

**APPROVED Meeting Minutes**

Town Hall- Room #014

January 21, 2020

7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair, Shaw Lively, Utah Nickel, Ann Marie Pilch, Allen Rutberg, Commissioners

Ryan Clapp, Conservation Agent

Absent: Jennifer Buttaro, Commissioner, Sean Fay, Associate Commissioner

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

**General Business**

**Public Comment**

- No comment

**Review/Approve Minutes of 11/26/19 & 1/7/20**

**Mr. Lively made a motion to approve the minutes of 11/26/20. Ms. Weissman seconded the motion. Vote passes (5-0-1) with Mr. Bajdek abstaining.**

Not enough Commissioners present from the meeting on 1/7/20 to vote on these minutes. Left open until the next meeting on 2/4/20.

**FY2021 Budget**

- Mr. Clapp presented a draft budget to the Commission for FY2021. The Finance Committee's guideline for this year was a 1% increase from FY2020. Mr. Clapp noted difficulties in this year's budget, as department head pay scales were adjusted as a result of the Town Meeting vote to pass the new Consolidated Personnel Bylaw. Additionally, he anticipates that with the amendments to the WPA Regulations, communication costs will increase due to the need to send more items out via certified mail.
- The draft budget proposes to eliminate the educational supplies line item and consolidate it with professional development. He noted that certain expenditures could be covered using funds from the revolving accounts.
- The budget, as proposed, would result in a 1.59% increase, a difference of approximately \$300 from the Finance Committee guidelines.

**Ms. Pilch made a motion to approve the FY2021 budget as proposed. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).**

- Mr. Clapp will meet with the Select Board on 2/3/2020 and the Finance Committee on 2/4/2020.

### **Discussion: Open Space trees near #80 Kim Place**

- Mr. Clapp reported that he had been forwarded a concern from a homeowner at #80 Kim Place in regards to several dead and hazardous trees in the Open Space near his house. A tree had fallen in the previous year and done significant damage to his house, and the homeowner was looking for this issue to be addressed.
- Mr. Clapp visited the site and noted that the trees in question were all ash trees (approximately 25-30 individuals), with signs that the cause of death was Emerald Ash Borer. Mr. Clapp noted that felling the trees is only half the problem, as they are still suitable hosts for the invasive insect and would therefore need to be removed from the site and destroyed. Mr. Clapp noted that this is cost-prohibitive and sought input from the Commission.
- Mr. Lively inquired if there were any state-level programs for assistance. Mr. Clapp noted that the Department of Conservation and Recreation hosted a workshop on the insect in Holliston in 2019, and has a contact with the Department. He will contact her for assistance.
- Dr. Rutberg recommended addressing the homeowner's safety concerns first. Mr. Clapp will reach out to arborists for a consultation as to the most hazardous trees to address before moving forward on the ecological aspect.
- Mr. Lively inquired if the DPW would be able to help with this project. Mr. Clapp responded that they contract out tree work, so it would be very unlikely.
- Mr. Clapp will contact DCR and arbor companies to begin addressing the concern.

### **Article XXX Regulations Working Session**

- Having reviewed the Article XXX Regulations personally, each member of the Commission presented their questions, concerns, and needs for clarification in the draft document.
- The Commission reviewed Section 1 of 5 in a round-table discussion.
- Mr. Clapp will contact Mr. Katuska, their consultant, with preliminary concerns and push back the date to discuss with him from February 4, 2020, to a later date.

### **Review Correspondence / Other**

- No correspondence was received.

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

**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 3; 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.

Memorandum from Dan Wells, Goddard Consulting, Inc., dated 5/30/19.

"Habitat Evaluation, Constitution Village, Holliston, MA DEP File #185-0849" dated 8/27/19

“Vernal Pool Habitat Impact Evaluation” dated 10/9/19.

Plans entitled “NOI Subdivision Modification Grading & Drainage Plan Constitution Village in Holliston, Mass.” Dated 11/15/18 (rev. 11-12-19).

Riverfront Performance Standards Analysis prepared by Dan Wells, Goddard Consulting, LLC, dated 11/26/19.

Plan of Land Entitled “Subdivision Modification Erosion Control Plan Constitution Village in Holliston, Mass,” dated 11/18/18 (rev. 11/25/19)

Plan of Land Entitled “Subdivision Modification Index Sheet Constitution Village in Holliston, Mass.” Dated 11/18/18 (rev. 11/25/19)

- Mr. Clapp reported that Mr. MacKinnon requested an additional continuance to the meeting on 2/4/2020.

**Ms. Pilch made a motion to continue the Public Hearing for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence Way until the next meeting on 2/4/2020. Mr. Nickel seconded the motion. Vote passes unanimously (6-0-0).**

**Notice of Intent for DEP #185-XXX: #1014 Highland Street (Assessors Map 8E-1-8)** for proposed single family house – *Michael Brumber*, representing *Allen Stone*

**Documents:** WPA Form 3; Plan entitled “Septic System Construction, 1014 Highland Street, Holliston,” dated 12/9/15 (rev. 9/19/18)

- Mr. Clapp reported that Mr. Brumber requested a continuance to the meeting on 2/4/2020.

