

Holliston Conservation Commission

APPROVED Meeting Minutes
Town Hall – Meeting Room #014

April 23, 2013
7:30 PM

Present: Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Richard Maccagnano, Jim McGrath, Rebecca Weissman, Commissioners

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

Absent: Allen Rutberg, Chair

Acting Chair, Ann Marie Pilch opened the meeting at 7:30 PM.

General Business

Commissioner Re-Appointment Inquiry

The Agent asked Ms. Pilch, Mr. Bajdek, and Mr. Maccagnano to consider reappointment to the Commission for another 3 year term beginning in June.

Linden Pond Dam Plantings – Holliston's "America in Bloom" Committee

Mr. Bobby Blair presented a hand drawn plan for plantings at the Linden Pond dam. The proposed plants are perennial-type plants that will allow the dam to be observed for maintenance purposes. Hostas, Siberian irises, and Northeast wildflowers will be planted on the dam's slope. Grass will be planted on top of the dam, so it can be mowed at least once per year. He suggested a path alongside the south side of the stream and a path through the wildflowers on the north side of the stream. The Commission did not believe the path on the north side of the stream is necessary. A historical sign was discussed. The Commission would like erosion controls installed to keep the fresh loam from washing into the stream. Mr. Blair will ask the Highway Department if they can provide a few straw wattles for the erosion controls. The Commission approved the proposed plan without the path on the north side of the stream.

Holliston in Bloom hopes that it will be in good shape for the America in Bloom contest in July.

Vote on Recommendation of Open Space Parcel 2 Deed; Winter Court

The Commission reviewed the deed for open space parcel 2 for Winter Court.

Mr. McGrath made a motion to recommend the deed for Winter Court Open Space Parcel 2 to the Selectmen for approval. Mr. Maccagnano seconded the motion. Unanimous. (6-0-0)

Automatic Extension via the Permit Extension Act for Order of Conditions (and Request for a One Year Extension for Order of Conditions) DEP File #185-553: Hopping Brook Park, Phase 2 – New Hopping Brook Trust

The Commission signed the automatic extension to the Order of Conditions for DEP File #185-553. Once this extension is recorded at the Registry of Deeds, then the one year extension that was approved at the April 9th meeting can be issued with the appropriate book and page number.

Vote on ConCom Meeting Minutes from 4/9/13

Mr. McGrath made a motion to approve the meeting minutes from April 9, 2013 with the Commission's comments incorporated. Ms. Weissman seconded the motion. Mr. Bajdek and Mr. Maccagnano abstained. (4-0-2)

Review Mail

The mail was reviewed.

Rail Trail Markings

Mr. Lively inquired if anyone knew what the markings were on the rail trail east of Summer Street. The Agent will ask the Rail Trail Committee.

Public Meetings & Hearings

Continued Public Hearing - Notice of Intent for DEP File # 185-741: Indian Trail Estates Subdivision, identified as portions of Holliston Assessors Map 14, Block, Lots 3.2, 3.3, 3.4, 4.4, 4.5, and 4.6, proposed construction of a stormwater detention basin and the grading for the roadway in a 5 lot subdivision, Robert Poxon/Guerriere and Halnon, Inc. representing 126 Residential ANR Realty

On April 19, 2013, Mr. Poxon submitted a response to the Agent's e-mail questions. Mr. Poxon made a request in writing to continue the hearing until May 14, 2013.

Mr. Lively made a motion to continue the hearing for DEP File # 185-741: Indian Trail Estates Subdivision to May 14, 2013. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

****New Public Hearing – Notice of Intent for DEP File # 185-749: Lot 25 Governor Prence Way, identified as Holliston Assessors Map 14, Block 5, Lot 25, proposed grading and site work associated with the construction of a single family house lot, Peter Lavoie/Guerriere and Halnon, Inc. representing Holliston Residential Realty LLC**

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 16, 2013.

Peter Lavoie presented plans for a single family house on Lot 25 Governor Prence Way. The septic system is within the 100' buffer zone. The Agent presented photographs of the project area.

It was noted that the grading for the current Lot 25 proposal encroaches on the adjacent Lot 26A. However, this grading is not in the Commission's jurisdictional area.

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There are questions about the location of the wetland line, because there are not enough flagging "remnants" visible in the field to find the wetland line, so it will need to be reflagged for review. There is also a small isolated depression approximately 100 feet behind where the lot line is located. Today, the depression had seven wood frog egg masses and may meet the standards for protection as a vernal pool. If so, this small water-holding depression, readily apparent in the field, will need to be surveyed to establish protective radii and see if/how they affect Lot 25 (and possibly Lot 26A).

The Commission asked if the septic system leach field could be pulled out of the 100' buffer zone somewhat. Mr. Lavoie said he could look into it. It depends on where the testing was done and the setback requirements.

Lot 25 configuration shown on the NOI project plan is not the same as that shown on the record Definitive Subdivision Plan. Today, an "Approval Not Required" was filed with the Planning Board; therefore, the Commission put this project on hold since this lot does not exist as of today.

Ms. Weissman made a motion to continue the hearing for DEP File #185-749, Lot 25 Governor Prence Way to May 14, 2013. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

****New Public Hearing – Notice of Intent for DEP File # 185-752: Lot 29 Governor Prence Way, identified as Holliston Assessors Map 14, Block 5, Lot 29,** proposed grading and site work associated with the construction of a single family house lot, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty LLC*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 16, 2013.

