

**APPROVED Meeting Minutes**

Town Hall- Room #014

February 19, 2019

7:30 PM

Present: Christopher Bajdek, Chair, Ann Marie Pilch, Allen Rutberg, Jennifer Buttarro, Shaw Lively, and Utah Nickel, Commissioners, Sean Fay, Associate Commissioner

Ryan Clapp, Conservation Agent

Absent: Rebecca Weissman, Vice Chair

**Christopher Bajdek, Chair, opened the meeting at 7:30 PM.**

**General Business**

**Public Comment**

- No comment

**Review/ Approve Minutes of 2/5/19**

**Dr. Rutberg made a motion to approve the minutes of 2/5/19 as written. Ms. Pilch seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Administrative Update to Record Plan - DEP File #185-843: 289 Hollis Street**

**Documents:** Plot plan entitled "Proposed Sewage Disposal System," dated 7/24/18 (revised 1/7/19, 2/1/19/ 2/8/19)

- Mr. Ted Gowdy, representative for the applicant, presented new revisions to the plans as requested by the Conservation Commission. The proposed revisions include a reduction in house footprint, addition of a patio, walkway, and stairs, relocation of the bulkhead, and a redesign of the wetland boundaries. The deck is proposed with an increased encroachment into the 50-foot disturbance buffer zone.
- Mr. Gowdy noted that Mr. Chris Canney, Building Inspector, has requested that documentation referring to this property note that it is now 3 Liberty Lane, not 289 Hollis Street.

**Ms. Pilch made a motion to accept the revisions to the record plan for DEP File #185-843: 3 Liberty Lane (formerly 289 Hollis Street) as an administrative update. Ms. Buttarro seconded the motion. Vote passes unanimously (6-0-0).**

**Review: Winthrop Canal Maintenance Policy**

**Documents:** Draft Winthrop Canal Policy

- Mr. Clapp, with the assistance of Mr. Scott Moles and Mr. Tom Smith, has been reworking the Winthrop Canal Maintenance Policy previously approved in 2013. Mr. Clapp has also reached out to the Massachusetts Division of Ecological Restoration, however this is not a project they would take on. DER projects are meant to be self-sustaining and not require constant monitoring and maintenance.
- Mr. Bajdek noted that there should be grant money from somewhere to survey the canal. He noted that he and Ms. Weissman had previously researched two possible sources as mentioned in past meetings.
- Mr. Clapp noted that this project is not meant to be a permanent solution. It is only addressing the situation at hand, but there is a larger overall issue with the Winthrop Canal to be addressed.
- Mr. Nickel noted that the plan does not require the Highway Department to provide notification for quarterly maintenance. He expressed concerns over checks and balances and suggested that be revised.
- Mr. Clapp expressed that this plan should not be up for approval this evening. Rather, the Commission should just review it, and he will send it to the Selectmen's office and the Board of Health afterwards.
- Dr. Rutberg inquired about the abutters who had voiced their concerns. Mr. Clapp responded they will be notified when the policy is in the approval stage. The residents should go to the Selectmen's meeting when the policy is up for approval with them to voice their concerns.
- Mr. Clapp noted that along the same lines, Mr. Smith has requested Mr. Clapp ask the Commission about culvert and waterway maintenance in the Town. He is concerned about the backup of water and would like to get permission to clear them of debris.
- The Commission suggested Mr. Smith attend the next meeting to provide details and an explanation of the scope of what he is proposing.

### **Discussion: Mitigation Planting / Tree Removal Policy**

#### **Documents:** Draft Tree Removal Policy and Tree / Shrub Replacement Guidelines

- Mr. Clapp presented a draft policy for tree removal within wetlands jurisdiction based on a similar policy in Weston.
- Mr. Clapp noted that he had another idea for the policy that rather than measuring the tree cuts by number of trees, measuring it by the sum of DBH cut. This could be a stronger measurement for determining required mitigation.
- Dr. Rutberg noted there was no mention of mitigation on the first page. It should not be an afterthought, but rather at the forefront.
- Mr. Bajdek expressed concerns about the reasoning for tree cuts. There is no section to explain the need for a tree removal.
- Mr. Clapp noted that he had drafted the policy further since when he had sent it to the Commission. There is a statement that this is only applicable for hazardous trees. Any other trees, such as those to be removed for landscaping, would require a formal filing.
- Ms. Pilch recommended changing the timeframe for mitigation plantings to be six months maximum after the cutting.
- Dr. Rutberg suggested changing the title to "Tree Removal and Mitigation Policy."
- The Commission did not reach a consensus on the policy, and will further review it.

