



**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, 8-5-2019/7:00 p.m./West Boylston Town Offices, Rm. 120/131**

<b>Members Present</b>
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**William Chase (Chair), John Hadley (Vice-Chair), David Mercurio (Vice-Chair), Emily Eaton, Carl Haarmann, Katelyn Ivers (Associate Member-came late) and Clerk Toby Goldstein.**

<b>Members NOT Present</b>
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**N/A**

<b>Invited Guests</b>
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**Vincent Vignaly**

**Welcome – Call to Order**

**Time: 7:00 p.m. (Motion made by Mr. Mercurio, seconded by Ms. Eaton)**

**Approval of Previous Minutes**

**Minutes of 6/3/19**

**Minutes of 7/1/19**

**Motion Originator**

**Mr. Mercurio (accept as written)-7/1/19**

**Mr. Hadley (accept as written)-6/3/19**

**Motion Seconded**

**Mr. Hadley (7/1)**

**Mr. Haarmann (6/3)**

**Treasurer – Financial Report**

**N/A (did not have; needed another copy)**

**Motion to Accept**

**N/A**

**Seconded**

**N/A**

At 7:00 pm, Mr. Mercurio made a motion to open the meeting. Ms. Eaton seconded. All in favor.

**Public Hearing, Dennis Minnich, 405 Prospect Street, Request for Determination of Applicability:**

(Mr. Mercurio read aloud the public notice posting). (Dennis Minnich represented). Chief Minnich explained the proposed project. He explained that he owned the house at 405 Prospect Street, and mentioned that the property is approximately 29 acres. He would like to construct an addition attached to the house of approximately 1,200 square feet, which will consist of a bedroom and office. He said that the surveying was done, and he showed the board the wetlands on a map of the site. In response to Mr. Chase, Chief Minnich replied that the addition will not be upgradient from the house (he also pointed out the neighbors to the property, a brook running across, and a culvert). In response to Mr. Chase's question, Chief Minnich replied that roof water will be dealt with through a gutter system, and will go down and drain off. Mr. Chase mentioned that the Building Inspector suggested amortization pipes for recharge; Chief Minnich asserted that the Building Inspector never told him that. Mr. Mercurio and Mr. Chase replied that he did not have to do that.

Chief Minnich told the Commission members that he wanted to begin work in early September, and that he would install wattles and silt fence beforehand. Mr. Chase told him that he only needed a silt fence to define the work area, but did not need wattles or a 6-foot trench. In response to Mr. Mercurio, Chief Minnich replied that the front and side were surveyed, and the front is about 500 to 600 feet. He asserted that the surveying was only needed where he will be doing the work. Chief Minnich explained to Mr. Mercurio that the property does get wet, and when it rains heavily, the water runs over. He added that the State came out as there are beavers along I-190. He explained that there are 36 acres of wetlands that are under Conservation Restriction and pointed out to the board where they are located. Chief Minnich also added that he has baby goats, which were suggested by the Light Department.

With no further questions or comments, Mr. Hadley made a motion to close the public hearing. Mr. Mercurio seconded. All in favor. Mr. Hadley then made a motion to issue a negative determination. Mr. Mercurio seconded. All in favor.

#### **Update on Mr. Chase's Plan for Trails with Informal Discussion with Vincent Vignaly, Open Space Committee:**

Mr. Vignaly explained that the Open Space Committee (OSC) met, and walked the site at the top of Malden and Lee Streets. He said they propose clearing a parking lot area, having six or so spaces, and a driveway in there. He said that one can see flagging (pink and possibly yellow) of the proposed access driveway; it will be 12 to 15-feet wide, and about 25 to 30-feet in. He explained that they are planning to open it up to six parking spaces. He said that they would like an estimate from a tree cutter and someone who does gravel work so they can prepare it for the parking spaces, and they would like to ask CPC (Community Preservation Committee) for funds for this beginning of the work (about \$10-15,000). Mr. Chase asked him about money that was given to Greater Worcester Land Trust (GWLT)? Mr. Vignaly replied that he was still questioning what the Town would be getting from that money. He explained that their response was that this money was part of the purchasing agreement to go towards management expenses. Mr. Chase replied that his understanding was that GWLT would be using that money for surveying of the property, with a stamp on it, to know where the four corners of the property were, then at the Town's expense would be determining the road and the parking lot; he explained that GWLT was supposed to be paying for the parking lot when it was going to be on the road but Mr. Chase said that he did not know about the 25-foot setback at that time. Mr. Chase also opined that a dog park might aggravate residents and their dogs in nearby homes due to barking of dogs in the dog park. Mr. Vignaly responded that the intent right now was to get the parking lot in, and they're getting estimates for tree cutting and grading; he wants to try to obtain funding for this at the October Town meeting, so the cutting and grading probably will not be done until November or December, and in the interim they can work to determine where the trail will go, because he thought they would not need to initially spend a lot of money on the trail layout.

