

## **Holliston Conservation Commission**

### **APPROVED Meeting Minutes**

Town Hall . Meeting Room #014

June 10, 2014

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Jim McGrath, David Schroder, Rebecca Weissman, Commissioners

Charles Katuska, Conservation Agent  
Sheri O'Brien, Conservation Assistant

Absent: None

**Allen Rutberg, Chair, opened the meeting at 7:31 PM.**

### **General Business**

#### **Ratify Emergency Certification to Breach Beaver Dam on Chicken Brook in Wenakeening Woods**

An Emergency Certificate to breach a beaver dam across Chicken Brook (located approximately 1,000+ feet south of the pedestrian bridge behind Mission Springs Elderly Housing) was issued today so that the Highway Department could alleviate flooding of the pedestrian bridge. The Agent will contact the Upper Charles Conservation Land Trust (UCCLT), because the dam is located in Wenakeening Woods which is owned by the UCCLT. Therefore, the Commission will wait to ratify the Emergency Certificate until after the UCCLT has been contacted.

#### **Invoice Bylaw Review**

The Commission signed the invoice from McGregor and Associates for \$1,273.50 for preparing a preliminary draft of the Bylaw.

#### **1201 & 1225 Washington Street Flooding Issue – Justin Brown & Doug Foss**

Mr. Brown reviewed a draft of his farm layout plan for 1201 Washington Street with the Agent last week and the Commission believes that he has shown a good faith effort in complying with the Commission's requests. After evaluating the property 1201 Washington Street with Mr. Brown, the Agent does not believe that he has constructed anything in the wetlands. Therefore, the Commission agrees that a Notice of Violation does not need to be served.

#### **Vote on Approval & Issuance of Order of Conditions for DEP/Bylaw File # 185-773: Brooksmont Meadow OSRD/Brooksmont Realty Trust**

A two week extension to the statutory time period (21 days from May 27, 2014) required to issue the Order of Conditions for DEP/Bylaw File # 185-773 was agreed to by the applicant. The 2 week extension was granted by Dennis Morgan of Brooksmont Realty Trust today in order to allow extra time to draft the Order of Conditions.

**APPROVED Conservation Commission Minutes 06-10-14**

**Issued by: Sheri D. O'Brien**

**Approved by Commission: 07-08-14**

**Page 1 of 4**

*The following two Orders of Conditions have the same conditions; therefore, the Commission reviewed and voted upon them simultaneously.*

**Vote on Approval & Issuance of Order of Conditions for DEP/Bylaw File # 185-763:  
Lot 18 Kingsbury Drive/Wall Street Development Corp**

**Vote on Approval & Issuance of Order of Conditions for DEP/Bylaw File # 185-764:  
Common Driveway - Lots 17 & 18 Kingsbury Drive/Wall Street Development Corp**

The Agent reviewed the 62 Special Conditions with the Commission. There is a condition requiring revised plans that include the correct numbers regarding the square footage of the wetland disturbance area and replication area. These plans will be accepted as administrative changes to the file. A condition will also be added to prohibit blasting for construction of the wetland crossing.

**Mr. Bajdek made a motion to approve and issue Orders of Conditions for DEP/Bylaw File #185-763: Lot 18 Kingsbury Drive and DEP/Bylaw File #185-764: Common Driveway - Lots 17 & 18 Kingsbury Drive with the addition of a condition that prohibits blasting. Ms. Pilch seconded the motion. Unanimous. (7-0-0)**

**Request for Extension to Order of Conditions for DEP File #185-658: Washington Hills – off Washington Street/Pulte Homes of NE**

After consulting with Town Counsel, Exhibit A was added to this Extension approved at the meeting on May 27, 2014. The following is a summary of Exhibit A:

- This Extension Permit does not apply to the parcel identified as Holliston Assessors Map 4, Block 6, Lot 21 (previously owned by the Dineens and now owned by the Town of Holliston, under the care and custody of the Conservation Commission).
- This Extension Permit does not grant any property rights or authorize any invasion of property rights.
- This permit must also be amended by the filing of revised plans and a Request for an Amendment to the Order of Conditions within 1 year from the issuance of this Extension Permit. Exhibit A is an integral part of this extension permit and must be recorded at the Registry of Deeds along with the Extension to the Order of Conditions.

This Extension to the Order of Conditions was re-signed by the Commission (it was approved by the Commission at the May 27, 2014).

**Public Meetings & Hearings**

**\*\*New Public Meeting - Request for Determination of Applicability - #D-522:**

**31 Robert Road (Assessors Map 14, Block 1, Lot 98) .** proposed above-ground pool at existing single-family home. *Wilhelmina Murray*

The Agent read the legal notice that was published in the *MetroWest Daily News* on June 3, 2014.

