

Meeting Minutes

Town Hall- Meeting Room #014

April 17, 2018

7:30 PM

Present: Rebecca Weissman, Vice Chair, Jennifer Buttarro, Shaw Lively, Blake M. Mensing, Ann Marie Pilch, Commissioners

Ryan Clapp, Conservation Agent; Kristin Stearley, Conservation Assistant

Absent: Christopher Bajdek, Chair, Allen Rutberg, Commissioners; Utah Nickel, Associate Commissioner

Rebecca Weissman, Vice Chair, opened the meeting at 7:30 PM.

General Business

Vote on Draft Meeting Minutes of 4/3/18

Mr. Lively made a motion to accept the draft 4/3/2018 meeting minutes as presented.

Mr. Mensing seconded the motion. Vote passes with Ms. Weissman abstaining. (4-0-1)

Update on DEP Hearing for #165 Lowland Street (Brumber Property) held on April 11, 2018

- Mr. Clapp reported that he attended the hearing on April 11, 2018. Mr. Bajdek and Ms. Weissman were also in attendance. Mr. Clapp read into the record regarding compliance and permitting issues associated with the property. He stated this was just an opportunity for public input. No discussion was allowed. The meeting was well attended by many who were abutters or lived in the neighborhood. The complaints were primarily about noise, pollution and the hours of operation. The DEP will close the public comment period and will then review and address the concerns. He is not sure of DEP's timeline for this but will keep the Commission informed as he receives updates.

Potential violation at #30 Hargrave Avenue – trash and debris in the wetlands

- Mr. Clapp reported that he received an anonymous complaint that the upstairs tenant was dumping trash and dog waste in the wetlands behind the property. Mr. Clapp and Mr. Lively inspected the property and determined there was trash and lawn clippings in the wetlands and buffer zone. Mr. Clapp has attempted to reach the tenant of the property several times with no success. He will issue a letter via certified mail to the current owner on record to begin the enforcement process.

Charles Kingsbury - #214 Winthrop Street – gypsy moth spraying

- Mr. Clapp reported that Mr. Kingsbury is very adamant that he be allowed to spray for gypsy moths on his property despite his Order of Conditions which deny the use of pesticides and herbicides. He is pointing to a letter from the ConCom in 2001 that allowed him to spray for poison ivy as precedent. Mr. Kingsbury would like to only do stem treatments at this time and it will affect four (4) trees. Mr. Clapp is crafting a letter which he would like Commission backing on to respond to Mr. Kingsbury's request. It will state that the Order of Conditions will not allow for the use of pesticides and herbicides and he will need to explore non-herbicide and non-pesticide solutions.

Tree removal request - #125 Dodd Drive

- Mr. Clapp reported that there is a town owned drainage easement on the property which has trees that need to be removed. The homeowner has had several arborists including Stumpy's and American Climbers inspect the trees and the consensus is the trees are dead or in poor condition and should be removed. He questioned the Commission whether this should be paid for out of the Conservation Fund.
- Mr. Mensing recommended the easement language be reviewed to determine who is responsible for maintenance.

Community Farming Advisory Committee – Open Space plaques

- Mr. Clapp reported that Kristine Westland from the Community Farm Advisory Committee requested some open space signage for the Rogers Farm Conservation Restriction. A fee is charged for these signs. As this is a town committee with no budget he would like the Commission's permission to donate the signs to the committee at no charge. The members present were all in agreement to allow the donation of the signs.

Request for Extension of Final Agreement – Highlands at Holliston

- Mr. Clapp reported that Paul Beattie, representing Highlands at Holliston, has requested an extension to July 31, 2018 from the original May 1, 2018 deadline to complete the project.
- The Commission determined that a deadline of June 15, 2018 is sufficient and no further extensions will be granted.

Review Correspondence

- A letter from Eversource was received indicating their schedule for herbicide spraying of power lines within the town.
- Skip Kelleher has sent a draft for the Laurel Glen Conservation Restriction.
- Karen Sherman, Town Planner, shared a note received from the Town Selectmen with a suggestion for the creation of another town board. The Commission did not review the correspondence.

