



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

## **Conservation Commission Meeting Minutes**

<b>Date / Time / Location of Meeting</b>
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**Monday, 6-3-2019/7:00 p.m./West Boylston Town Offices, Rm. 120/131**

<b>Members Present</b>
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**John Hadley (Vice-Chair), David Mercurio (Vice-Chair), Emily Eaton, Katelyn Ivers and Clerk Toby Goldstein.**

<b>Members NOT Present</b>
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**William Chase (Chair) and Carl Haarmann**

<b>Invited Guests</b>
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**N/A**

**Welcome – Call to Order**

**Time: 7:02 p.m. (Motion made by Mr. Mercurio, seconded by Ms. Eaton)**

**Approval of Previous Minutes**

**Continued 5/6/19 minutes to July 1 meeting due to lack of quorum of members who attended May 6 meeting**

**Motion Originator N/A**

**Motion Seconded N/A**

**Treasurer – Financial Report**

**Mr. Hadley looked over latest report, dated 5/31/19, and shared account balance with board; he also informed the board that the Town gave the Commission \$1,800.00 towards Ms. Goldstein's pay.**

**Motion to Accept N/A**

**Seconded N/A**

At 7:02 pm, Mr. Mercurio made a motion to open the meeting. Ms. Eaton seconded. All in favor.

**Public Hearing, Mark Meola, Meola Wayside Ice Cream, Inc., 201 West Boylston Street, Request for Determination of Applicability:**

(Mr. Hadley recused himself, as he had done business before with the engineer, Julian Votruba). (Ms. Eaton read aloud the public hearing notice). (Julian and Michael Votruba represented). Mr. Votruba explained that this hearing involved a piece of property between West Boylston Street and Worcester Street. He pointed out

on plans where he flagged the wetlands, the 100-foot buffer, the 200-foot primary protection zone from the river and 400-foot protected zone from the river and the area where Mr. Meola proposes to work. He said that they intend to clean out brush up to the 200-foot line. Mr. Mercurio responded that the Concomm's jurisdiction stops at 100 feet. Ms. Eaton opined that there would be a negative determination issued. Mr. Mercurio added that the applicant must stay out of the 100-foot zone, and Mr. Votruba agreed that they can do that. With no further comments or questions, Ms. Eaton made a motion to issue a negative determination. Mr. Mercurio seconded. All in favor.

#### **Informal Discussion with Julian Votruba Regarding Property at 340 West Boylston Street:**

Mr. Votruba brought up the discussion about this property at the May 6 meeting and gave an update; before submitting a filing for this project, he wanted to go through everything one more time with the board as he opined that it is a rather unique situation. He said that they had done quite a bit of work since then, and he showed the board what is existing on the property (highlighted), and what is proposed. He clarified that Spiro Giannopoulos owns the property, but not the restaurant, Nola's Cajun, and explained that they can only propose work within their boundaries. Mr. Votruba asserted that water from Meadowbrook Plaza dumps onto this property and without an easement. Showing the board on the plan of the site, he discussed how they propose to remedy the water problem there by installing a pipe in between two other pipes (he showed the board where this would go). He mentioned that, since last month, there is a large area of silt from up the road. They are also proposing to install a manhole in one location (showed the board where on the plan), another manhole (showed this one also), and get rid of the edge of the puddle that is there. He replied to Mr. Mercurio that a 36" pipe will work and it will offset it; at the last meeting they discussed a 48-inch pipe. He also replied to Mr. Mercurio that they intend to have a double catch basin in the second manhole, and they will down grade to the low point; he replied to Mr. Mercurio that everything would be within their property except that there would be one thing in the Town's right-of-way (he pointed it out). Mr. Mercurio suggested that he check with DPW about this; Mr. Votruba decided to move what he was going to do so it would not be on Town property, and showed the board what he would be doing. (Mr. Votruba showed the board where the drainage would go). Mr. Mercurio noted that, eventually, the water will flow into the brook. Mr. Votruba asserted that some maintenance will have to be done on the other side of the road, and that he would find out who owns that property. Mr. Votruba replied to Ms. Eaton that the same amount of water will go into the catch basin, and that they will only be adding a small amount of gravel to the area. He replied to Mr. Mercurio that he will run in twelve pipe in there. He showed the board where the water will go to the 36-inch pipe from the manhole. He replied to Mr. Mercurio that he was not worried about the water freezing in the winter and they want to be able to access the manhole. He replied to Ms. Eaton that it will be shallow, 4 ½' deep, and that they will probably pave the top. He replied to Mr. Mercurio that he would like to begin work when they get permission from Concomm; they will want to submit a Notice of Intent, as they are within the buffer zone (he called it a "drainage conveyance swale" rather than a wetland as it has a lot of undesirable debris in it). He pointed out how the runoff crosses the street behind the Dairy Queen, and Mr. Hadley commented that the Dairy Queen owner owns that property. Mr. Votruba responded that he will obtain the names of whom he needs to notify. Mr. Votruba replied to Ms. Eaton that there will be no drainage from the new top, as it will be graded and all water will go to the catch basin. He added that they would also like to call this a redevelopment of the area as it will be an improvement. Mr. Mercurio commented that Mr. Giannopoulos (SEG Group, LLC) will have to maintain it.

