

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

June 28, 2016

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Emily Kingston, David Schroder, Rebecca Weissman, Commissioners

Charles Katuska, Conservation Agent
Sheri O'Brien, Conservation Assistant

Absent: Shaw Lively, Commissioner

Dr. Rutberg, Chair, opened the meeting at 7:35 PM.

General Business

Vote on Order of Conditions for DEP File #185-814: 17 Whitney Street - J. Hastings/GLM representing Paul Smith/17 Whitney Street Realty LLC

Present for the applicant: Joyce Hastings, GLM Engineering; Paul Smith, Owner

- Post-construction condition added to the standard Order of Conditions: Prohibits open air truck washing in perpetuity.
- Applicant not ready to decide how to handle the prohibition of truck washing outside the buildings. It may take an on-site design for either the building at #17 or #17A, or off-site truck washing may be considered.
- Draft pre-construction condition requiring a Building Permit will be deleted.

Ms. Pilch made a motion to approve and issue the Order of Conditions for DEP File #185-814: 17 Whitney Street with the discussed changes. Ms. Kingston seconded the motion. Ms. Weissman abstained. The motion passed as drafted and edited. (5-0-1)

Request for Certificate of Compliance for DEP File No. 185-725: 36 Kingsbury Drive (Lot 28R) - J. Hastings/GLM representing J. Gerber

- Upon site inspection, it was found that the As-Built Plan was not in compliance with the Record Plan dated May 20, 2016 the pool was constructed outside the limit of work and into the 100qvernal pool buffer zone, and this was not approved in the original Order of Conditions (OoC) , the OoC\$ Amendment #1, or the OoC\$ Amendment #2.

- A retaining wall along the edge of septic infiltration system was not built. It is not clear as to whether this was integral to the Board of Health approval for the septic system.
- The Commission would like portions of the fence to be moved outside the 100qvernal pool buffer zone, and vegetation restoration outside the fence.
- Bounds will be requested along vernal pool buffer zone line.
- The Agent will discuss the issues with the home owner tomorrow, as these are Violations of the Order of Conditions, and follow-up at the next meeting.

Public Meetings and Hearings

Continued Public Hearing – Notice of Intent for DEP File #185-813: 78 Union Street (Assessors Map 8F Block 1, Lot 42) proposal to construct an attached garage & driveway expansion – *Joyce Hastings/GLM Engineering* representing *Julie McKay Sutherland, co-owner*.

Present for the applicant: Joyce Hastings, GLM Engineering; Jonathan Sutherland (co-owner)

- Ms. Hastings presented a plan dated June 27, 2016 for a proposed garage and driveway.
- The only solution to compensate for the flood plain storage is to raise the garage 2 to 2.5 feet above ground level.
- The Commission agreed to the removal of a silver maple that is leaning over the canal. The stump must be left in place.
- There is a new beaver dam going across Winthrop Canal from the southeast corner of his house.
- The Commission agreed to allow Mr. Sutherland to remove the debris along the banks of the canal on his property by hand. However, no tree cutting is allowed unless express permission is granted by the Commission. Mr. Sutherland understands that he would need to request permission for tree cutting.

Ms. Kingston made a motion to close the hearing for DEP File #185-813: 78 Union Street subject to the receipt of the final plan. Ms. Pilch seconded the motion. Ms. Weissman abstained. The motion passed. (5-0-1)

Continued Public Meeting - Request for Determination of Applicability for #D-568: 112 Lake Shore Drive (Assessors Map 5A, Block 1, Lot 244) proposed landscaping - *Adalton Sales/Dalto Construction, Inc.*

Mr. Sales was not present this evening. This application is in response to a Notice of Wetland Violation issued on 3/29/16. A prior landowner expanded the property area onto Town-owned property and the encroachment was surveyed and documented. The Agent visited the property and the flags along the property line between 112 Lake Shore Drive and the Conservation Land show that there are approximately 10qpf lawn on town-owned land. At least two property

marking concrete bounds, showing where the open space area begins, will be required. The Agent will meet with the applicant and show him locations for the bounds.

