

**APPROVED Meeting Minutes**

Town Hall- Room #014

March 5, 2019

7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair, Ann Marie Pilch, Allen Rutberg, and Utah Nickel, Commissioners, Sean Fay, Associate Commissioner

Ryan Clapp, Conservation Agent

Absent: Jennifer Buttaro, Shaw Lively, Commissioners

**Christopher Bajdek, Chair, opened the meeting at 7:34 PM.**

**General Business**

**Discussion re: Highway Department Waterways**

**Documents:** Memorandum from Tom Smith, Highway Superintendent, to Conservation Commission, dated March 8, 2010.

- Mr. Smith was present to discuss his proposal with the Conservation Commission. He is concerned that many of the town's waterways and culverts are backed up with debris, especially given the amount of rainfall this past season. He noted that the Highway Department used to clear debris once per year, but has not been able to due to wetland regulations. He notes that due to the lack of maintenance, water is now being diverted into people's yards.
- Mr. Bajdek asked how far from culverts would the Highway Department clear. Mr. Smith responded that they would not clear beyond where the houses are -- there would be no point in clearing in a wooded, undeveloped area. This is all proposed for infrastructure maintenance.
- Ms. Pilch inquired as to what the scope of work would actually be. Mr. Smith responded that all work would be within water, clearing out debris. They would keep all removed debris at least 8 feet away from the banks. All work would be done by hand to minimize wetland impacts.
- Dr. Rutberg inquired if there were any property owner issues. Mr. Smith responded that the town owns the waterways he is proposing to do work in. However, he would send out a notice to abutters for permission to cross their property to access the waterways.
- Ms. Pilch requested that Mr. Smith put together an outline, in writing, of the work proposed and locations so there can be an actual plan approved.

**Public Comment**

- No comment

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

- This item was tabled until the next Conservation Commission meeting on 3/19/19.

#### **Vote on Order of Conditions DEP #185-850: #126 Summer Street**

- Mr. Clapp presented a draft Order of Conditions to the Commission. He had circulated this document with other land use departments, the applicant's representative, and the Commission prior to the meeting.
- Mr. Bajdek and Dr. Rutberg expressed concerns regarding the language in condition #49. Mr. Clapp explained that this creates a requirement for the applicant to maintain a running log indefinitely, while retaining records for two years.
- Ms. Weissman expressed concerns with condition #50. Mr. Clapp explained that this creates a prohibition for trucks on-site to drive over unpaved surfaces, preventing further encroachment towards the wetlands.

**Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-850: #126 Summer Street with conditions as discussed. Dr. Rutberg seconded the motion. Vote passes (4-0-1) with Ms. Weissman abstaining.**

#### **Vote on Order of Conditions DEP #185-851: #589 Prentice Street**

- Mr. Clapp presented a draft Order of Conditions to the Commission. He had circulated this document with other land use departments, the applicant's representative, and the Commission prior to the meeting.

**Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-851: #589 Prentice Street with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes (4-0-1) with Ms. Weissman abstaining.**

#### **Vote on Order of Conditions DEP #185-852: #56 Boynton Road**

- Mr. Clapp presented a draft Order of Conditions to the Commission. He had circulated this document with other land use departments, the applicant's representative, and the Commission prior to the meeting.

**Dr. Rutberg made a motion to issue an Order of Conditions for DEP #185-852: #56 Boynton Road with conditions as drafted. Ms. Pilch seconded the motion. Vote passes (4-0-1) with Ms. Weissman abstaining.**

#### **Vote on Order of Conditions DEP #185-853: #607 Prentice Street**

- Mr. Clapp presented a draft Order of Conditions to the Commission. He had circulated this document with other land use departments, the applicant's representative, and the Commission prior to the meeting.

**Dr. Rutberg made a motion to issue an Order of Conditions for DEP #185-853: #607 Prentice Street with conditions as drafted. Mr. Nickel seconded the motion. Vote passes (4-0-1) with Ms. Weissman abstaining.**

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

- Mr. Clapp has made the suggested revisions to the draft Mitigation Planting/Tree Removal Policy.
- Ms. Weissman expressed concerns that the mitigation aspect would only be a fraction of the trees cut. She suggested the ratio be 1:1 for replacement with trees and 2:1 for replacement with shrubs. She suggested that additional mitigation be required for trees greater than 10+ DBH.
- Dr. Rutberg suggested there be a note that tree replacement should be with low canopy trees that would not grow tall enough to threaten the house.
- Mr. Nickel suggested Mr. Clapp put tables in the plan, explaining the mitigation requirements, especially if the mitigation plantings are to be a mix of trees and shrubs.
- Mr. Clapp will make the recommended changes and circulate the document.

## **Review Correspondence / Other**

- The Commission signed an invoice from Mead Talerman & Costa, LLC, for review of the Fafard Conservation Restriction for \$888.90.
- The Commission signed an invoice from Stumpy's Tree Service, Inc. for tree work at Warren Woods for \$400.00.
- A letter from the Ocean River Institute was circulated regarding fertilizer bylaws.
- Mr. Clapp informed Dr. Rutberg about possible dates/times for his presentation regarding rare species.
- Mr. Clapp reported that Mr. Tony Lulek had spoken to the Board of Health regarding fertilizers and pesticides in town and their effects on honeybees, and was directed to speak with the Commission. Mr. Clapp has contacted the Agricultural Commission, and was invited attend an upcoming Agricultural Commission meeting. Ms. Weissman and Mr. Nickel expressed interest in attending as well. Ms. Pilch and Dr. Rutberg expressed reservations about honeybees being an invasive species, but would like to see native pollinators promoted.

## **Public Hearings/Public Meetings**

**Request for Determination of Applicability for #D-652: #220 Mill Street (Assessors Map 10-2-34)**  
for proposed replacement septic system - *CIVILized Solutions*, representing *Charles Maley*

**Documents:** WPA Form 1; Plot Plan entitled "Septic System Construction, 220 Mill Street, Holliston," dated 1/25/19 (rev. 2/27/19)

- Mr. Eric Dickinson representative for the applicant, waived the reading of the legal notice.
- Mr. Dickenson presented the project to the Commission. The existing septic system serving the property has failed, and needs replacement. There is an intermittent stream and associated BVW towards the rear of the parcel. He noted that Mr. Clapp found a discrepancy in the delineation of wetland flag #5, and suggested it be eliminated, connecting flags #4 and 6. This shifts the 50-foot buffer zone, creating a small disturbance within it.

- Ms. Weissman asked if the limit of work was in existing lawn. Mr. Dickinson responded that it was.
- Mr. Clapp inquired of the Commission if there would be mitigation required, as there was encroachment into the 50-foot disturbance buffer zone. Mr. Bajdek noted that since it was all existing lawn and such a small disturbance, there was no need for mitigation.
- Mr. Nickel noted that he would like to see mitigation, but also understands why it may not be necessary in this case.

**Ms. Pilch made a motion to issue a Negative #3 Determination for #D-652: #220 Mill Street with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously (5-0-0).**

**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 due to weather, there has been no movement from the peer review consultant on this project.

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

**Ms. Pilch made a motion to adjourn at 8:25 PM. Dr. Rutberg seconded the motion. Vote passes unanimously (5-0-0).**

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