- Mr. Clapp inquired about the property owner at #23 Minuteman Circle, which led to this development. It was determined he would need to do a 1:1 ratio of trees cut to shrubs planted.

### **Review Correspondence / Other**

- An invoice from Mead, Talerman, and Costa, LLC, for \$241.38 was signed.
- *Stormwater* magazine issue was distributed.
- *Erosion Control* magazine issue was distributed.
- A brochure from the Sudbury Valley Trustees for their upcoming events was circulated.
- A brochure from the Massachusetts Land Conservation Conference 2019 was circulated.
- Mr. Clapp reminded the Commission that the MACC Annual Conference was coming up, and to contact him if they were planning to attend.
- Mr. Lively noted that the Parks Department has received a draft plan for swimming areas and beach restoration in Lake Winthrop. He noted that it will be handled in two parts: land and water, but is unsure on timeframe or implementation.

### **Public Hearings/Public Meetings**

**Notice of Intent for DEP #185-850: #126 Summer Street (Assessors Map 5-1-3)** for proposed outdoor storage - *GLM Engineering*, representing *Jonathan Bennett, Bennett Trucking, Inc.*

**Documents:** WPA Form 3; Plot Plan Entitled "Proposed Site Plan, 126 Summer Street, Holliston, Massachusetts," dated 10/30/18 (rev. 11/8/18, 11/9/18, 2/18/19); Letter from GLM Engineering Consultants, Inc., dated 10/30/18.

- Ms. Joyce Hastings, representative for the applicant, reviewed the project and the changes that had been made since the previous hearing the Commission held for this project in November. Since then, there have been two Planning Board meetings and one interdepartmental staff meeting.
- Ms. Hastings noted that the original owner of the property ran a construction business, with encroachment all the way up to Chicken Brook. The applicants have removed a significant amount of the debris left there. She noted that at the previous public hearing, it was indicated that no dumpster would ever be stored on site with anything in them. This has since changed, with possible onsite storage only in the case that the applicant was unable to reach a transfer station before closing.
- Mr. Lively expressed concerns over the sedimentation basin as part of the stormwater management. Ms. Hastings stated there was a maintenance agreement for the sediment basin to ensure it would not overflow.
- Ms. Pilch expressed concerns that since the basin was so shallow, it may be overburdened with snowmelt. She also noted that the plans indicated a fence. Ms. Hastings stated that the fence was part of the Planning agreement, and would not go all the way to Chicken Brook. She suggested a condition limiting it to outside the 50-foot disturbance buffer zone.

- Mr. Nickel confirmed that in the dumpster storage area on the plan, only empty dumpsters would be located there. No full dumpster would encroach on the 100' buffer zone. Ms. Hastings agreed.
- Mr. Lively inquired about emergency spillage from vehicles and trucks. Ms. Hastings indicated they would have spill clean-up kits on site.
- Mr. Lively requested there be concrete wetland boundaries demarcating the 50' buffer zone. It was agreed upon that 2 bounds would be along the 50' and one other within the 50' but at the boundary of the restoration area.

**Dr. Rutberg made a motion to close the public hearing for DEP #185-850: #126 Summer Street. Ms. Pilch seconded the motion. Vote passes (4-0-2) with Mr. Lively and Ms. Buttaro abstaining.**

- Mr. Clapp will prepare an Order of Conditions for the next meeting on 3/5/19.

**\*\*New Public Hearings - Two Notices of Intent for DEP File #185-851 (1) and DEP File #185-853 (2): #589 and #607 Prentice Street (Assessors Map 7-4-45, -44, respectively) for proposed construction of two Single Family Houses - GLM Engineering, representing Donna Kramer.**

**Documents: 589 Prentice Street:** WPA Form 3; Letter from Joyce Hastings dated 2/5/19; plot plan entitled "Proposed Sewage Disposal System, #589 (Lot A) Prentice Street, Holliston, MA", dated 2/4/19.

**607 Prentice Street:** WPA Form 3; Letter from Joyce Hastings dated 2/5/19; plot plan entitled "Proposed Sewage Disposal System, #607 (Lot B) Prentice Street, Holliston, MA", dated 2/4/19.

