

APPROVED Meeting Minutes

Via Remote Participation

October 20, 2020

7:30 PM

Present: Christopher Bajdek, Chair; Jennifer Buttaro, Shaw Lively, Utah Nickel, Ann Marie Pilch, Commissioners

Ryan Clapp, Conservation Agent

Absent: Rebecca Weissman, Vice Chair, Allen Rutberg, Commissioner

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:	Absent
Ms. Buttaro:	Present
Mr. Lively:	Present
Mr. Nickel:	Present
Ms. Pilch:	Present
Dr. Rutberg:	Absent

General Business

Review/Approve Minutes of 9/29/20 & 10/6/20

Ms. Pilch made a motion to approve the minutes of 9/29/20. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Abstain
Ms. Pilch:	Aye

Ms. Pilch made a motion to approve the minutes of 10/6/20. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Vote to Authorize Christopher Bajdek to sign all documents issued by the Conservation Commission on 10/20/2020

Mr. Nickel made a motion to authorize Christopher Bajdek to sign all documents issued by the Conservation Commission on 10/20/2020. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Eagle Scout Project: Fairbanks Conservation Land – Ben Chamberlain

- Mr. Ben Chamberlain, Eagle Scout candidate, presented his proposed project to the Commission. Mr. Chamberlain proposes the installation of a kiosk at the entrance to the Fairbanks Property on Dunster Road. This kiosk could be used to show information, maps, news and other important items. He noted that construction has begun offsite and it will be brought in and installed later.
- Mr. Bajdek inquired as to where the kiosk was going to be installed. Mr. Chamberlain noted there is an existing metal sign and an existing granite sign. They plan to keep both in place but incorporate the two into the design, placing the kiosk near the two.
- Mr. Lively noted that this could be useful in warding off misguided mountain bikers who use the NEMBA lands abutting the parcel. The Commission agreed, and suggested the placement of maps and contact information on the kiosk.
- The Commission approved Mr. Chamberlain's project and thanked him for the benefit this will provide to the town.

Vote on Order of Conditions: DEP #185-881: Lot 3B Old Cart Path

- Mr. Clapp presented a draft Order of Conditions to the Commission. He noted that this Order was similar to those that were voted on during the previous meeting for a single family house.

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-881: Lot 3B Old Cart Path. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Vote on Order of Conditions: DEP #185-882: Lot 31A Old Cart Path

- Mr. Clapp presented a draft Order of Conditions to the Commission. He noted that this Order was similar to those that were voted on during the previous meeting for a single family house.

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-882: Lot 31A Old Cart Path. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Vote on Order of Conditions: DEP #185-883: Lot 32B Old Cart Path

- Mr. Clapp presented a draft Order of Conditions to the Commission. He noted that this Order was similar to those that were voted on during the previous meeting for a single family house.

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-883: Lot 32B Old Cart Path. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Vote to Accept Land – Parcel ID 4-2-43 (Off Adams Street)

- Mr. Clapp reported that the title search showed no outstanding issues on the parcel.

Mr. Nickel made a motion to accept the land located off Adams Street identified as Parcel ID 4-2-43. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye

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

- Mr. Clapp will develop a quitclaim deed with Town Counsel to be signed by the donors, the Commission and the Select Board.

Tree Removal Request: #889 Central Street

- Ms. Pilch noted that from the site visit, the trees in question are tall, skinny top-heavy red pines. She agrees that they pose a hazard to the homeowner's property. She noted that while only 4 of the trees are along the edge of the lawn, those in the interior still pose a threat. However, she noted that these trees still may provide habitat, and suggested leaving those in the wooded area as approximately 15' snags for woodpeckers and cavity nesters.
- The Commission agreed with this assessment, and allowed all trees to be removed with the caveat that those trees more than 5' beyond the tree line be left as snags.

Review Correspondence / Other

- Mr. Clapp presented release letters for Lots 66 and 67A Minuteman Circle. He noted that these lots, while encumbered by the Orders of Conditions for #185-530 and #185-849, they do not have wetlands themselves, and these Orders are preventing the lots from being sold.

Ms. Pilch made a motion to authorize Ryan Clapp to sign the release letters for Lots 66 and 67A Minuteman Circle. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek: Aye
Ms. Buttaro: Aye
Mr. Lively: Aye
Mr. Nickel: Aye
Ms. Pilch: Aye

- Mr. Clapp presented an invoice from BFB Titles, Inc., for \$250 for the title search for the property off Adams Street.

