

**APPROVED Meeting Minutes**

Via Remote Participation

June 14, 2022

7:30 PM

Present: Christopher Bajdek, Chair; Rebecca Weissman, Vice Chair; Utah Nickel (*arrived 7:45*), Ann Marie Pilch, Allen Rutberg, Commissioners; Richard Shansky, Alternate Commissioner

Ryan Clapp, Conservation Agent

Absent: Eilish Corey, Commissioner

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

**C. Bajdek read the following into the record:**

Pursuant to the Governor's June 16, 2021 Act relative to extending certain COVID-19 measures adopted during the state of emergency suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, 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 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.

R. Weissman:	Present
E. Corey:	Absent
U. Nickel:	Absent ( <i>arrived 7:45</i> )
A. Pilch:	Present
A. Rutberg:	Present
J. Valsamis:	Present
R. Shansky:	Present
C. Bajdek:	Present

**General Business**

**Review/Approve Minutes of 5/17/2022 & 5/31/2022**

**A. Rutberg made a motion to approve the minutes of 5/17/2022. R. Weissman seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye

- C. Bajdek: Aye
- A. Pilch and R. Weissman offered corrections for clarity and typos in the minutes of 5/31/2022.

**A. Pilch made a motion to approve the minutes of 5/31/2022 as corrected. A. Rutberg seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

#### **Request for a Certificate of Compliance: DEP #185-591: #54 Pilgrim Road**

- R. Clapp reported that this request was in relation to a long expired Order of Conditions that the homeowner was looking to clear from their title. R. Clapp observed no issues with issuing this Certificate.

**A. Pilch made a motion to issue a Certificate of Compliance for DEP #185-591: #54 Pilgrim Road. R. Weissman seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

\*\* U. Nickel arrived at 7:45 PM \*\*

#### **Release of performance bond: DEP #185-397: Highlands at Holliston**

- Dale MacKinnon, representative for Fafard, noted a bond was posted in 2011 for work on Mayflower Landing. The bond was for \$75,000, with the conditions of release being the acceptance of Mayflower Landing. Mayflower Landing has since been accepted by the Town so the conditions are met.

**A. Pilch made a motion to release the bond for DEP #185-397. A. Rutberg seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
U. Nickel:	Abstain
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye

C. Bajdek: Aye

### **Envisioning Future Holliston Survey #2**

- A. Pilch noted the Envisioning Future Holliston Committee requested that individual members for their respective boards bring up the survey at the next meeting. Details are on the Town's website. The Committee wants as many people to answer as possible.
- R. Weissman inquired if there is any social media posting. A. Pilch noted that should be coming soon.
- C. Bajdek inquired if there were there means than online to answer the survey. A. Pilch noted paper copies will be brought to the Senior Center.
- C. Bajdek noted that a good thing to mention in the survey would be support for a Lake Winthrop management group.

### **Review Correspondence**

- R. Clapp reported that MassAudubon will be visiting Mellen Street and Warren Woods for their annual Conservation Restriction monitoring on 6/23. Any Commissioners are welcome to join.
- R. Clapp noted that remote meetings are currently scheduled to end on 7/15/2022.
- R. Clapp noted with C. Bajdek's final meeting being on 6/28/2022, the Commission will need to elect new officers for FY23.

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

**Request for Determination of Applicability for #D-717: #195 Turner Road (Assessors Map 14-3-142)** for proposed replacement septic system – *GLM Engineering*, representing *Joseph Minihan*

**Documents:** WPA Form 1; "Proposed Sewage Disposal System, 195 Turner Road, Holliston, MA" dated 5/17/22

- R. Clapp read the legal advertisement into the record.
- Joyce Hastings presented the project to the Commission. The existing septic system is failing, and the applicant is proposing a new system in a similar area of existing lawn. The limit of work is 62' from the edge of the wetlands, largely for grading, though a corner of a trench is within the 100' buffer zone.
- U. Nickel noted a shed within the buffer zone and inquired as to how close it was to the wetlands. J. Hastings noted it is outside the 50' No Disturbance Zone.

A. Pilch made a motion to issue a Negative #3 Determination for #D-719: #195 Turner Road. R. Weissman seconded the motion. A roll call vote was taken.

R. Weissman: Aye  
U. Nickel: Aye  
A. Pilch: Aye

A. Rutberg: Aye  
J. Valsamis: Aye  
R. Shansky: Aye  
C. Bajdek: Aye

**Request for Determination of Applicability for #D-718: #149 Westfield Drive (Assessors Map 11-8-170) for proposed pool demolition – James & Patricia Koval**

**Documents:** WPA Form 1; Plan of Land, #149 Westfield Drive, dated 5/21/65

- R. Clapp read the legal advertisement into the record.
- R. Clapp gave an overview of the project. The existing in-ground swimming pool and associated concrete patio at #149 Westfield Drive has fallen into disrepair, and rather than repairing the pool, the applicant is looking to demolish the pool, located within 50' to an intermittent stream.
- Patricia Koval noted that the contractor would remove the metal frame and other materials, including the patio, and fill it in with clean fill. The area will then be replanted with lawn and trees.
- A. Pilch requested that native species be planted as opposed to nonnatives

A. Pilch made a motion to issue a Negative #3 Determination for #D-718: #149 Westfield Drive. A. Rutberg seconded the motion. A roll call vote was taken.

