

APPROVED Meeting Minutes

Via Remote Participation

July 7, 2020

7:30 PM

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

Ryan Clapp, Conservation Agent

Absent:

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

Mr. Bajdek 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:	Present
Ms. Weissman:	Present
Ms. Buttarro:	Present
Mr. Lively:	Present
Mr. Nickel:	Present
Ms. Pilch:	Present
Dr. Rutberg:	Present

General Business

Review/Approve Minutes of 6/23/20

- Mr. Lively suggested a revision to the minutes reflecting that the Commission expressed dissatisfaction with the commencement of some work on the Rail Trail without prior notification to the Commission.
- Dr. Rutberg suggested clarification as to the Commission's decision to not require erosion controls on the Rail Trail project.

Mr. Lively made a motion to approve the minutes of 6/23/20 with Mr. Lively and Dr. Rutberg's revisions. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek: Aye

Ms. Weissman:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Review Proposal – Emerald Ash Borer tree work near #80 Kim Place

- Mr. Clapp presented a proposal for consulting work from Davey Tree Resources for damaged and dead ash trees near #80 Kim Place, in land owned by the Commission. These trees were affected by Emerald Ash Borer, and were threatening the abutting homeowner's property. This issue was initially brought up earlier this year, but was unable to be addressed until now due to the pandemic.
- Ms. Pilch inquired as to why the Commission would need this consulting work if the trees were clearly dead. Mr. Clapp responded that when he met with Davey Tree Resources, they were hopeful that some trees could be saved, and that the Commission could take a proactive approach. Mr. Clapp noted that the Commission's budget for land acquisition and maintenance was limited, so this expenditure may save the Commission's funding in the future.
- Mr. Lively expressed the need for a timeframe. The sooner the issue can be addressed for the homeowner, the better. It was decided to urge the proposal to be completed by the next meeting, with a definitive deadline by the following.

Re-issue Certificate of Compliance: DEP #185-451: #194 Lowland Street

- Mr. Clapp reported that the Commission had issued this Certificate of Compliance in May. However, the property owner misplaced the original and needed a new one to record at the Registry of Deeds.

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Certificate of Compliance for DEP #185-451: #194 Lowland Street on behalf of the Commission. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Request for a Certificate of Compliance: DEP #185-843: #3 Liberty Lane

- Mr. Clapp reported that this property had received a Partial Certificate of Compliance pending grass growth and lawn stabilization. The property has since achieved both.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-843: #3 Liberty Lane. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Certificate of Compliance for DEP #185-843: #3 Liberty Lane on behalf of the Commission. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Review Correspondence / Other

- Mr. Clapp reported that he had received an invoice for annual dues to MACC.

Ms. Pilch made a motion to authorize Ryan Clapp to sign the invoice for the FY21 dues to MACC. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Public Hearings/Public Meetings

Request for Determination of Applicability #D-670: #70 Orchard Lane (Assessors Map 14-1-90)
for proposed septic system replacement – *GLM Engineering*, representing *Catherine Hulme-Freudenberger*

Documents: WPA Form 1; Plan of Land Entitled “Proposed Sewage Disposal System, 70 Orchard Lane, Holliston, Massachusetts,” dated 5/29/2020

- Mr. Clapp read the legal advertisement into the record.
- Ms. Joyce Hastings presented the project to the Commission. The existing septic system in the rear yard is failing. The property parallels Jarr Brook, so the majority of the project is within the 100' buffer zone, but not encroachment into the 50'. Ms. Hastings noted that there would be stockpiling within the 100' buffer zone, as anywhere else would interfere with site access.
- Ms. Weissman inquired if there was any floodplain associated with Jarr Brook on the property. Ms. Hastings noted all floodplain was contained within the river channel, so no part of the project requires altering the floodplain.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-670: #70 Orchard Lane. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Determination of Applicability #D-670 on behalf of the Conservation Commission. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Request for Determination of Applicability #D-671: #381 Gorwin Drive (Assessors Map 7-7-63) for proposed pool demolition – Robert Murphy

