

APPROVED Meeting Minutes

Town Hall- Room #014

March 19, 2019

7:30 PM

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

Ryan Clapp, Conservation Agent

Absent: Rebecca Weissman, Vice Chair, Jennifer Buttaro, Allen Rutberg, Commissioners

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

General Business

Public Comment

- No comment

Review/Approve Minutes of 2/19/19 & 3/5/19

Mr. Lively made a motion to approve the minutes of 2/19/19 as written. Ms. Pilch seconded the motion. Vote passes unanimously (4-0-0).

Not enough Commissioners were present from the 3/5/19 meeting to vote on these minutes. This item was tabled until the next meeting on 4/2/19.

Re-issue Certificate of Compliance: DEP #185-656: #41 Morse Farm Lane

Documents: WPA Form 8B (Certificate of Compliance), dated 8/7/07

- Mr. Clapp explained that he had received a request for another original for the Certificate of Compliance for DEP #185-656: #41 Morse Farm Lane. The Certificate of Compliance was issued in 2007, but was never recorded and was misplaced by the applicant. The applicant is looking to sell his house, but needs to record a Certificate of Compliance to clear his title.

Ms. Pilch made a motion to re-issue a Certificate of Compliance for DEP #185-656: #41 Morse Farm Lane. Mr. Nickel seconded the motion. Vote passes unanimously (4-0-0).

Discussion: Maintenance of Waterways

Documents: Memorandum from Tom Smith, Highway Superintendent, dated 3/6/19; Right of Entry form from Highway Department

- Continuing from discussions at the previous meeting on 3/5/19, Mr. Clapp presented a memorandum from Mr. Smith and Right of Entry form from the Highway Department for waterways maintenance in Holliston.
- Mr. Fay expressed concerns about the Right of Entry form, and suggested the language more explicitly reflect ownership of private property that may have to be used for access.
- Ms. Pilch inquired about Mr. Smith's categorization of brooks vs. waterways.
- Mr. Lively suggested Mr. Smith mark up a map of the Town with the locations of proposed brooks for clearing for the next meeting. Mr. Clapp will work with Mr. Smith on this and address the concerns of the Commissioners.

Discussion: Mitigation Planting / Tree Removal Policy

Documents: Draft Mitigation Planting / Tree Removal Policy

- Mr. Clapp presented a draft Mitigation Planting/Tree Removal Policy to the Commission that he had circulated earlier in the week via email. The revisions that were made reflect suggestions that were made by the Commission during the previous meeting.
- Ms. Pilch suggested that the decision cover page reflect the date the decision was issued. Mr. Clapp noted that that was addressed in other parts of the document, but will make a note in the policy.
- Mr. Clapp noted that he had other suggestions for the application page of the document that more explicitly describe the tree work. The Commission supported these suggestions and Mr. Clapp will revise accordingly.
- Mr. Lively inquired if the Commission could accept this policy tonight, pending suggested revisions. Mr. Bajdek suggested the Commission hold off until the next meeting.
- Mr. Lively inquired if it was possible to do a test run of this policy prior to accepting it. Mr. Clapp said that in order to even test it, the Commission would need to accept it. Mr. Bajdek suggested that 6 months after acceptance, the Commission could review it and amend it as needed.

Ratify Emergency Certification: Jarr Brook Beaver Dam

Documents: WPA Emergency Certification Form

- Mr. Clapp reported that Mr. Smith had come to his office the previous morning. On Friday (3/15), Mr. Smith was performing a preconstruction survey of the area near the culvert on Westfield Drive permitted for replacement under DEP #185-847, and discovered a large beaver dam that was obstructing downstream flow, raising water levels several feet. Mr. Scott Moles in the Health Department issued a 10-day emergency permit for partial breaching of the dam yesterday. Mr. Clapp issued the WPA Emergency Certification Form, requiring ratification at this meeting. Mr. Clapp noted that to prevent a sudden outwash of water, dam breaching would be limited to a maximum of 8 inches per breach event, and breach events are to be limited to a maximum of one per week.

Ms. Pilch made a motion to ratify the Emergency Certification for the partial dam breaching on Jarr Brook. Mr. Nickel seconded the motion. Vote passes unanimously (4-0-0).

Review Correspondence / Other

- Mr. Clapp reported that a complaint had been submitted to all land use departments regarding operations at 157-165 Lowland Street. The nature of the complaint is primarily directed towards zoning, and Ms. Sherman and Mr. Canney will be addressing it. Mr. Clapp has offered them his comments on the complaint.
- Mr. Clapp will be meeting with the 7th grade science teachers at Robert Adams Middle School to discuss local environmental protection.
- Mr. Clapp reported that there will be a meeting next Monday (3/25) with the Board of Selectmen about the proposed solar field on top of the former landfill. He notes that this property abuts the Brentwood Conservation Area, and wants to ensure there is no encroachment into land owned by the Commission and that any encroachment into buffer zones is accounted for and filed.

Public Hearings/Public Meetings

Notice of Intent for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence 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. However, conditions are looking better in the upcoming week and plans to meet onsite with Mr. Kyle Cormier of Oxbow Associates.

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 4/2/19. Ms. Pilch seconded the motion. Vote passes unanimously (4-0-0).

Mr. Lively made a motion to adjourn at 8:25 PM. Ms. Pilch seconded the motion. Vote passes unanimously (4-0-0).

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