The addition of this swimming pool would have been a minor exempt activity on this property, except that there is no other location to put the pool that is 50qaway from Jarr Brook due to the septic system. Therefore, it will be placed 35qfrom Jarr Brook in existing lawn area.

The Commission inquired about how the pool water would be handled and discharged. Ms. Murray was not present; therefore, the Commission asked to table this public meeting to the next Conservation Commission meeting on June 24, 2014 so that they can discuss the pool water handling with her.

**\*\*New Public Meeting - Request for Determination of Applicability - #D-523:**

**28 & 42 North Mill Street (Assessors Map 10, Block 2, Lots 7A & 6) .** proposed resurfacing of existing parking area. *Peter Butler*

The Agent read the legal notice that was published in the *MetroWest Daily News* on June 3, 2014.

Peter Butler and Mary Roos were present. Mr. Butler presented plans for the asphalt resurfacing of the parking lot shared by his property at 42 North Mill Street and Ms. Roosq property at 28 North Mill Street. The parking lot will have 16 parking spaces. The old pavement will be removed. The edge of the current parking lot is about 30-40qfrom the wetland edge. The parking lot is approximately 3qabove the wetlands. The drainage off the parking lot flows across lawn in the buffer zone for about 20-30qbefore it coalesces and goes into the wetland. Snow is plowed onto the lawn at the edge of parking lot. No salt will be used on the parking lot.

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-523, 28 and 42 North Mill Street:**

**Positive #2B Determination:** the boundaries of the bordering vegetated wetlands are NOT confirmed as accurate;

**Positive #5 Determination:** the work is subject to review by the Holliston Conservation Commission pursuant to the Holliston Wetlands Administration ByLaw (Article XXX); and

**Negative #3 Determination:** the work is within the Buffer Zone, but will not alter an Area subject to protection under the Act, therefore, the work does not require a Notice of Intent.

**Conditions:**

- 1) Erosion control barrier must be installed prior to any land disturbance for the parking lot resurfacing work. Conservation Commission office must be notified (508-429-0607) following installation of the erosion control barrier. Erosion controls are to be maintained onsite in functional condition until any areas disturbed for parking lot reconstruction are fully restabilized with vegetation.
- 2) No salt will be used on the parking lot to melt snow and ice.

**Mr. Schroder seconded the motion. Unanimous. (7-0-0)**

**Continued Public Hearing – Abbreviated Notice of Resource Area Delineation**

**(DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” (Assessors Map 4, Block 4, Lot 56.8, Map 4, Block 4, 57.2, and Map 5, Block 3 Lot**

**APPROVED Conservation Commission Minutes 06-10-14**

**Issued by: Sheri D. O’Brien**

**Approved by Commission: 07-08-14**

**Page 3 of 4**

**31, respectively)**, verification of the limits of the areas subject to wetlands protection jurisdictions, *Scott Goddard/Goddard Consulting LLC* representing *Steve O'Leary/O'Leary Builders Inc.*

A request was received from Scott Goddard to continue this hearing until June 24, 2014.

**Ms. Weissman made motion to continue the hearing for Abbreviated Notice of Resource Area Delineation (DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” to June 24, 2014. Ms. Pilch seconded the motion. Unanimous. (7-0-0)**

### **General Business Continued**

#### **Vote on Meeting Minutes from 4/29/14**

**Ms. Pilch made a motion to approve the meeting minutes dated April 29, 2014 with Mr. McGrath’s comment incorporated. Mr. McGrath seconded the motion. Mr. Schroder abstained. The motion passed. (6-0-1)**

#### **Lake Winthrop Revitalization Committee**

Mr. Lively discussed Lake Pearl in Wrentham. The Boston Globe did an article on how the Town of Wrentham’s recreational use (boat launch, beach, etc.) fees are used to help support the annual use of herbicide to control invasive weeds in Lake Pearl. Mr. Lively felt that the use of fees to support the revitalization of Lake Winthrop was something worth investigating for Lake Winthrop.

#### **Holliston Wetlands Bylaw Review**

The Preliminary Draft of the Bylaw was prepared by Nathaniel Stevens of McGregor and Associates. Mr. Katuska commented upon the preliminary draft and e-mailed it to the Commission on June 9, 2014. The Commission began its initial review of the Bylaw and offered comments. The Commission will e-mail further comments to the Agent prior to Mr. Stevens attendance at the Commission’s next meeting on June 24, 2014.

**At 9:34 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Lively seconded the motion. Unanimous. (7-0-0)**

The next Conservation Commission meeting will be on Tuesday, June 24, 2014.