

Holliston Conservation Commission

Meeting Minutes
Town Hall – Room 014

May 4, 2010
7:30 PM

Present: Geoffrey Zeamer, Chair, Ann Marie Pilch, Vice Chair,
Allen Rutberg, Fred Carnes, Peter Rosati, John Bailey,
Commissioners

Patricia Brennan, Conservation Agent
Sheri O'Brien, Administrative Assistant

Absent: Jane Sears Pierce, Commissioner

Mr. Zeamer opened the meeting at 7:32 PM.

General Business

Review/Discuss Mail

The Commissioners reviewed the new mail.

Agent's Report

The Agent's Report was read (attached). The following was discussed:

Discuss Strawberry Hill Conservation Land – Stream Maintenance

A tree has fallen in the stream just downstream from the bridge, which may be causing water to back up at one of the abutter's homes on Cynthia Circle. However, no one has seen the flooding in the abutter's yard. Dick Gibbs came in place of Pat Gibbs and presented photographs that Mrs. Gibbs had taken of the fallen tree, bridge, and swale. The Commission agrees that they do not believe that the tree or the bridge is causing an issue. They recommended that the maintenance of the area by Dick Gibbs be done as logical and necessary. The Commission also denied Mr. Gibbs' request to leaf blow the trails when they are packed with leaves. Mr. Gibbs is allowed to do trail maintenance that included careful raking of very deep leaves so that the trails will be passable. However, clear raking of the trails is discouraged so that the trails will be protected and not inclined to be as worn out by foot traffic and the elements.

Peter Rosati arrived at 7:50 PM.

Request for Extension to OoC for DEP # 185-661 – Lot 2, Ashland St.

Susan Turner representing her son, Jay Turner, is requesting an extension. Jay Turner inherited the property from his grandfather, Dan Turner. Mr. Rosati recommended that the new owner, Jay Turner, be advised that if the land is out of probate court, that the Order of Conditions be amended to reflect the new ownership.

Ms. Pilch made a motion to extend the Order of Conditions for DEP #185-661, Lot 2 Ashland Street for one year. Mr. Rosati seconded the motion. Unanimous.

Discuss Violation at “0” Adams St. – west side of Adams St. near Rt. 16, Map 4 Block 2, Lot 62 – Douglas Stolfors, Weston, MA – Owner

Mr. Stolfors was supposed to meet with Ms. Brennan at the property today and he did not appear. He is not present at the meeting tonight.

Mr. Bailey made a motion to reinstate the \$300/day fine beginning today. Ms. Pilch seconded the motion. Unanimous.

Hearings

****NEW RFD #437: 116 Locust Street, identified as Assessors Map 11, Block 5, Lot 54,** proposal to replace a failed septic system within the 100’ buffer zone of a bordering vegetated wetland, *Paul Truax/GLM Engineering* representing *Clara Werner*

Ms. Brennan read the Legal Notice for 116 Locust Street as published in the *Metrowest News*.

Paul Truax presented the plans for the septic system. The engineer found poor soil and high ground water at his first test site in the front of the lot. He then moved to the back of the lot and found a better site. No stockpiling will be done on the site. Siltation barriers will be installed.

Mr. Rosati made a motion to issue a Negative #3 Determination for RFD #437, 116 Locust Street. Mr. Rutberg seconded the motion. Unanimous.

Continued NOI DEP #185-705: Mechanic Street, Pleasant Street, and Union Street, identified as Assessors Map 8E, Block 4, Lots 17, 18, 24, 25, and 52, proposal to clean out debris from approximately 600 feet of a brook, remove minor brush to gain access to the work site, and remove a collapsed culvert pipe within land under waterways to alleviate flooding of private properties, *Tom Smith/Holliston Highway Department*

Natural Heritage had no comments, except that next Notice of Intent for phase two should also go through them.

Mr. Rutberg made a motion to close the hearing for DEP #185-705, Mechanic St., Pleasant St., and Union St. Mr. Rosati seconded the motion. Unanimous.

The Special Conditions included in the Order of Conditions include that:

- 1) The excavated fill shall not be used for backfill and shall be removed from the area and disposed of legally. Records shall be kept documenting that excess material has been properly disposed of at a legal site.
- 2) All waste products, refuse, debris, grubbed stumps, slash, excavate, construction materials, etc., including the excavated metal corrugated pipe, shall be disposed of in a legal manner and shall not be incorporated in any manner into the project site with the exception of the reduction of stumps and slash to mulch. No mulch shall be placed in wetlands resource areas.

The timeline is that it be completed when the conditions are as dry as possible, even though it will probably never be completely dry in this area.

Discussion ensued regarding whether the area past the railroad crossing could be cleared. The Commission agreed that this should be wrapped into the new Notice of Intent for phase two of this project.

Mr. Rutberg made a motion to approve the Order of Conditions for DEP #185-705, Mechanic St., Pleasant St., and Union St. Mr. Rosati seconded the motion. Ms. Pilch abstained. The motion passed.

General Business Continued

Enforcement Order to Cease and Desist – DEP #185-628 - Highland Meadows/The Orchards

Since the issuance of the Cease and Desist Order, Ruping Companies can only work on the inside of the buildings so no site work can be done at this time. Ms. Brennan recommends that some growth be seen before the Cease and Desist is lifted. Ms. Pilch agreed and also believes that the Highland Meadows consultant's (Mary Trudeau) report recommendations need to be implemented before the Cease and Desist is lifted. The Commission agreed that the Cease and Desist should not be lifted at this time.

Ms. Brennan will send Ruping Companies a letter that explains that they need to implement the recommendations of their consultant (Mary Trudeau) and that there needs to be further stabilization before the Cease and Desist order can be lifted.

Approve Meeting Minutes from 3/23/10, 4/6/10, and 4/20/10

Mr. Rutberg made a motion to approve the Meeting Minutes from 3/23/10. Mr. Carnes seconded the motion. Ms. Pilch abstained. The motion passed.

Mr. Rutberg made a motion to approve the Meeting Minutes from 4/6/10. Ms. Pilch seconded the motion. Unanimous.

Ms. Pilch made a motion to approve the Meeting Minutes from 4/20/10. Mr. Bailey seconded the motion. Mr. Rutberg abstained. The motion passed.

Discuss Potential Violation at 95 Alden Rd. – Map 6, Block 2, Lot 88, Anthony Alessi, Owner

A beaver dam that is on this property is being breached. The owner of this property claims that the dam is not on his property. It isn't known who is breaching the dam, but it is causing extreme flooding down stream at Goulding Street properties including the Senior Center.

Ms. Brennan recommends that Violation Letters be sent to each of the three property owners asking them to come in and talk with the Commission about the issue.

Ms. Pilch made a motion that a potential Violation Letter be sent to each of the three property owners. Mr. Bailey seconded the motion. Unanimous.

Adams Street Parking Lot Engineering Plan - Joyce Hastings/GLM Engineering

Ms. Hastings was not present.

Ms. Pilch made a motion to adjourn the meeting at 9:02 PM. Mr. Bailey seconded it. Unanimous.

The next Conservation Commission meeting will be Tuesday, May 18, 2010.