

APPROVED Meeting Minutes

Via Remote Participation

July 12, 2022

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Eilish Corey, Utah Nickel (*arrived 7:42*), Jacquelyn Valsamis, Rebecca Weissman, Commissioners; Richard Shansky, Alternate Commissioner

Ryan Clapp, Conservation Agent

Absent: Richard Shansky, Alternate Commissioner

Ann Marie Pilch, Chair, opened the meeting at 7:30 PM.

A. Pilch 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.

A. Rutberg:	Present
E. Corey:	Present
U. Nickel:	Absent (arrived 7:42 PM)
J. Valsamis:	Present
R. Weissman:	Present
R. Shansky:	Absent
A. Pilch:	Present

General Business

Review/Approve Minutes of 6/14/2022

- A. Rutberg requested that the square footage of mitigation for #26 Noel Drive be reflected in the minutes.
- This item was tabled until the next meeting on 7/26/2022

Enforcement Order: #31 Partridge Way

- R. Clapp provided background regarding this Enforcement Order. On July 6, a complaint was forwarded to him from the Building Department from a concerned abutter that fill was being brought in to the rear of the parcel, potentially filling in the wetlands in that area. R. Clapp visited the site and confirmed that fill was being brought in to level the yard and the slope in the rear of the property, located directly adjacent to the wetlands. R. Clapp directed the homeowner to cease all activities and install erosion controls. He has since spoken further with the homeowner, who indicated that he did not realize there was a buffer zone or no disturbance zone to wetlands, and was planning to level the yard and install a patio. R. Clapp noted that the slope in the rear is very steep and would not stabilize well with the fill, and recommends that the first step in this process be to remove the fill on the slope.
- Krunal Contractor, homeowner, indicated that he is searching for a contractor to remove the fill, believing it to be a 1-2 day job.
- A. Pilch inquired if the Enforcement Order should have a timeframe for compliance, or to assume good faith. R. Weissman recommended a timeframe. After discussion, it was agreed upon that the fill should be removed by August 1, and if more time is needed, to contact the Commission. The Commission also decided that a Notice of Intent should be submitted by August 31.
- A. Pilch expressed concern that the erosion controls are installed only on the top of the slope, not at the bottom. R. Clapp will revisit the site, but K. Contractor noted the slope was very steep with vegetation at the bottom, so erosion control down there may not be feasible.

****U. Nickel arrived at 7:42 PM****

A. Rutberg made a motion to issue an Enforcement Order of #31 Partridge Way. E. Corey seconded the motion. A roll call vote was taken.

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

Issue Letter of Non-Applicability: #29 Hiawatha Trail: DEP #185-849

- R. Clapp reported that he had been contacted by the seller's attorney for #29 Hiawatha Trail, requesting a letter of non-applicability for the Order of Conditions for DEP #185-849. This Order is in relation to the construction of Pout Lane and redevelopment of detention basins along Old Cart Path, and does not apply to #29 Hiawatha Trail.

R. Weissman made a motion to issue a Letter of Non-Applicability for #29 Hiawatha Trail in relation to DEP #185-849. A. Rutberg seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye

R. Weissman: Aye
A. Pilch: Aye

Review Correspondence

- R. Clapp reported that he had received the invoice from MACC for the annual dues for FY23, totaling \$597 for Commissioners and \$60 for himself. He inquired if any Commissioners were interested in a copy of the electronic handbook for an additional \$15. A. Pilch and E. Corey requested a copy.

A. Rutberg made a motion to authorize R. Clapp to pay the invoice from MACC for \$687.00. U. Nickel seconded the motion. A roll call vote was taken.

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

- A. Pilch noted that a significant amount of recent enforcement has been the result of homeowners being misinformed by realtors. She suggested reaching out to local realtors to inform them of the requirements of the Wetlands Protection Act and Bylaw.
- U. Nickel suggested sending a flyer with the census to all residents, or to track home sales through the Holliston Reporter. E. Corey noted there is a Holliston Newcomers group that would be useful to relay the information to.
- E. Corey noted that she is looking to do more volunteer work for the Commission this summer and is looking for suggestions. Suggestions from the Commission included trail mapping, joining the dam working group, and researching grants for trail assessments. R. Weissman inquired if E. Corey would be interested in presenting a class on reading Stormwater Reports for the MACC annual conference. E. Corey is interested in doing so.

Public Hearings/Public Meetings

Public Meeting – Request for Determination of Applicability for #D-719: #1 Norfolk Lane (Assessors Map 5-5-3) for proposed deck renovation – *Greg McEwan*

Documents: WPA Form 1; Plan of Land entitled “Plot Plan of Land, 1 Norfolk Lane, Holliston, MA” dated 3/24/22 (rev. 5/3/22)

- R. Clapp read the legal advertisement into the record.
- Greg McEwan gave an overview of the project. The existing deck at #1 Norfolk Lane is falling into disrepair, and he proposes to reconstruct it. However, it is located within the 50’ No Disturbance Zone, and he is unable to keep the footprint the same, as the helical piers upon which the deck is currently built would not support the new deck. New piers would be drilled adjacent to those piers in order to minimize disturbance within the buffer zone.

- A. Pilch confirmed that the deck is remaining the same size, with no expansion. G. McEwan confirmed that to be the case.