Documents: WPA Form 1; Sketch Plan of Land, #381 Gorwin Drive, annotated 5/23/20

- Mr. Clapp read the legal advertisement into the record.
- Mr. Clapp noted that the project was for the demolition of an existing pool. He inquired if erosion controls would be needed. Ms. Weissman stated that since the area will be loamed and seeded, erosion controls will be needed for stabilization.
- Mr. Nickel asked if there were any accessory structures for the pool. Mr. Robert Murphy responded that there are not, but all associated fences will be removed.
- Mr. Clapp will work with Mr. Murphy to identify locations to install erosion controls.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-671: #381 Gorwin Drive. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye

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

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Determination of Applicability #D-671 on behalf of the Conservation Commission. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Request for Determination of Applicability #D-672: #45 Courtland Street (Assessors Map 4-3-13) for proposed replacement septic system – *CIVILized Solutions*, representing *Peter Rasum*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 45 Courtland Street, Holliston,” dated 5/26/2020

- Mr. Clapp read the legal advertisement into the record.
- Ms. Karon Skinner Catrone presented the project to the Commission. The septic system is currently failing at 45 Courtland Street. The newly proposed system will be outside the 50' NO Disturbance Buffer Zone, and will be further from the wetlands than the previous system. Seven trees will need to be removed as part of this project. As they are in poor health, they may merit removal anyways. Since the property is heavily wooded, there is no mitigation proposed.
- Mr. Bajdek inquired as to how the project will have access. Ms. Skinner Catrone noted that access is to the right side of the house, as that would have the least disturbance.
- Dr. Rutberg inquired if there would be any stockpiling. Ms. Skinner Catrone responded that any stockpiles will be outside the 100' buffer zone.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-672: #45 Courtland Street. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Determination of Applicability #D-672 on behalf of the Conservation Commission. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Request for Determination of Applicability #D-673: #15 Francine Drive (Assessors Map 11-8-18)
for proposed replacement septic system – *CIVILized Solutions*, representing *Donna Farley*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 15 Francine Drive, Holliston,” 6/11/2020

- Mr. Clapp read the legal advertisement into the record.
- Ms. Skinner Catrone presented the project to the Commission. The existing septic system is failing, and the newly proposed system is outside the 50’ No Disturbance Buffer Zone. One tree is proposed for removal, a 15” white pine.
- Mr. Lively inquired regarding the marker showing the approximate location of the existing leaching field. Ms. Skinner Catrone responded that they are avoiding that area altogether.
- Mr. Nickel noted another tree close to the system, and inquired if it was to be removed as well. Ms. Skinner Catrone noted that it was outside the grading area, so not proposed for removal.

Mr. Nickel made a motion to issue a Negative #3 Determination for #D-673: #15 Francine Drive. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Determination of Applicability #D-673 on behalf of the Conservation Commission. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Request for Determination of Applicability #D-674: #51 Dean Road (Assessors Map 11-8-160)
for proposed replacement septic system – *CIVILized Solutions*, representing *Paul Santoro & Judi Stone*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 51 Dean Road, Holliston,” dated 5/11/2020

- Mr. Clapp read the legal advertisement into the record.
- Ms. Karon Skinner Catrone presented the project to the Commission. This is an after-the-fact filing for the replacement septic system since it was in severe disrepair and needed replacement immediately. Work has completed and the area is loamed and seeded.
- Mr. Bajdek inquired if any variances were needed from the Board of Health, given the configuration of the system. Ms. Skinner Catrone noted that none were required.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-674: #51 Dean Road. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Ms. Pilch made a motion to authorize Christopher Bajdek to sign the Determination of Applicability #D-673 on behalf of the Conservation Commission. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

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 at the previous meeting, this item was to be continued until 7/21/2020

Notice of Intent for DEP #185-XXX: “0” Mill Street (Assessors Map 7-4-55.1&55.2) for proposed replacement stormwater structures – *GLM Engineering*, representing *Thomas Murch*