Ms. Pilch made a motion to continue the public meeting for RFD #D-568: 112 Lake Shore Drive to July 12, 2016, 2016. Mr. Schroder seconded the motion. Unanimous. (6-0-0)

General Business Continued

Review Proposed Plan Change - DEP File No. 185-787, Lot 69 Minuteman Circle - P. Lavoie/G&H

- A plan dated 6-15-16 was presented to the Commission by the Agent. The applicant's representative has made a request to modify the house foot print. The Commission agreed to accept the modification as a minor change not requiring an Amended Order of Conditions.

Ms. Pilch made a motion to accept the modification as a minor revision not requiring an Amended Order of Conditions. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

Tree Removal at 130 Jennings Road

- Kent Kissinger had two very large trees from the Conservation Restriction area at 89 October Hill Road fall into his backyard at 130 Jennings Road.
- One (dead) tree has about 51qin length in his backyard. The second (live) tree has about 30qin length in his backyard.
- The Commission will permit the removal of only those portions of trees on his property.
- The Agent will visit the site tomorrow to view the trees.
- Estimates for the tree removal will be obtained by Mr. Kissinger. The Commission will look into possible ways to fund the removal.

Discuss Pulte New England's Holliston Woods (previously Washington Hills) & Brooksmont Conservation Restrictions

- The open space area in the Washington Hills development was approved by the Planning Board without public access.
- The Agent and Mark Mastroianni discussed a proposal to allow public access to the western section of the open space. This land is adjacent to town Conservation Land alongside the rail trail.
- Mr. Mastroianni suggested that the Commission hold the Conservation Restriction (CR) at Brooksmont (in addition to the Conservation Restriction at Washington Hills) for Pulte in trade for public access to Pulte's Holliston Woods (Washington Hills) open space.
- The Commission discussed the matter and are still hesitant to hold the CR at Brooksmont and suggested that possibly Pulte could make a donation in trade for

holding Brooksmont's CR, as they do not consider the Brooksmont open space area to have much conservation value.

Warren Woods Management Plan & Conservation Restriction

- Ms. Pilch and the Agent Mr. Katuska reviewed the Ashland Management Plan that had been forwarded to the Commissioners.
- Massachusetts Audubon already has the Management Plan.
- Ms. Pilch and Mr. Katuska commented that the Management Plan only covered the area fronting Chestnut Street, and did not apply to the Holliston portion.
- Conservation Restriction needs to be finalized with Mass Audubon.

New Conservation Restriction Reviewer for State

- Mr. Katuska and Ms. O'Brien attended a workshop by Martha Reichert, the new reviewer for Conservation Restrictions (CRs) for Massachusetts.
- A new Conservation Restriction model was presented that will be very helpful in developing CRs.
- Mr. Katuska will call Ms. Reichert to discuss Rogers Road Farm to ask if she has seen any model CRs that include both agricultural and conservation restrictions in the same document.

Commission Officers & Proposed New Hearing Time

- New officer positions and the Community Preservation Commission (CPC) Liaison were discussed, and final decisions will be made at the next meeting.
- It was decided that the hearing times will remain the same at 8:00 PM, unless there is a situation that requires a change in time.

Vote on Draft Meeting Minutes:

- **6/14/16**
Ms. Pilch made a motion to approve the minutes for the June 14, 2016 meeting. Ms. Kingston seconded the motion. Ms. Weissman abstained. The motion passed (5-0-1)
- **2012 Minutes - 7/10/12, 7/24/12, 8/7/12, 9/4/12, 9/18/12, 10/2/12**
No action taken on 2012 minutes as the Commissioners requested more time to review them.

Discussion of Affidavit of Review of Public Hearing Evidence Documentation Review

- Documentation, including Audio CD, will now be available in Ms. O'Brien's home mailbox (newspaper tube) for pick up by the Commissioners if they wish to review and vote on hearings that they have missed.

Review Conservation Agent Candidate Resumes

- Resumes for Conservation Agent candidates were not reviewed as the Town Administrator's office extended the closing date for accepting applications to July 1st. The resumes will be compiled and e-mailed to the Commissioners for review next week, so that they can be discussed at the July 12th meeting.

Review Correspondence

- Mail was reviewed.

At 9:21 PM, Ms. Kingston made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meetings will be:

- ∞ **Tuesday, July 12, 2016** at 7:30 PM; Lower Level Meeting Room #014
- ∞ **Tuesday, July 26, 2016** at 7:30 PM; Lower Level Meeting Room #014