A. Rutberg made a motion to issue a Negative #3 Determination for #D-719: #1 Norfolk Lane. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye
R. Weissman:	Aye
A. Pilch:	Aye

Public Meeting – Request for Determination of Applicability for #D-720: #78 Turner Road (Assessors Map 14-3-56) for proposed replacement septic system – GLM Engineering, representing Virginia Matto

Documents: WPA Form 1; Plan of Land entitled “Proposed Sewage Disposal Plan, 78 Turner Road, Holliston, MA”, dated 6/22/2022

- R. Clapp read the legal advertisement into the record.
- J. Hastings gave an overview of the project. The existing septic system is failing, and needs to be replaced. She noted a stockpile area within the 50’ No Disturbance Zone, noting that the lot size is constrained and wetlands cover much of it. However, all work is proposed within existing lawned area.
- R. Clapp noted an extensive buckthorn infestation onsite. J. Hastings noted that the new owner, the applicant’s grandson would be the one to do address the issue.
- R. Clapp suggested conditioning for the new homeowner to reach out to him regarding buckthorn. A. Pilch does not want a mandate to address the buckthorn, just for the homeowner to contact R. Clapp regarding his options onsite.
- E. Corey inquired if erosion controls could be extended to the road slightly south to avoid erosion into Turner Road. J. Hastings agreed.

U. Nickel made a motion to issue a Negative #3 Determination for #D-720: #78 Turner Road. E. Corey seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye
R. Weissman:	Aye
A. Pilch:	Aye

Public Hearing – Request for Amendment to Order of Conditions for DEP #185-839: #58 Hopping Brook Road (Assessors Map 4-6-35.2) for proposed expansion of existing building foundation – *GLM Engineering*, representing *Richard Gordon, Hopping Brook Development*

Documents: Plan set entitled “Site Development Plan, Proposed Commercial Building, 58 Hoping Brook Road, Holliston, Massachusetts” dated 1/19/2015 (rev. 6/1/2022)

- R. Clapp read the legal advertisement into the record.
- Due to technical difficulties, Rob Truax of GLM was unable to present this project to the Commission this evening.

R. Weissman made a motion to continue the public hearing for DEP #185-839: #58 Hopping Brook Road until the next meeting on 7/26/2022. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye
R. Weissman:	Aye
A. Pilch:	Aye

Public Hearing – Notice of Intent for Bylaw File #B-007: #15 Katie Way (Assessors Map 5-3-41.6) for proposed single family house – *Connorstone Engineering*, representing *Steve O’Leary, O’Leary Builders*

Documents: WPA Form 3; Plan of Land entitled “Proposed Sewage Disposal System, Lot 6 Katie’s Way” dated 3/8/2016 (rev. 3/22/2022)

- R. Clapp read the legal advertisement into the record.
- George Connors presented the project to the Commission. This single family house is the last lot in the subdivision, and there is a bylaw-only isolated wetland that has a portion of the 100’ buffer zone cross into the limit of work. A previous Order of Conditions required there to be bounds set at approximately 75’ from the edge of the wetlands, but is requesting those bounds to be set at 50’, along the No Disturbance Zone.
- The Commission was unclear as to why the bounds were set so far back from the wetlands. R. Clapp reviewed minutes from previous hearings, but no reference was found in those minutes. A. Pilch noted that the bounds along the 50’ No Disturbance Zone make the most sense, and recommended that to the Commission, to which the Commission agreed.

R. Weissman made a motion to close the public hearing for #B-007: #15 Katie Way. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye

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

Public Hearing – Notice of Intent for DEP #185-XXX: #369 Concord Street (Assessors Map 11-6-251) for proposed restoration of altered buffer zone and installation of horse paddocks – *Goddard Consulting*, representing *Rayane Da Costa Lima*

Documents: WPA Form 3; Plan of Land entitled “Topographic Plan, 369 Concord Street, Holliston, Mass” dated 11/28/2021

- R. Clapp reported that he had received a request to continue this hearing until the next meeting on 7/26/2022.

A. Rutberg made a motion to continue the public hearing for DEP #185-XXX: #369 Concord Street until the next meeting on 7/26/2022. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
J. Valsamis: Aye
R. Weissman: Aye
A. Pilch: Aye

Public Hearing – Notice of Intent for DEP #185-925: “0” Old Cart Path (Assessors Map 14-5-2.1, 2.2, 3.A) for proposed stormwater basin for a four-lot residential subdivision – *Guerriere & Halnon*, representing *Constitution Village, LLC*

Documents: WPA Form 3; Plan Set entitled “‘Garnet Lane’, a Definitive Open Space Residential Subdivision in Holliston, Massachusetts” dated 12/2/21 (rev. 5/20/22)

- R. Clapp reported that he had received a request to continue this hearing until the next hearing on 7/26/2022.

E. Corey made a motion to continue the public hearing for DEP #185-925: 0 Old Cart Path until the next meeting on 7/26/2022. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
J. Valsamis: Aye
R. Weissman: Aye
A. Pilch: Aye

Public Hearing – Notice of Intent for DEP #185-926: “0” Hill Street (Assessors Map 6.1-1-6.C) for proposed stormwater basin for a two-lot residential subdivision – *Legacy Engineering*, representing *Community Development Partners, LLC*

Documents: WPA Form 3; Plan Set entitled “Hidden Cove Definitive Subdivision” dated 3/11/2022

- R. Clapp reported that he had received a request to continue this hearing until the next hearing on 7/26/2022.

U. Nickel made a motion to continue the public hearing for DEP #185-926: 0 Hill Street until the next meeting on 7/12/2022. A. Rutberg seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye
R. Weissman:	Aye
A. Pilch:	Aye

A. Rutberg made a motion to adjourn at 9:06 PM. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
J. Valsamis:	Aye
R. Weissman:	Aye
A. Pilch:	Aye

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