R. Weissman: Aye  
U. Nickel: Aye  
A. Pilch: Aye  
A. Rutberg: Aye  
J. Valsamis: Aye  
R. Shansky: Aye  
C. Bajdek: Aye

**Notice of Intent for DEP #185-923: #211 & "0" Prospect Street (Assessors Map 8E-1-1) for proposed restoration of altered wetland – GLM Engineering, representing Christopher Losak**

**Documents:** WPA Form 3; "Proposed Site Plan, 211 Prospect Street, Holliston, Massachusetts" dated 5/31/2022

- R. Clapp read the legal advertisement into the record.
- J. Hastings noted that the applicant had mistakenly cleared and done work within the wetlands located at #211 Prospect Street and the adjacent parcel at 0 Prospect Street. The applicant was planning to create a larger backyard without realizing it was wetlands until R. Clapp issued a violation. She noted that no trees were removed, but all the onsite brush was removed and piled up along the back into a berm. J. Hastings noted that the homeowner used plywood to cross the wetland, which minimized the amount of damage done to the wetlands, and that the area of disturbance was appx 10,625 sqft. The abutting property owner has been

notified and signed off on the Notice of Intent. Skunk cabbage has already returned to the area and ferns are starting to grow in. As restoration, the applicant proposes to install 60 shrubs in the wetland area and replant exposed soil with wetland seed mix. The brush pile will need to be removed using machinery and will be scattered for ground cover. All machinery will enter the site and operate in wetland on top of plywood to minimize ground disturbance.

- J. Hastings also noted the applicant is requesting a raised garden and chicken coop in the 50' No Disturbance Zone. A. Pilch raised concerns regarding pesticides and chicken waste. Any approval needs to be conditioned to avoid waste piling and contaminating the wetlands.
- U. Nickel inquired if the proposed gardens could be relocated outside the 50' No Disturbance Zone. J. Hastings noted it is located in an open spot in the canopy and this is the best location on the property. A. Pilch reiterated concerns regarding chemical use, and R. Clapp will condition appropriately to avoid use within the buffer zone.
- C. Bajdek noted that the grade from the house to the wetlands is very gentle. He noted that while current homeowner is now aware of extent of wetlands, it would be a good idea to install some wetland boundaries along the edge of lawn. J. Hastings suggested adding 3 bounds and will provide a revised plan.
- R. Clapp noted the disturbed area is prime for invasive species colonization and will need constant monitoring. R. Weissman noted the monitoring would be required only during the growing season
- R. Clapp reviewed the Massachusetts Inland Wetland Replication Guidelines recommended by MassDEP, reviewing the monitoring report requirements.

R. Weissman made a motion to close the public hearing for DEP #185-923: #211 & "0" Prospect Street. U. Nickel seconded the motion. A roll call vote was taken.

R. Weissman:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

**Notice of Intent for DEP #185-924: #26 Noel Drive (Assessors Map 9-3-2.9)** for proposed addition – GLM Engineering, representing Michael & Christina Marge

**Documents:** WPA Form 3; "Proposed Site Plan, 26 Noel Drive, Holliston, Massachusetts," dated 5/31/2022

- R. Clapp read the legal advertisement into the record.
- J. Hastings noted the applicant proposes the construction of an addition to a single family house, in addition to a driveway and porch. They also are proposing to replant area between fence and wetlands to return to a "natural" buffer zone to offset the project's encroachment into the 50' No Disturbance Zone with the porch and the driveway. The amount of buffer zone restoration will equal 4,290 sqft.
- C. Bajdek noted the proposed restoration is significant. He inquired if the addition could be pushed back so the rear façade could line up with the rear façade of the house, pulling it

further from the wetlands. J. Hastings noted there is an overhang with a bay window there and basement egress, so this would not be an option.

- U. Nickel inquired as to the sqft of the addition. J. Hastings noted it was approximately 1,200 sqft. U. Nickel inquired if it could be reduced in size to pull it out of the No Disturbance Zone. J. Hastings noted that the house orientation makes that difficult. They had hoped by restoring the buffer zone they could allow this addition. She also noted the roof of the porch is pervious, and the driveway is to be permeable pavement.
- C. Bajdek inquired if this was another opportunity to put in wetland bounds. J. Hastings noted there are vertices on the buffer zone that would be perfect for the installation of bounds and will provide a revised plan.
- R. Weissman inquired if there was any seed mix proposed for restoration. J. Hasting noted there was not. The applicant merely plans to plant the plantings and let it "go wild." U. Nickel also noted overseeding would not provide a benefit either as the lawn is well established.

**A. Pilch made a motion to close the public hearing for DEP #185-924: #26 Noel Drive. R. Weissman seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

**A. Pilch made a motion to issue an Order of Conditions for DEP #185-924: #26 Noel Drive. R. Weissman seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

**Notice of Intent for DEP #185-922: Lake Winthrop (Assessors Map 8-7-67.1)** for proposed invasive vegetation removal – *Mark Frank, Holliston Parks & Recreation*

**Documents:** WPA Form 3; Division of Fisheries and Wildlife determination, signed by Everose Schluter, dated June 10, 2022

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 6/28/22.

**A. Rutberg made a motion to continue the public hearing for DEP #185-922: Lake Winthrop until the next meeting on 6/28/2022. A. Pilch seconded the motion. A roll call vote was taken.**

Conservation Commission Minutes 6-14-22  
Drafted for the Commission by: Ryan Clapp  
Approved by the Commission: 8-2-22

R. Weissman:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Abstain
R. Shansky:	Aye
C. Bajdek:	Aye

**R. Weissman made a motion to adjourn at 9:11 PM. U. Nickel seconded the motion. A roll call vote was taken.**

R. Weissman:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
J. Valsamis:	Aye
R. Shansky:	Aye
C. Bajdek:	Aye

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