that the public hearing for the above was rescheduled that was to be before Planning Board on January 23, as the procedure was not done properly by the applicant, and she commented that they had not heard an opinion from the Commission. Mr. Chase explained that Mr. Evangelista, the developer, had been working there for at least five years, and that Concomm's interest is in trees, size of buildings, and where water will go with the vernal pool below. He explained that a vernal pool, which the neighbors commented was there (and Ms. Harding-Smith opined was flooded), is a very specific area with only so much that can be done with it; he explained that there has been a lot of water in it as there had been a lot of water this year and there had not been real drainage this year; he said that there are now manmade wetlands, which he reiterated are very specific in what can be done with them. He explained that, in Concomm's view, what impact the project will have, what the developer is doing with infiltration systems in the road for surface water, their snow storage and plans for recharge are in their jurisdiction; they did not have a problem with the aforementioned issues. Kim Albrizio, 63 Shrine Ave., asserted that the residents do not have privacy anymore due to tree removal, and asserted that the water encroaches on their property, and asked where the driveway will go? Mr. Chase replied that the developer only wanted a road to the first building, and said that he needs to know the total impact and water is the Concomm's only concern. In response to a resident's question (she did not identify herself), Mr. Chase explained where the road is going to go, and that the wetlands were not there.

In response to a question from Mr. Hadley, someone replied that there were not erosion controls in place. In response to another question, someone replied that there have been condos there since 2007. Mr. Chase noted that, off to the left, will be the road. Ms. Albrizio asked what will happen to the water? Mr. Chase replied that, when it gets to a certain level, it will go down. Ms. Albrizio asserted that, on one side of the condos, water goes almost up to the foundation. Mr. Chase said that he will go up there to look at it and see if something can be done. In response to a question from an unidentified resident, Mr. Chase replied that he will not need an abatement for the road. He continued that water is strictly under their jurisdiction, and acknowledged that there is a vernal pool, but the rest of the wetlands are manmade. He added that the Town took out a drain and DPW would have to put in another one, but explained that the Commission does not handle this. Mr. Hadley continued, that Planning Board will have to approve any of this, and they will make sure drainage is done properly. Mr. Chase added that they will also give opinion regarding trees, including how many and which ones will be removed. Another resident also commented that, over the years, there has been more wildlife because the woods were taken out and opined that there would be more wild animals there if more trees are removed. Mr. Chase replied that water is his concern. Mr. Hadley suggested that the residents tell their concerns to Planning Board, and asserted that they will make the developer do what he needs to do, and they know what to look for; Mr. Chase suggested that they tell Planning Board at their meeting next Wednesday. He explained that once the developer has a definite plan, he will come back before the Commission. Ms. Harding-Smith also noted that children take the bus there, and opined that traffic is bad, and asked where people would exit? Mr. Hadley and Mr. Chase suggested that the residents make a list to take to Planning Board and tell them their concerns. Someone else also commented that there is an obstacle course and adult bar there now as well, and commented about the traffic and the driving school. Cheryl (last name not given) commented that the residents feel as though their neighborhood is being taken away. Ms. Harding-Smith was concerned that the trees will be gone. Mr. Chase explained that the road and tentative footprint are all that they had seen. He explained to another resident that, regarding the vernal pool, the board had only 25-foot jurisdiction. He explained that a culvert was removed at one time, and nothing was done about it, and they ended up with a drainage problem there. Mr. Chase told the residents to call him with

any other questions, or he could also meet them at the site. He added that Vinny Vignaly of Planning Board is an engineer and his background was in water, so that they should bring their concerns to Planning Board.

**Update on Poison Ivy Maintenance Plan by Katelyn Ivers:**

Ms. Ivers informed the Commission members that Jamie Carr of DCR will not pay for the Concomm's goatscaping pilot program that they proposed, although he was interested in it. Mr. Chase responded that if she can obtain specifics regarding the area and money needed, that he could probably obtain a grant. Mr. Carr opined that it would take two full seasons, but if it went well Mr. Carr could provide personnel and support. Mr. Chase suggested that maybe they could do this on the trail that is being done by Wachusett Greenways; it would be smaller, but would show how the idea works, and thought that they could probably get funds for it. Ms. Ivers commented that Mr. Carr thought the poison ivy was cleared up at the area on Beaman Road that the board previously discussed, but did not say how. He suggested getting help from Wachusett Greenways, or DCR and Greater Worcester Land Trust perhaps for funding. Ms. Ivers asked Mr. Chase for a map for site analysis; he replied that he will get it, and they can walk the area. Ms. Ivers explained that the goatscaping people were mostly interested in acreage, as that would determine how many goats would be used, and for how long they would be needed. Mr. Chase opined that he could figure it out, and that he just needed to know where she wants to go

**Update on Consultant Fees and Fee Schedule Format:**

Mr. Hadley suggested to Ms. Goldstein that she give the information to Nancy Lucier for help

**Informal Discussion with Barur Rajeshkumar:**

Barur Rajeshkumar, member of Select Board, Planning Board, and ZBA, was present. He asked the board if Mr. Evangelista had the right to build? Mr. Chase replied that he did, and opined that the developer could control certain aspects, such as having better lighting. Mr. Rajeshkumar commented on the location of the road and thought there would be bad traffic, and added that Planning Board and local businesses made comments regarding that and parking. Mr. Chase opined that there will be growth and these things are to be expected. Mr. Rajeshkumar suggested that, if there is a violation, residents should call the police, and commented that people take shortcuts through places such as CVS and this creates traffic problems. Mr. Chase agreed but said that he did not know how to solve it.

**Treasurer's Report and/or financial approvals:**

This was not discussed this evening; Mr. Chase reviewed the most recent report prior to the meeting.

With no further questions or comments, Ms. Eaton made a motion to adjourn the meeting at 7:48 p.m. Mr. Haarmann seconded. All in favor.

Submitted by: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date submitted: \_\_\_\_\_