Mr. Lavoie presented plans for a single family house on Lot 29 Governor Prence Way. The Agent presented photographs of the project area.

The septic system leach field is in the 100' buffer zone. There is a 2:1 rip rap slope in the 100' buffer zone. The toe of the slope will not extend beyond the limit of the clearing where the erosion controls are also located. A fence will be along the top of the rip rap slope. Any drainage from this lot will not be able to flow into the drainage swale east of this property, because there is an elevated old cart path that is between the lot and the drainage swale. The elevated path will prevent run-off from Lot 29 from going into the drainage swale, and thereby prevent any run-off from flowing into other downstream resource areas.

Mr. Lively made a motion to close the hearing for DEP File #185-752, Lot 29 Governor Prence Way. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

Mr. McGrath made a motion to approve and issue the Order of Conditions for DEP File #185-752, Lot 29 Governor Prence Way. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

****New Public Meeting - Request for Determination of Applicability - #499: 129 Westfield Drive –identified as Holliston Assessors Map 11, Block 8, Lot 165**, proposal to install a replacement septic system, *Joyce Hastings/GLM Engineering, Inc.* representing *Harold Bugbee*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 16, 2013.

Ms. Hastings presented plans for a replacement septic system for a failed system. The Agent presented photographs of the project area. The leaching field will be moved from the back yard to the front yard so that it will be out of the 50' buffer zone. The 1,000 gallon septic tank will be 47' from the boundary of the bordering vegetated wetlands.

Mr. Bajdek made a motion to issue the following Determinations for RFD #D-499, 129 Westfield Drive:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands as shown on the plan are NOT confirmed as accurate;

Positive #5 Determination: the work is subject to review by the Holliston Conservation Commission pursuant to the Holliston Wetlands Administration ByLaw (Article XXX); and

Negative #3 Determination: the work is within the Buffer Zone, but will not alter an Area subject to protection under the Act, therefore, the work does not require a Notice of Intent.

Conditions:

- a) Erosion control barrier must be installed prior to any tree removals or land disturbance for septic system replacement work. Conservation Commission office must be notified (508-429-0607) following installation of the erosion control barrier. Erosion controls are to be maintained onsite in functional condition until all areas disturbed for septic system reconstruction are fully restabilized with vegetation.
- b) The stockpile will be located west of the house as indicated on the record plan.
- c) Project access will be from the street along the southern side of the house as indicated on the record plan.

Mr. Maccagnano seconded the motion. Unanimous. (6-0-0)

****New Public Hearing – Notice of Intent for DEP File # 185-753: 89 Brook Street, identified as Holliston Assessors Map 12, Block 2 Lot 19**, proposed construction of a detached garage, *Joyce Hastings/GLM Engineering, Inc.* representing *Robert and Cynthia Foster*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 16, 2013.

Ms. Hastings presented plans for an attached garage. The Fosters had originally had their house and garage approved in an Order of Conditions in the 1980's, DEP File # 185-125; however, they never built the garage. A stone pad was installed back when the house was built and they would like to put the new garage in the same location. The garage was placed as close to the street as possible (with a 40' set-back), so that it could be kept as far from the wetlands as possible. It will be located entirely in existing lawn and garden areas. Hay bales and silt fence will be used for erosion controls, because this area is close to the wetlands.

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A narrow Cultec re-charge chamber will be installed to capture roof run-off. The flood plain elevation was approved by FEMA at 162.9. This area is in the Natural Heritage jurisdiction and an "exempt" letter still needs to be received from NHESP.

Mr. Maccagnano made a motion to continue the hearing for DEP File #185-753, 89 Brook Street until May 14, 2013. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

****New Public Hearing – Notice of Intent for DEP File # 185-748: Lot 78 Highland Street, (adjacent to 1045 Highland Street) identified as Holliston Assessors Map 8, Block 3, Lot 47.4, proposed site work associated with the construction of a single family house lot, Joyce Hastings/GLM Engineering, Inc. representing James Dunne**

Ms. Hastings waived the reading of the legal notice published in the *MetroWest Daily News* on April 16, 2013.

Ms. Hastings presented plans for a single family house, septic system, and an inground pool. Part of the septic system leaching field and a corner of the pool apron are in the 100' buffer zone. The plan is identical to the plan submitted for DEP File #185-665 with additional detail added for the erosion controls.

This project was previously approved with the Order of Conditions for DEP File #185-665, which expired (with the first Permit Extension Act extension of 2 years) on May 30, 2012. Since no work had been started, a Certificate of Compliance was requested and issued for DEP File #185-665. On August 7, 2012, Governor Patrick approved a second 2 year Permit Extension Act; however, the owner could not take advantage of extending his permit with this additional 2 years (to extend it to May 30, 2014), because he had already requested a Certificate of Compliance. The applicant would like to sell the property; therefore, he has submitted an identical Notice of Intent as that submitted for DEP File #185-665 in order to have an Order of Conditions available to potential buyers.

Mr. McGrath made a motion to close the hearing for DEP File #185-748, Lot 78 Highland Street. Mr. Lively seconded the motion. Unanimous. (6-0-0)

Mr. McGrath made a motion to approve and issue the Order of Conditions for DEP File #185-748, Lot 78 Highland Street. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

General Business Continued

Northeastern Open Space Parcel

It is hoped that a Purchase and Sale will be signed with Northeastern by the end of this week so this can be voted on at the Town Meeting in May.

At 9:11 PM, Mr. Maccagnano made a motion to adjourn the meeting. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be May 14, 2013.

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