Ms. Pilch made a motion to authorize Ryan Clapp to sign the invoice from BFB Titles, Inc., for \$250. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek: Aye
Ms. Buttaro: Aye
Mr. Lively: Aye
Mr. Nickel: Aye
Ms. Pilch: Aye

Public Hearings/Public Meetings

Request for Determination of Applicability for #D-684: #73 Robert Road (Assessors Map 14-1-94) for proposed replacement septic system – *J.D. Marquedant & Associates, Inc.*, representing *Jim Roth*

Documents: WPA Form 1; Plan of Land entitled “Repair Board of Health Plot Plan, 73 Robert Road, Holliston, Massachusetts,” dated 9/2/2020

- Mr. Clapp read the legal advertisement into the record.
- Mr. Dave Marquedant, representative for the applicant, presented the project to the Commission. He noted that the existing septic system is failing, and a new replacement system is needed. There is a wetland across the road, and the limit of work is 51’ away from said wetland. The leaching field will require the existing fence and shed to be relocated. The system has been previously approved by the Board of Health.
- Mr. Nickel noted two pine trees on the plan, and inquired if they needed to be removed for the project. Mr. Marquedant responded that these trees will remain.

Mr. Nickel made a motion to issue a Negative #3 Determination for #D-684: #73 Robert Road. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Request for Determination of Applicability for #D-685: #35 Wingate Road (Assessors Map 11-8-273) for proposed replacement septic system – *CIVILized Solutions*, representing *Dan Fisk*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 35 Wingate Road, Holliston” dated 10/6/2020

- Mr. Clapp read the legal advertisement into the record.
- Mr. Eric Dickinson, representative for the applicant, presented the project to the Commission. He noted that the existing septic system is failing, and the system must be replaced. He noted that Jarr Brook runs in the rear of the lot, placing the system within the 100’ buffer zone but outside of the 50’ No Disturbance Zone. The proposed area where the septic system will be installed is existing lawn.
- Mr. Lively inquired if there were any trees to be removed, noting that he has observed one using aerial imagery. Mr. Dan Fisk noted that tree is no longer existing as it has been removed.
- Mr. Clapp noted there is an existing shed located within the 50’ No Disturbance Buffer Zone. Consistent with other decisions, he recommends having this structure removed once it reaches the end of its usable life. The Commission agreed.

Mr. Nickel made a motion to issue a Negative #3 Determination for #D-685: #35 Wingate Road. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
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Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Request for Determination of Applicability for #D-682: #6 Brandon Lane (Assessors Map 7-3-46.1) for proposed swimming pool – *Michael Kilgore*

Documents: WPA Form 1; Annotated Plan of Land “As-Built Plot Plan of Land in Holliston, MA,” dated 3/22/2013 (annotated 9/22/2020)

- Mr. Clapp reported that the applicant had requested a continuance until the meeting on 11/10/2020.

Mr. Nickel made a motion to continue the public meeting for #D-682: #6 Brandon Lane until 11/10/20. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Request for Determination of Applicability for #D-683: #25 Bald Hill Road (Assessors Map 11-2-121) for proposed irrigation well – *CIVILized Solutions*, representing *Jack Harper*

Documents: WPA Form 1; Plan of Land entitled “Application for Irrigation Well, 25 Bald Hill Road, Holliston, Massachusetts,” dated 9/21/2020

- Mr. Clapp reported that the applicant had requested a continuance to the meeting on 11/10/2020.

Mr. Nickel made a motion to continue the public meeting for #D-683: #25 Bald Hill Road until 11/10/20. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Notice of Intent for DEP #185-XXX: #45 Washington Street (Assessors Map 12-2-11) for proposed commercial building – *Legacy Engineering, LLC*, representing *Gill Realty Trust*

Documents: WPA Form 3; Plan Set entitled “45 Washington Street, Holliston, MA Site Plan,” dated 9/8/2020

- Mr. Clapp read the legal advertisement into the record.

**Conservation Commission Minutes 10-20-20
Drafted for the Commission by: Ryan Clapp
Approved by the Commission: 11-10-20**

- Mr. Clapp reported that the applicant had requested a continuance to the next meeting on 11/10/2020.

Mr. Nickel made a motion to continue the public hearing for DEP #185-XXX: #45 Washington Street to the meeting on 11/10/2020. Ms. Pilch seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	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 the applicant had requested a continuance to the meeting on 11/24/2020.

Ms. Pilch made a motion to continue the public hearing for DEP #185-866: #1569 Washington Street to the meeting on 11/24/2020. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Abbreviated Notice of Resource Area Delineation for DEP #185-891: “0” Birchwood Road (Assessors Map 8-2-15.P) for proposed resource area confirmation – *Goddard Consulting, Inc.*, representing *Matt Jackson*

Documents: WPA Form 4A; Plan of Land entitled “Wetland Plan, Map 8 Parcel 15.P, Holliston, MA,” dated 8/24/2020

- Ms. Nicole Hayes, representative for the applicant, noted that the only outstanding item from the previous public hearing was the file number from DEP. This has since been issued. She noted that this filing does not approve any work, just confirms the resource area locations. If work is proposed, that will be a separate Notice of Intent.