#### **Minutes of May 6, 2019 Meeting:**

Mr. Hadley suggested that this be continued to the July 1 meeting, as he and Mr. Mercurio were the only members this evening that were present at the May 6 meeting.

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

Ms. Ivers informed the Commission members that she was waiting for Mr. Chase to find out how much of the land occupied by poison ivy belongs to DCR because Vernon Jackson, head of DPW, is no longer with the Town. She mentioned that Mr. Chase might also know someone who might be interested in the goatscaping program. (Ms. Goldstein recalled that Mr. Chase discussed someone from the Town's School Committee at the last meeting).

Mr. Hadley asked Ms. Ivers to call Mr. Chase regarding what she should do, and bring that information to the July 1 meeting. Ms. Ivers continued that they need to find out acreage to be treated, and how the payment will be made. She said that the ideal time to do this work would be in June or July, so they would want to get started as soon as possible.

**Update on Briarwood Open Space Restriction:**

Mr. Hadley said that all signatures required on this were obtained.

**Signing of Signature Sheet Required for Accounting Office:**

Mr. Hadley made a motion that any one of the Concomm members should be allowed to sign invoices and Ms. Goldstein's timesheets. Ms. Eaton seconded. All in favor. (All members present signed it; Ms. Goldstein will leave the sheet in the mailbox for the other members to sign).

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

Mr. Hadley informed the board that the Town allotted \$1,800.00 to the board for Ms. Goldstein's pay. He also looked over the Accounting Office's monthly report and told the other Concomm members the account balance.

**Miscellaneous Mail and/or Paperwork Including Correspondence from DCR, DEP and MACC:**

The board wanted Mr. Chase to go over the mail. Ms. Goldstein will give it to him to review outside of the meeting.

**Next scheduled meeting – JULY 1, 2019 at 7:00 p.m.**

**Other Business:**

Mr. Hadley suggested to the board that a letter be sent to Planning Board, asking who was responsible for the detention ponds on Nuha Circle. Mr. Mercurio also wanted someone to look at the dimensions of the road and see if they agree with the permitting of the subdivision and do they comply with the conditions allowed? Mr. Hadley mentioned that there are many properties in Town that are not maintained properly, and the Concomm members discussed a few. Mr. Hadley opined that this would come back to the taxpayers eventually. Mr. Mercurio reiterated that they should ask who is responsible for the detention ponds in this situation, or if there is an association involved? Mr. Hadley asked Ms. Goldstein to send a letter to Planning Board, asking them this question about Nuha Circle and future situations.

With no further questions or comments, Mr. Hadley made a motion to adjourn the meeting at 7:26 p.m. Mr. Mercurio seconded. All in favor.

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

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

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