PUBLIC HEARINGS/PUBLIC MEETINGS

Request for Determination of Applicability File #D-626: Kuniholm Drive for proposed bituminous cement replacement and installation of two (2) distribution boxes. *Tom Smith, Town of Holliston Highway Department*

- Mr. Smith waived the reading of the legal notice.
- Mr. Smith reported that the town is re-surfacing Kuniholm Drive which entails removing 6" of bituminous concrete and replacing it with new 6" bituminous concrete, of which 250' falls within ConCom jurisdiction. They will also be removing the granite curbing and installing Cape Cod curbing. The erosion control measures used will be silt fences and straw wattles. The silt fencing will be installed on both sides of the curbing and the straw wattles will be placed in the holes for the curbing until the curbing is replaced. They will also be installing two (2) distribution boxes at two (2) existing drop basins. The project is slated to begin on May 14, 2018 and will last approximately three (3) days with full closure of the road.
- Mr. Clapp stated that the ConCom reserves the right to inspect the erosion control barriers.
- Ms. Weissman recommended the determination issued by the Commission include the monitoring of the weather forecast and if ½ inch of rain or more is anticipated within 24 hours of the project, it be postponed.

Ms. Pilch made a motion to issue a negative 3 Determination of Applicability for #D626; Kuniholm Drive that shall include weather monitoring and that the project be postponed if rain of 1/2 inch or more is anticipated within 24 hours of the project commencement. Ms. Buttaro seconded the motion. Vote passes unanimously. (5-0-0)

Request for Determination of Applicability File #D-627: #229 Underwood Street (Assessors Map 8-3-73) proposed 6qhigh perimeter fencing installation . Stacey and Paul Lander

- Stacey Lander waived the reading of the legal notice.
- Ms. Lander stated she is under contract to purchase the house. She has dogs and needs to enclose the yard for their safety. She has tried invisible fencing before and it has not worked for her dogs.
- She would like to install the fencing as close to the property lines as possible which will encroach in the 50qno disturb zone. The fencing she is proposing is black aluminum with 4+ spacing between the balusters which should not impede the migration of wildlife. She submitted a photo.
- The Commission determined that the fence could be extended to the property line as long as it does not extend into the wetlands at the corner of the property. The existing trees and vegetation should not be disturbed and shall remain. Any natural woods within the new fencing shall remain natural woods. There shall be no clearing of vegetation and the fence as proposed should be required in their determination.
- Mr. Mensing advised that the Determination of Applicability not be issued until Ms. Lander is the rightful owner of the property.

Mr. Lively made a motion to issue a negative 3 Determination of Applicability for #D627; #229 Underwood Street that shall include the following requirements: the fence shall be extended to the property line as long as it does not extend into the wetlands at the corner of the property, the existing trees and vegetation shall not be disturbed and shall remain, any natural woods within the new fencing shall remain natural woods, there shall be no clearing of any vegetation, the fencing shall be as proposed and the Determination of Applicability shall not be released until transfer of ownership. Mr. Mensing seconded the motion. Vote passes unanimously. (5-0-0)

Notice of Intent DEP File #185-834: #260 Adams Street (Assessors Map 4-2-41) proposed construction of single family including the associated septic system, grading and site work, John Finnegan, Metrowest Engineering Inc. representing Timothy Messer

- Mr. Clapp read the legal notice into the record.
- Tim Messer stated that this is a vacant lot that was subdivided in 2016. He is building a new house on the lot which is located on a scenic road. There is an existing opening in a stone wall that will allow for the driveway access without disturbing the stone wall. This will place a portion of the driveway within the 50qno disturb buffer zone for wetlands. The rest of the construction will not fall within any wetlands or buffer zones. The driveway will be 12qwide and consist of gravel. The only paving may occur at the house. He will install a 2qwide stone trench at the side of the driveway to help with runoff and also intends to plant a row of ten (10) Red Maples to discourage walking on the wetlands.
- Ms. Weissman complimented the application and its thoughtful approach to ConCom concerns.

Mr. Lively made a motion to close the public hearing on Notice of Intent DEP File #185-834: #260 Adams Street. Ms. Pilch seconded the motion. Vote passes unanimously. (5-0-0)

Mr. Lively made a motion to adjourn the meeting at 8:50 PM. Mr. Mensing seconded the motion. Vote passes unanimously. (5-0-0).