

APPROVED Meeting Minutes

Town Hall- Room #014

April 16, 2019

7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair (*arrived 7:35*), Ann Marie Pilch, Shaw Lively (*arrived 7:35*), Jennifer Buttarro, and Allen Rutberg, Commissioners, Sean Fay, Associate Commissioner

Ryan Clapp, Conservation Agent

Absent: Utah Nickel, Commissioner

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

General Business

Public Comment

- No comment

Review/Approve Minutes of 4/2/19

- Ms. Pilch offered a correction to a typo in the minutes. No other comments were made.

Dr. Rutberg made a motion to approve the minutes of 4/2/19 with Ms. Pilch's edit. Ms. Weissman seconded the motion. Vote passes (5-0-1) with Ms. Buttarro abstaining.

Request for a Certificate of Compliance: DEP #185-474: 56 Boynton Road

Documents: WPA Form 8A

- The two Requests for Certificates of Compliance were discussed simultaneously.
- Mr. Clapp reported that the property at 56 Boynton Road had several Orders of Conditions upon it, for which work had not commenced, or work had only minimally commenced. The property is now regulated under DEP #185-852, and the property owner would like to clear the title of these expired Orders.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-474: 56 Boynton Road. Ms. Buttarro seconded the motion. Vote passes unanimously (6-0-0).

Request for a Certificate of Compliance: DEP #185-680: 56 Boynton Road

Documents: WPA Form 8A

- This item of business was discussed simultaneously with the Request for a Certificate of Compliance for DEP #185-474.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-680: 56 Boynton Road. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0).

Request for an Extension Permit for an Order of Conditions: DEP #185-809: 65 Lake Shore Drive

Documents: WPA Form 7

- Mr. Clapp reported that Ms. Joyce Hastings, applicant, requested a one year extension to her Order of Conditions regulated under DEP #185-809. The Order is set to expire on 4/20/19.
- Ms. Hastings noted in her request that she will also be submitting a Notice of Intent for an Amended Order of Conditions, reflecting a footprint change for the house, as well as for adding a dock.

Ms. Pilch made a motion to extend the Order of Conditions for DEP #185-809: 65 Lake Shore Drive, until 4/20/20. Ms. Weissman seconded the motion. Vote passes unanimously.

Review Correspondence / Other

- The latest issue of *Erosion Control* was circulated.
- The latest issue of *The Wren* was issued.
- A letter from the Ocean River Institute was circulated. Mr. Clapp reported that they had also called, requesting to come into a meeting to discuss permitting restrictions in regards to fertilizers and herbicides. The Commission already has restrictions in place, and suggested that Mr. Clapp speak to the ORI instead of having them come in.
- An invoice in the amount of \$1,336.25 from Oxbow Associates was signed.
- Mr. Lively reported that he had joined a Facebook group %Holliston Healthy Homes,+which advocated the banning of chemical fertilizers. He wanted to keep an eye on the group.
- Mr. Lively requested that Mr. Clapp investigate a few lots on Norfolk Street. He believed they were deemed unbuildable, but wanted to know ownership status.
- Mr. Clapp reported that he and Ms. Karen Sherman had met with Mr. Michael Generazio regarding potential donation of two parcels of land off of Mohawk Path. Mr. Generazio jointly owns the parcels with Fafard, and was willing to give his interest to the Commission. Concerns were expressed by the Commission about establishing such a relationship with Fafard.
- Mr. Clapp reported that he had attended a DCR workshop at the Adams Street Forest about Emerald Ash Borer. It was found that there was an extensive infestation of the invasive insect.

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.

*Peer Review letter from Oxbow Associates, dated 4/10/19.

- Mr. Clapp has received and circulated the peer review letter from Oxbow Associates. Guerriere & Halnon had not had an opportunity to offer a reply as of yet, and requested a continuance to the next meeting.

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 4/30/19. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).

General Business (cont.)

Executive Session: Potential Impending Litigation

At 9:05 PM, Mr. Bajdek suggested the following motion: I move pursuant to G.L. c. 30A sec 21(a)(3), that the Commission go into Executive Session for the purpose of discussing potential impending litigation. So moved by Mr. Lively. Dr. Rutberg seconded the motion.

Mr. Bajdek proceeded with a roll call vote to go into Executive Session.

**Mr. Bajdek: yes
Ms. Weissman: yes
Ms. Buttaro: yes
Mr. Lively: yes
Mr. Nickel: absent
Ms. Pilch: yes
Dr. Rutberg: yes**

The Motion Passed.

Mr. Bajdek announced that the Commission will not be resuming Open Session of the meeting following the conclusion of Executive Session.

At 9:45 PM, the Commission left Executive Session.

Ms. Pilch made a motion to adjourn at 9:45 PM. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).

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