

APPROVED Meeting Minutes

Via Remote Participation

June 9, 2020

7:30 PM

Present: Allen Rutberg, Acting Chair, Shaw Lively, Utah Nickel, Ann Marie Pilch, Commissioners

Ryan Clapp, Conservation Agent

Absent: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair, Jennifer Buttarro, Commissioner, Sean Fay, Associate Commissioner

Allen Rutberg, Acting Chair, opened the meeting at 7:35 PM.

Dr. Rutberg read the following into the record:

Pursuant to the Governor's Order Suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, as well as the Select Board's Emergency Order dated 3/16/2020 the Holliston Conservation Commission will be using remote participation for this meeting. The audio of this meeting is being recorded and will be posted to the Town's webpage within 24 hours in accordance with the Governor's Emergency Action requirement of keeping the public informed of actions during this meeting. I would ask that all participants remotely attending this meeting please state your name for identification purposes each time you speak throughout the meeting.

At this time, a roll call attendance vote will be taken.

Mr. Bajdek:

Ms. Weissman:

Ms. Buttarro:

Mr. Lively: Present

Mr. Nickel: Present

Ms. Pilch: Present

Dr. Rutberg: Present

General Business

Review/Approve Minutes of 5/26/20

- Ms. Pilch provided revisions concerning wording of motions made.

Ms. Pilch made a motion to approve the minutes of 5/26/20 with the stated revisions. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Lively: Aye

Mr. Nickel: Aye

Ms. Pilch: Aye

Dr. Rutberg: Aye

Request for a Certificate of Compliance: DEP #185-858: #1182 Washington Street

- Mr. Clapp reported that the septic replacement at #1182 Washington Street has been completed. He recommends the issuance of a Certificate of Compliance.

Mr. Lively made a motion to issue a Certificate of Compliance for DEP #185-858: #1182 Washington Street. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Mr. Lively made a motion to authorize Dr. Rutberg to sign the Certificate of Compliance for DEP #185-858 on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Request for a Certificate of Compliance: DEP #185-832: #256 Hollis Street

- Mr. Clapp reported that the site work for the single family house #256 Hollis Street has been completed. He recommends the issuance of a Certificate of Compliance.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-832: #256 Hollis Street. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to authorize Dr. Rutberg to sign the Certificate of Compliance for DEP #185-832 on behalf of the Commission. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Request for a Certificate of Compliance: DEP #185-736: #2016 Washington Street

- The work regulated under this Order of Conditions has expired without having commenced.

Mr. Lively made a motion to issue a Certificate of Compliance for DEP #185-736: #2016 Washington Street. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Mr. Lively made a motion to authorize Dr. Rutberg to sign the Certificate of Compliance for DEP #185-736 on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Request for a Certificate of Compliance: DEP #185-719: #2016 Washington Street

- The work regulated under this Order of Conditions has expired without having commenced.

Mr. Lively made a motion to issue a Certificate of Compliance for DEP #185-719: #2016 Washington Street. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Mr. Lively made a motion to authorize Dr. Rutberg to sign the Certificate of Compliance for DEP #185-719 on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Emergency Certification: #1075 Highland Street

- Mr. Clapp reported that the Board of Health has issued an Emergency Certification for beaver dam breaching at #1075 Highland Street. Septic systems and wells are currently threatened by beaver activity, and the Board is also concerned about EEE.
- The Emergency Certification from Conservation conditions the breaching to 8" of lowered water level per breach event, with breach events scheduled one week apart.

Mr. Nickel made a motion to issue an Emergency Certification at #1075 Highland Street. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to authorize Dr. Rutberg to sign the Emergency Certification on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Re-issue Certificate of Compliance: DEP #185-652: #86 Washington Street

- Mr. Clapp reported that a Certificate of Compliance had been issued by the Commission but never recorded at the Registry of Deeds. The applicant is requesting a new Certificate of Compliance to record.

Ms. Pilch made a motion to authorize Dr. Rutberg to sign the reissued Certificate of Compliance for DEP #185-652. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Review Correspondence / Other

- No mail was received
- Mr. Clapp reported that he had worked with the Town's Sustainability Coordinator on an application for a Municipal Vulnerability Preparedness grant to begin data collection on dam removals in Town.
- Ms. Pilch noted that the next Commission meeting would be on the same day as Town Elections. However, they are scheduled to end at 4:30 so should not conflict with the meeting.

Public Hearings/Public Meetings

Request for Determination of Applicability for #D-669: #112 Fairview Street (Assessors Map 8-2-66.1) for proposed pool – Susan & Erik Littlejohn

Conservation Commission Minutes 6-9-20

Drafted for the Commission by: Ryan Clapp

Approved by the Commission: 6-23-20

Documents: WPA Form 1; Plan of Land entitled "Proposed Plot Plan, #112 Fairview Road, Holliston, Mass.," dated 5/26/20