**Ms. Pilch made a motion to continue the Public Hearing for DEP #185-XXX: #1014 Highland Street to the next meeting on 2/4/2020. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).**

**Request for Determination of Applicability for #D-660: #69 Wingate Road (Assessors Map 11-8-281)** for proposed replacement septic system – *CIVILized Solutions*, representing *John Beck & Tracy Alexander*

**Documents:** WPA Form 1; Plan entitled “Septic System Construction, 69 Wingate Road, Holliston” dated 1/3/2020

- Mr. Clapp reported that Mr. Eric Dickenson, representative for the applicant, requested a continuance to the meeting on 2/4/2020.

**Ms. Pilch made a motion to continue the Public Meeting for #D-660: #69 Wingate Road to the next meeting on 2/4/2020. Mr. Nickel seconded the motion. Vote passes unanimously (6-0-0).**

**Notice of Intent for DEP #185-XXX: “0” Marshall Street (Assessors Map 7-3-19.2)** for proposed site remediation and solar field – *Weston & Sampson*, representing *Marshall Street Solar, LLC*

**Documents:** WPA Form 3; Stormwater Report dated 12/18/19; Plan Set entitled “Marshall Street Solar Project,” dated 12/19/19; Letter from Weston & Sampson dated 1/7/2020

- Mr. Stephen Wiehe, Weston & Sampson, waived the reading of the legal notice.
- Mr. Wiehe presented the project and site history to the Commission. In 2005, the site applied for 40B housing, and investigations disclosed various ecological areas of significance, including wetlands, vernal pools, and rare species habitat. Additionally, 8 areas of concern were later identified as environmentally hazardous, and are addressed in the plans.
- Mr. Lively inquired as to the origin of the environmental concern studies. Mr. Michael Dacey, GeoInsight, responded that MassDEP had requested information in the early stage of development.
- Mr. Robert Fasanella, attorney, noted that the 40B permit was still valid. If the solar project is denied, they will go forward with the housing, but would much prefer the solar field.
- Mr. Wiehe noted that the project involves the conversion of 29.5 acres from forest to grass meadow, and requires total clearing of 32 of 52.5 total acres. They are proposing to clear to 25' from the wetlands, which Mr. Clapp noted heavily encroaches into the 50' no disturbance buffer zone.
- Mr. Lively requested a model of electric output comparing clearing to 50' and 25'.
- Mr. Wiehe noted two potential vernal pools onsite. Several Commissioners noted concerns about encroaching into the 100' no disturbance buffer zone to vernal pools (and wetlands containing vernal pools) and noted the need for a habitat evaluation.
- Mr. Lively inquired as to stormwater flow. Mr. Weihe demonstrated on the plans, showing general direction of north to south. Mr. Clapp noted that the stormwater is being peer reviewed by the Zoning Board of Appeals.
- Dr. Rutberg expressed concern that with the proposed berm and detention basins, less water will run off into the wetlands, leading to their shrinking. Mr. Weihe noted that the water that does enter the wetlands will be less, but will have higher quality. Mr. Weihe offered to bring in stormwater engineers to discuss in more technical terms.
- Mr. Weihe noted that in various locations, there is debris that will be covered by 1' of fill per DEP requirements. The soils will be sourced on-site, and some debris, such as exposed rebar, will be removed to avoid additional ground disturbance.
- Mr. Lively inquired if the landscape plantings could be more wildlife/pollinator-friendly. Mr. Weihe will consult with the applicant, but noted that with solar panels, vegetation must be shade-tolerant.
- Mr. Bajdek inquired if the abutting town was notified, as this is on the town line. Mr. Weihe will confirm. Ms. Weissman noted this is a state requirement, so the abutters in Hopkinton should be notified.
- Mr. Jason Santos, abutter, expressed concerns about the stormwater. A stormwater basin is currently proposed that is poised to dewater directly onto his property and is concerned about property damage in heavy storm events. Additionally, Mr. Santos echoed the Commission's concerns about the berm diverting runoff from the wetlands, and suggested a swale instead.
- Several Commissioners expressed interest in a group site visit to the property. The applicant requested a representative from GeoInsight and Weston & Sampson. After discussion, it was decided for a site visit on Saturday, February 1 at 2 PM. Mr. Clapp will confirm attendance.

**Ms. Pilch made a motion to continue the public hearing for DEP #185-XXX: “0” Marshall Street to the next meeting on 2/4/2020. Mr. Nickel seconded the motion. Vote passes unanimously (6-0-0).**

Ms. Weissman made a motion to adjourn at 10:25 PM. Mr. Lively seconded the motion. Vote passes unanimously (6-0-0).

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