Documents: WPA Form 3; Plan Set entitled “Definitive Open Space Subdivision ‘Triangle Farm’ a 7 Lot Single Family Residential Subdivision, Holliston, Massachusetts,” dated 6/15/20

- Mr. Clapp read the legal advertisement into the record.
- Ms. Joyce Hastings presented the project to the Commission. This is a proposed 7-Lot Open Space Subdivision at the corner of Prentice and Mill Street. The project is largely outside of the 100’ buffer zone, except for part of the detention basin and two lots, to be filed separately.
- Mr. Clapp noted he had received the materials for the peer review today and sent it to David Faist at CMG Environmental.
- Mr. Clapp inquired as to how the open space would be transferred to the Commission. Ms. Hastings responded that the decision is to be made by the Planning Board, who has not yet held a meeting regarding this project.
- Mr. Lively noted that since the lots are to be carved out of a raw piece of land, the Commission will likely want markers for the wetlands and open space.

Ms. Pilch made a motion to continue the public hearing for DEP #185-XXX: “0” Mill Street until 7/21/2020. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Notice of Intent for DEP #185-XXX: 10 Bald Hill Road (Assessors Map 11-2-32) for proposed yard maintenance, walkway repair, and shed installation– *GLM Engineering*, representing *Timothy Horan*

Documents: WPA Form 3; Plan of Land entitled “Proposed Maintenance Plan, 10 Bald Hill Road, Holliston, Massachusetts,” dated 6/17/2020

- Mr. Clapp read the legal advertisement into the record.
- Ms. Joyce Hastings presented the project to the Commission. The applicant purchased the property in November and was looking to do some improvements. The wetlands are created by a headwall feeding into an intermittent stream. When the house was constructed, a retaining wall was built and the trees were undisturbed. However, the trees are largely overgrown with invasive bittersweet and no longer surviving well. Ms. Hastings has developed a plan to remove the invasives and trees affected, and replace them with prescribed native trees. Additionally, the applicant is looking to replace the existing brick walkway. The applicant is proposing to also remove dead trees near the driveway and replace with a shed on sonatubes, and to remove several other trees between the existing driveways, and loam and seed the area.
- Ms. Pilch noted that bittersweet is very difficult to remove without chemical herbicides. She suggests planning for a more permanent solution to the issue using herbicides, waiving the Commission’s precedent to prohibit them within 100’ of wetlands. Otherwise, the bittersweet

will return. Mr. Lively noted that the Commission has waived this restriction in the past for similar reasons.

- Ms. Pilch expressed concerns that the trees between the driveways are very large, and provide good wildlife habitat. She does not believe it to be in the interest of the Wetlands Protection Act to allow for these trees to be taken down. Ms. Hastings noted that the trees are not healthy and are dropping branches onto cars parked in the driveway.
- The Commission decided to meet onsite on Friday, July 21 to inspect the trees. Mr. Clapp will coordinate the site visit.
- Dr. Rutberg noted that sheds built within the 50' No Disturbance Buffer Zone are usually not permitted by the Commission. If there is any other location onsite, that would be better.
- Mr. Jack Harper, an abutter, expressed concerns about removing the trees between the driveways. He notes that 10 Bald Hill Road is the first house in the neighborhood and is concerned about the aesthetics of the projects. He suggests relocating the shed to the rear of the property. Ms. Hastings noted that topography of the property prohibits the shed's relocation.
- Mr. Joseph DuPuis, an abutter, echoed Mr. Harper's concerns, and added that the area between the driveways could be used as additional parking. Ms. Hastings noted that is not the applicant's intention, otherwise it would be shown on the plans.
- Mr. Richard Brodsky and Mr. Paul Shea, both abutters, expressed concerns with the project, echoing that of the Commission and abutters.
- Ms. Tracey DuPuis expressed concerns about setting a precedent for such work near wetlands.

Ms. Pilch made a motion to continue the public hearing for DEP #185-XXX: #10 Bald Hill Road until 7/21/2020. Ms. Weissman seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

Mr. Lively made a motion to adjourn at 9:40 PM. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Weissman:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Abstain

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