Ms. Pilch made a motion to close the public hearing for DEP #185-891: “0” Birchwood Road. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Ms. Pilch made a motion to issue an Order of Resource Area Delineation for DEP #185-891: “0” Birchwood Road. Mr. Nickel seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Notice of Intent for DEP #185-890: #61 Dodd Drive (Assessors Map 11-8-383) for proposed swimming pool – *Goddard Consulting, Inc.*, representing *Brian Kern*

Documents: WPA Form 3; Plan of Land entitled “Proposed Pool Plan of Land in Holliston, MA” dated 9/6/20; Plan of Land entitled “Buffer Zone Restoration Planting Plan, DEP File #185-890” dated 10/13/2020; Buffer Zone Restoration Sequencing, dated 10/13/2020.

- Mr. Mark Arnold, representative for the applicant, presented the restoration plan to the Commission. He noted that the outstanding item from the previous hearing was a restoration plan to help the area renaturalize and not be overtaken by invasive species. The restoration plan calls for installation of various native species under the supervision of a wetland botanist. He noted that the plan is for 75% of the plantings to survive before requesting a Certificate of Compliance. In the even that there is an issue, a remediation plan will be submitted.

Ms. Pilch made a motion to close the public hearing for DEP #185-890: #61 Dodd Drive. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-890: #61 Dodd Drive. Ms. Buttaro seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Notice of Intent for DEP #185-889: #194 & “0” Lowland Street (Assessors Map 9-2-57.1 & 12-4-33.1) for proposed vehicle staging parking lot – *Kimley-Horn & Associates, Inc.*, representing *Terri Bendes, Auto Dealers Exchange of Concord, LLC, dba ADESA Boston*

Documents: WPA Form 3; Plan Set entitled “Site Development Plan for ADESA Holliston, ADESA Inc., 194 Lowland Street, Holliston, MA 01746” dated 10/6/2020

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Approved by the Commission: 11-10-20

- Mr. Brian Brewer presented the project revisions to the Commission. From the previous hearings the outstanding items were related to the stormwater peer review. The applicant has since done extensive geotechnical testing onsite to respond to the peer review comments, including increased capacity in the stormwater structures in the event of a catastrophic event. As of this afternoon, the peer reviewer is satisfied with Kimley-Horn's response and revisions.
- Mr. Brewer also noted that the land surrounding the parking lot is to be donated to the town. They are proposing native plantings and conservation seed mix to improve the area, as well as to provide visual screening. Mr. Brewer noted that survival standards are included in the construction notes on the plans.
- Mr. Bajdek inquired as to who the applicant would work with to convey the land. Mr. Peter Barbieri, representative for the applicant, noted that they have spoken to the Planning Board to have this donation as a condition of approval. If the Planning Board is not amenable to this option, the applicant can work with the Select Board.
- Mr. Mike Pensack inquired if the berm running along Lowland Street would be addressed. Mr. Brewer notes that the berm is heavily vegetated, so the plan is to "clean it up" for screening. He noted that the Planning Board has visual conditions, and would also address any issues regarding light pollution and noise. Mr. Clapp further noted that the berm itself is located outside of the 200' Riverfront Area.
- Ms. Cherie Hafford expressed concerns about wildlife habitat. Mr. Barbieri noted that the site will be fenced in, but only that part used for parking, which is 4 acres of the over 30 acre parcel.
- Ms. Ellen Troland noted that the area used to be mapped as NHESP Priority Habitat. Mr. Clapp explained that the Commission must use the most recent maps, and as of 2017 this area has been removed.

Ms. Pilch made a motion to close the public hearing for DEP #185-889: #194 & "0" Lowland Street. Mr. Lively seconded the motion. A roll call vote was taken.

Mr. Bajdek:	Aye
Ms. Buttaro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

Notice of Intent for DEP #185-875: "0" Marilyn Street (Assessors Map 9-2-60.1) for proposed wireless communications facility – *Ecotec, Inc.*, representing *Brian Leyden, New Cingular Wireless PCS, LLC*

Documents: WPA Form 3; Plan Set entitled "Holliston Marilyn Street, NSTAR R/W #7, STR #31, LINES 240-01, 342-603 (230 KV) dated 5/19/20 (rev. 10/2/20) ; Letter from Everose Schluter, MassWildlife, dated 8/26/2020; Riverfront Area Alternatives Analysis

- Mr. Clapp reported that the applicant had requested a continuance to the meeting on 11/10/2020.

Mr. Nickel made a motion to continue the public hearing for DEP #185-875: "0" Marilyn Street to the next meeting 11/10/2020. Ms. Pilch seconded the motion. A roll call vote was taken.

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Mr. Bajdek:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

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

Mr. Bajdek:	Aye
Ms. Buttarro:	Aye
Mr. Lively:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye

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