Referring to a site walk on July 6 (taken by Mr. Chase, Ms. Eaton, Mr. Vignaly, and Brenda Bowman), Mr. Vignaly replied to Ms. Eaton that they did walk on the neighbor's property, and explained where the property goes and that it needs to be surveyed. He said that he had talked to GWLT, and they asserted a couple of weeks ago that they did not need a formal survey and they did GPS, but Mr. Vignaly opined that they probably will need to do more than that because of the questions that they have about the property corners; he also thought that they need to see what the contract actually said. Mr. Chase responded that he is interested in the perimeter of the property to see what the Town owns and does not own. Mr. Chase noted that Holden has a piece of property which he would like to tie in with the project, but that West Boylston cannot spend money on their land, but Holden would have no problem with the trail being made and they are interested in using the dog park. He explained to Mr. Mercurio that Holden needs to know what West Boylston plans to do but he thought they might

cooperate with whatever West Boylston plans to do. Mr. Vignaly agreed. Mr. Hadley verified with Mr. Vignaly that Prevailing Wage did not have to be paid if an Owner/Operator does the work. (Mr. Mercurio gave the example of his working with his son for the Town, and they do not pay themselves Prevailing Wage).

In response to Mr. Chase, Mr. Vignaly replied that the parking lot would be located in the middle of the property, and even though they are not sure of property lines, it would still be about 60-feet away from the unknowns. Mr. Chase replied to a question from Mr. Hadley that they would use a pipe for the culvert that goes across the road. Mr. Vignaly asserted that he did not see wetlands there, just a dug-out ditch, and explained that they want to put a path across that ditch, so they needed the pipe for drainage, and he explained where they would put the pipe. He explained that the neighbor put in a French Drain for drainage of flooding on their property. Mr. Chase opined that the well is in a primary zone.

Mr. Chase noted that he also looked at the house there, and would negotiate with the owner, commenting that there would be an additional 5 acres of property for the project, and they could possibly put a stone parking lot there. Mr. Vignaly replied that he still preferred the parking lot further up, where they discussed before, and added that they are not necessarily looking for something with a long lease and could just have a small parking lot and a sign at the parking area. (Mr. Vignaly explained to Mr. Mercurio that he would like it at the top of the hill). (The board members then described where the property is located). Mr. Vignaly suggested that perhaps parking for the Holden end of the trail could be at a small cul de sac that he pointed out. He also said that Mike Peckar talked with the Concomm in Holden, and they said it would not be a problem using this cul de sac in Holden. Mr. Chase reiterated that he still wanted a fitness trail, and also some kind of a memorial for Maroney, who did a lot for the Town.

Mr. Vignaly reiterated that they need the prices to do the work, and opined that it would probably not be completed before spring. He did not look at it as being a lot of money that is needed. He mentioned that he also will speak with the GWLT about cutting trees, and said that the property had been flagged so the Concomm can go look at it. Mr. Chase then explained that he re-wrote a part in the Conservation Restriction to specify that it would be the Concomm's decision on certain matters, such as cutting of trees. He noted that there are exemptions for certain things, but the guidance would be from West Boylston. Mr. Chase then suggested to Mr. Vignaly that he would like to see an "Ad Hoc" group form to figure everything out.; the other board members agreed. Mr. Vignaly suggested that he put a place holder on the October Town Meeting agenda, and said that an estimate needed for the work would be sufficient and asked if the Concomm knew people to do the work? Mr. Hadley reiterated that, if an Owner/Operator does the work, Prevailing Wage does not have to be paid. Mr. Chase suggested that the sign might be donated. He opined to Mr. Vignaly that he believed that he could do the fitness trail in combination with what Open Space wants to do, and Mr. Vignaly agreed.