- Mr. Clapp read the legal advertisement into the record.
- Mr. Erik Littlejohn presented the project to the Commission. The proposed in-ground pool will be located entirely within lawn area, with no tree removals or shrub disturbances. He noted that other areas onsite would be impossible due to the septic system, grade, and an existing drainage easement.
- Ms. Susan Littlejohn noted that the pool would be saltwater, with no discharge into the wetlands. The pool will be full year-round, with no dewatering unless needed for repairs. She noted that she would have the pool pumped out as opposed to discharging into wetlands.
- Ms. Littlejohn inquired what erosion controls would be needed. Mr. Clapp responded that it is at the applicant's discretion, but must serve proper function and pass inspection.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-669: #112 Fairview Street. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to authorize Dr. Rutberg to sign the Determination of Applicability for #D-669 on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Notice of Intent for DEP #185- 866: #1569 Washington Street (Assessors Map 5-3-62) for proposed gravel storage area – *GLM Engineering*, representing *Michael Alves*

Documents: WPA Form 3; Plan Set entitled "Site Plan of Land, Scooby Truck Sales, 1569 Washington Street, Holliston, Massachusetts," dated 2/24/20 (rev. 3/8/20)

- Mr. Clapp noted that Ms. Hasting requested a continuance until the second meeting in July.

Ms. Pilch made a motion to continue the public hearing for DEP #185-866: #1569 Washington Street until July 21. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Notice of Intent for DEP #185-867: Lot 82 Old Cart Path (Assessors Map 14-5-34C,35B,34B) for proposed single family house – *Guerriere & Halnon, Inc.*, representing *Constitution Village, LLC*

Documents: WPA Form 3; Plan of Land entitled “Site Development & Facilities Plan in Holliston, Massachusetts, Single Family Dwelling” dated 4/1/20 (rev. 6/8/2020)

- Mr. MacKinnon presented a revised plan to the Commission. He noted that there were two outstanding issues from the previous meeting: the recharge area off the property line and the water quality swale not being shown. He has since revised the plan to address the issues.
- Mr. Lively confirmed with Mr. MacKinnon on the direction of the flow from the swale. Mr. MacKinnon noted that arrows reflect the direction, and water ends up flowing into the wetlands to the east of the armored slope.

Ms. Pilch made a motion to close the public hearing for DEP #185-867: Lot 82 Old Cart Path. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Notice of Intent for DEP #185-868: #82 Wedgewood Drive (Assessors Map 5-4-9) for proposed replacement septic system – *CIVILized Solutions*, representing *Christelle Hebert*

Documents: WPA Form 3; Plan of Land entitled “Septic System Construction, #82 Wedgewood Drive, Holliston” dated 3/19/2020

- Ms. Skinner-Catrone noted that DEP has issued a file number for the project. Additionally, the applicant has agreed to replant the area near the chainlink fence with conservation seed mix as discussed. These were the only outstanding items from the previous hearing.

Ms. Pilch made a motion to close the public hearing for DEP #185-868: 82 Wedgewood Drive. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-868: #82 Wedgewood Drive. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Mr. Lively made a motion to authorize Dr. Rutberg to sign the Order of Conditions for DEP #185-868: #82 Wedgewood Drive on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Notice of Intent for DEP #185-869: #185 Fiske Street (Assessors Map 9-4-58) for proposed replacement septic system – *CIVILized Solutions*, representing *Elysa Seymour*

Documents: WPA Form 3; Plan of Land entitled “Septic System Construction, #185 Fiske Street, Holliston” dated 5/7/2020

- Ms. Skinner-Catrone noted that the only outstanding item from the previous hearing was the issuance of a file number for DEP. The number has since been issued.

Ms. Pilch made a motion to close the public hearing for DEP #185-869: 185 Fiske Street. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-869: #185 Fiske Street. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to authorize Dr. Rutberg to sign the Order of Conditions for DEP #185-869: #185 Fiske Street on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Ms. Pilch made a motion to adjourn at 9:25 PM. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

Notice of Intent for DEP #185-870: #373 Gorwin Drive (Assessors Map 7-7-64.R) for proposed replacement septic system – *Civil Site Engineering, LLC* representing *Michael Mascis*

Documents: WPA Form 3; Plan of Land entitled “Sewage Disposal System for Michael Mascis, 373 Gorwin Drive, Holliston, MA 01746” dated 5/20/20

- Mr. Clapp read the legal advertisement into the record.
- Ms. Margaret Bacon presented the project to the Commission. The applicant proposes a replacement septic system behind the house, entirely outside the 50’ No Disturbance Buffer. She estimated the 100-year floodplain, and noted that approximately 300 cubic yards would be filled within it.
- Mr. Clapp expressed concerns regarding compensatory flood storage. Ms. Bacon noted that the state regulations state that compensatory storage is only required if the Commission deems it necessary. Ms. Pilch noted that the wetland system is very large, so this filling would likely have minimal impact.
- Mr. Clapp noted that the existing shed and pool can be conditioned to not be rebuilt once no longer serviceable, as they are well within the 50’ No Disturbance Buffer Zone.
- Mr. Nickel inquired regarding stockpile locations. Ms. Bacon did not specifically note a stockpile location, but she anticipates behind the garage, bounded by silt fences. She noted stockpiling would be limited as trucks typically haul it away immediately. The Commission agreed that this was reasonable and would include it in the Order of Conditions.

Ms. Pilch made a motion to close the public hearing for DEP #185-870: #373 Gorwin Drive. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye

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