- Ms. Hastings, representative for the applicant, waived the reading of the legal notice.
- The two hearings were opened simultaneously and were reviewed together.
- Ms. Hastings presented the project. These two lots on Prentice Street were heavily disturbed areas with active loam piles on site. She noted that her design keeps the loam piles on the lot as screening, completely outside of the 100' buffer zone on each lot.
- Ms. Hastings noted that she has been in contact with FEMA to revise the floodmaps, exempting most of the property from the 100-year floodplain, and has provided documentation to that effect as part of the Notice of Intent. She noted that part of the project involves filling of floodplain, and has provided compensatory flood storage on the plan, addressing the issue.
- Mr. Bajdek inquired if the two lots had been reconfigured as of yet. Ms. Hastings responded that they had not, but they would be presenting to the Planning Board at the next meeting.
- Mr. Nickel inquired about the possibility of reconfiguring the houses. He notes that the house at 589 Prentice could be reconfigured to be mostly, if not all, outside of the buffer zone. Ms. Hastings noted that the properties had many restrictions on them as is. It would not be viable to reconfigure the houses, and further noted that nearly all of 607 Prentice was outside of the buffer zone.
- Mr. Lively expressed concerns about preventing the homeowners from clearing further into the buffer zone. It would not be viable to put the bounds in the middle of the woods. Ms. Hastings suggested putting information regarding wetlands into the deed. This may be a condition.
- Mr. Bajdek noted there were two potential vernal pool offsite. Mr. Clapp noted that DEP had concerns as well. Ms. Hastings noted there would be little to no impact on the buffer zones to these vernal pools.

- The Commission would like to see that the compensatory flood storage area will be replanted. Ms. Hastings will submit a new plan showing the plantings.

**Dr. Rutberg made a motion to close the public hearings for DEP File #185-851 and DEP File #185-853: #589 and #607 Prentice Street pending receipt of a revised plan. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0).**

- Mr. Clapp will prepare both Orders of Conditions for the next meeting on 3/5/19.

**Notice of Intent for DEP File #185-852: #56 Boynton Road (Assessors Map 1-1-56)** for proposed industrial building and associated site work - *GLM Engineering*, representing *Hopping Brook Development, LLC*.

**Documents:** WPA Form 3; %Stormwater Management Report %56 Boynton Road+Holliston, Massachusetts,+dated 2/5/19; Plan Set entitled %Site Development Plan %56 Boynton Road+Holliston, Massachusetts+dated 2/1/19.

- Ms. Hastings waived the reading of the legal notice.
- Ms. Hastings described the site. There are three onsite wetlands, and an existing access road. The access road was a part of a previous Order of Conditions that has long since expired. The applicant is proposing to build an approximately 25,000 sf industrial building.
- Mr. Clapp noted there is a significant amount of snow storage onsite that encroaches into the buffer zone. He suggested these areas be relocated, taking the place of some of the parking spaces. Ms. Hastings noted that could be a possibility, but wanted the plan to be treated as-is.
- Mr. Nickel noted there was no mitigation proposed under this Notice. Ms. Hastings responded that in the previous Order, a significant amount of replication was undertaken. It has been successful, to the point she flagged it as wetland on the plan. She noted that all disturbed areas will be seeded and stabilized.
- Ms. Pilch noted the landscaped areas outside of the 100qbuffer zone. She reminded Ms. Hastings that any plantings there should be native.
- Mr. Lively expressed concerns that should the owner rent the property, certain businesses may have an impact on the wetlands not covered in this Notice. Ms. Hastings noted that the land use departments are very connected; Mr. Clapp would be made aware of any such business and have them contact the Commission.
- Mr. Clapp noted the stormwater report was being peer reviewed by the Planning Board. He recommended against closing this hearing until the review was completed. Ms. Hastings did not believe there would be anything substantial in the peer review, and if there were, she and the applicant would return to the Commission for an Amended Order of Conditions.

**Mr. Lively made a motion to close the public hearing for DEP #185-852: #56 Boynton Road. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).**

- Mr. Clapp will prepare an Order of Conditions for the next meeting on 3/5/19.

**Notice of Intent for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prentice Way (Assessors Map 14)** for proposed construction of a roadway and drainage alteration - *Guerriere & Halnon, Inc.*, representing *Constitution Village, LLC*.

**Documents:** WPA Form 8A; Plan Set entitled %Constitution Village Subdivision Modification in Holliston, MA,+dated 11/15/18; email from Mr. Clapp dated 12/26/18; Response Memorandum from Mr. George Mihov dated 12/31/18.

- Mr. Clapp reported that he has secured a peer review consultant for this project, but current weather conditions may cause a delay in the review. He also has not received correspondence requesting a continuance.

**Mr. Lively made a motion to continue the public hearing for DEP #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence Way to the meeting on 3/5/19. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0).**

**Mr. Lively made a motion to adjourn at 10:15 PM. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).**

***\*\*All documents shall be kept in the Conservation Commission Office files\*\****