Mr. Hadley then made a motion to proceed with the work and go forward to the CPC for funding, and support at the Town Meeting. Ms. Eaton seconded. All in favor. Mr. Chase then reiterated that he would like to have an "Ad Hoc" group made up of (3) Concomm members and (2) members from Open Space. Mr. Vignaly added that there was no question that they need a survey. Mr. Chase explained to Mr. Hadley that they can meanwhile still do the parking lot and gravel work, trees and culvert (Mr. Vignaly suggested a size of 40' x 60' or less). Mr. Hadley added that this would be so that visitors would not have to back out into traffic. Mr. Vignaly then discussed the example of Porcupine Hill in Holden, which has four or five spaces on 60 acres, and he opined that if West Boylston is able to have six spaces on 12 acres, it would be good for a while. Mr. Chase then discussed his thoughts about the trail; he thought it could be similar to the Rail Trail, for fitness, and suggested that they could identify trees. Mr. Vignaly explained that they now wanted to identify in what direction they were going to move; Mr. Chase explained to Mr. Vignaly that he needed the Concomm to know what was being discussed about the project. Mr. Vignaly said that Open Space will meet at the end of August, and opined that this evening's discussion was a good thing to happen prior to that meeting. Mr. Chase continued, that he will obtain quotes from two tree businesses, and another for the parking lot work. Mr. Vignaly specified that he would want a stone drive going in so that it will not be muddy. Mr. Chase added that he foresaw one problem, that of the aforementioned dog park, with dogs disturbing the dogs that are already in the neighborhood. Mr. Vignaly agreed, and responded that the neighbor (who has a dog) wants to have a fence at the property line, but they need to ascertain the property line. (they then discussed surveying and when to do it). Mr. Vignaly added that he knows the parking lot will be in the middle of 180-feet of frontage so he asserted that there should be no problem with that.

**Informal Discussion with Bob Case Regarding Work at 385 Lancaster Street:**

Mr. Case did not attend this evening, but Mr. Chase gave the background information. He explained that Mr. Case wants to buy an existing house at the above address. There is not currently a septic system, so Mr. Case will have to have one installed (Mr. Chase said that they have a design for it). Mr. Mercurio opined that it will be expensive. Mr. Chase responded that it is a small system. Mr. Mercurio asserted that it only needs to be set back 10 feet from the road. Mr. Chase, in response to Mr. Hadley, explained that it is in the wetlands. Mr. Chase responded to Mr. Mercurio that the present foundation is no good. Mr. Chase noted that Mr. Case could not file a Request for Determination of Applicability in enough time for this evening's meeting. In response to a question from Mr. Haarmann, Mr. Hadley replied that Mr. Case was stopped from building a structure there by some inspector, possibly from the State; they condemned the foundation. Mr. Chase explained that Mr. Case wants to tear down the present structure and build a new house there.

**Minutes of June 3, 2019 Meeting and July 1, 2019 Meeting:**

(The minutes of June 3 were continued to this date, as there were not previously enough members present who attended that meeting who could take a vote). After reviewing the draft minutes, Mr. Hadley made a motion to accept the minutes as written. Mr. Haarmann seconded. All in favor.

After reviewing the minutes of the July 1, 2019 meeting, Mr. Mercurio made a motion to accept the minutes as written. Mr. Hadley seconded. All in favor.

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

Ms. Ivers told the board that the last time she talked with Mr. Chase about this, they discussed a couple of possible pieces of land on which to do the poison ivy removal, one on Lee Street and the other a triangle where Bob's Hot Dogs was located. Mr. Chase responded that he thought Lee Street would be good for the goatscaping pilot project (discussed at previous Concomm meetings). Ms. Ivers explained that they cannot obtain funding for this summer, so she suggested figuring out the acreage to be treated then try to obtain funding in the fall. Mr. Chase explained that he thought Lee Street would be good for this because it was only a trail; he discussed some things that needed to be done to the Lee Street property, such as cleaning up the trail. He thought, after obtaining the footage, if they have about an acre to do that it wouldn't be a problem. Mr. Chase and Ms. Ivers discussed how long it would take to do one acre of land; they thought it would take four goats a week for one acre. (The board members did not remember with certainty what the cost would be, which was discussed at a previous meeting). Ms. Ivers added that they must first figure out where the trail will be located so that they can obtain dimensions and acreage. (The board members then discussed some fields behind the old Malden Farm and who owned them). Mr. Chase explained that the goats would clean along the sides of the trail; the Town would clear the trail itself and they would probably put wood chips on the trail. He and Ms. Ivers agreed that, as a pilot, they should start with an acre, which should take about a week.

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

It was not discussed as Ms. Goldstein did not have the most recent one available.

**Next scheduled meeting – SEPTEMBER 9, 2019**

With nothing further to discuss, Mr. Hadley made a motion to adjourn the meeting at 7:46 p.m. Mr. Haarmann seconded. All in favor.

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

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

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

