



**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, 12-4-17/7:00 p.m./West Boylston Town Offices, Rm. 120/131**

<b>Members Present</b>
<b>Members NOT Present</b>
<b>Invited Guests</b>

**William Chase (Chair), John Hadley (Vice-Chair), David Mercurio (Vice-Chair), Emily Eaton and Carl Haarmann (Associate Member); Clerk Toby Goldstein.**

**Mark Meola**

**N/A**

**Welcome – Call to Order**

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

**Approval of Previous Minutes**

**November 6, 2017**

**Motion Originator Ms. Eaton**

**Motion Seconded Mr. Hadley**

**Treasurer – Financial Report**

**Mr. Chase discussed with board members.**

**Motion to Accept N/A**

**Seconded N/A**

### **Informal Discussion, Gerardo Sarli, Regarding 339 West Boylston Street:**

(Julian Votruba and Gerardo Sarli represented). Mr. Votruba reviewed the “as-built” of the work on the property and showed the board what had been done. He explained how they made the driveway come around the property, and he pointed out the grass landscape strip, retaining wall, and where the drainage goes into a catch basin, through a storm sceptor, into the existing pre-built detention pond, forebay, a sediment pond and then on to the reservoir, noting that the Order of Conditions received from the Concomm (DEP File #327-0263) allowed them to do that, and that Mr. Sarli completed the work. Mr. Votruba next discussed the 200-foot watershed protection line, and explained why the work was not done before when the project was approved, which was about 10 years ago. They located the DCR brook which is 200 feet away from this line. He noted that

the brook turned away from the property, and was previously on USGS, as there was no GIS at that time. Mr. Votruba continued that two years ago were flags from DCR definition of the wetlands, and they went to the site to see how it superimposed on the property, and found instead of where it is shown on the GIS map, the brook goes away from the worksite; there was room for the turnaround, as they could stay outside of the 200-foot zone. Mr. Chase noted that the high water mark was defined. In response to a question from Mr. Mercurio, Mr. Votruba replied that the brook is included in the Cohen Bill. Mr. Chase added that, since they are in the 200 to 400-foot area, they need to give the board a short synopsis of what is the 200-to 400-foot area and what the enforcing agency is under Section 310. Mr. Votruba continued, showing the low point for all the water to go through from the parking lot and paved area, to a catch basin with a four-foot sump, to a storm sceptor (he discussed the complexity of it). Mr. Votruba reiterated that the work requested in the Order of Conditions was done.

In response to a question from Mr. Hadley, Mr. Sarli replied that one can drive around the back of his building. Mr. Hadley commented that the work looked "great".

Mr. Chase then asked Mr. Votruba to explain the 200- 400-foot area; Mr. Votruba explained that the 200-400-foot area is a secondary area has regulations by DCR such as at permeable areas to what can be done there. He described that the water is caught, the turbidity treated, and about 80% of the solids are removed. Mr. Chase described that the water goes from the drainage system to a retaining pond, through 200-feet of grass and woods, then down to the brook, and EPA has enforcement here; he said that the purpose of the area is for water purity. Mr. Mercurio commented that, if this area was not in the 200 to 400-foot area on the USGS, and under the Cohen Bill, Mr. Sarli would not have to appear before the Commission. Mr. Sarli commented that he was willing to let DCR use his work as an example to others for installing and cleaning drains properly.

With no further comments or questions, Mr. Hadley made a motion to accept the "as-built" plan and thanked Mr. Sarli and Mr. Votruba. Mr. Mercurio seconded. All in favor. Mr. Chase wanted to send a letter from the board to Mr. Sarli, stating that the way that he conducted his project was the way that it should be done. Ms. Eaton suggested sending the letter with the "as-built", and the board agreed. Mr. Sarli commented that he wanted to help the Town.

#### **Informal Discussion of Beaver Problem at Angell Brook Village:**

(Carlton Barstow represented). Mr. Barstow explained that, when he asked to be on the meeting agenda, he did not yet know that beaver removal was not under Concomm's jurisdiction, but since then learned who would be in charge. Mr. Chase explained that the Concomm enforces, but the Board of Health gives the permits for beaver removal. Mr. Barstow explained what actions the Angell Brook residents had taken so far; Robert Mercier (who originally sent an e-mail about this problem to the Commission) had checked with DCR, and then went to Mass Wildlife, who then gave them the laws governing this. Mr. Barstow explained that the problem was that there was a beaver dam on their property, adjacent to wetlands. He said that Mass Wildlife gave the Angell Brook residents names of trappers. Mr. Barstow reported that the situation is under control now, as it is beaver trapping season, and they know where to go, but the dam is their concern. (Mr. Chase and Mr. Hadley explained that the Board of Health is regionalized, in Worcester). Mr. Barstow explained that no permission was needed to trap them because this is the beaver season, and they can break up the dam and trap them without a permit (the board agreed with his assertion). He said that they took apart some of the dam, but remarked that the beavers fixed it in one night and it was even bigger now. In response to questions from the board, Mr. Barstow said that they will hire a trapper and intend to eliminate all the beavers. The board members discussed some alternative treatments that were possible to use; Mr. Haarmann mentioned an electronic device that affects the sound of where the water comes from to the beavers, and Ms. Eaton mentioned something that Mass Audubon used which included a pipe under a dam so that the flooding wasn't as bad. Mr. Chase noted that the beavers cannot be moved off the property, and can be trapped but not killed.

#### **Treasurer's Report/Financial Approvals:**

The board discussed funding possibilities for the Clerk. Mr. Chase reviewed the latest financial statement.

**Minutes of November 6 Meeting:** See above.

**Update by David Mercurio Regarding Repair of his Driveway:**

Mr. Mercurio wanted added to the record that the culvert was replaced that was discussed at a previous meeting, and the underground electrical conduit done in conjunction with the West Boylston Municipal Light Dept. was installed. He also said that the maintenance of the drainage ditch will be done periodically as needed, according to the letter that he had submitted to the Commission.

**Update on Wetland Bylaws:**

The board was informed that the State's Attorney General made the decision to reject the proposed bylaws that were voted upon at the October Town Meeting.

With no further questions or comments, Mr. Hadley made a motion to adjourn the meeting at 7:40 pm. Mr. Mercurio seconded. All in favor.

**NEXT MEETING**

**Monday, January 8, 2018**

**MOTION TO ADJOURN**

<b>Motion Originator</b>	<b>Mr. Hadley</b>
<b>Motion Seconded</b>	<b>Mr. Mercurio</b>
<b>Time of Adjournment</b>	<b>7:40 p.m.</b>

**Signatures**

<b>Submitted by:</b>	<b>Toby S. Goldstein, Clerk</b>
<b>Date Submitted:</b>	