

Approved Meeting Minutes

Via Remote Participation

October 25, 2022

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Eilish Corey, Utah Nickel, Rebecca Weissman, Commissioners

Ryan Clapp, Conservation Agent

Absent: Jacquelyn Valsamis, Commissioner; 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 July 16, 2022 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 as soon as possible 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:	Present
J. Valsamis:	Absent
R. Weissman:	Present
R. Shansky:	Absent
A. Pilch:	Present

General Business

Review/Approve Minutes of 9/13/2022, 9/27/2022, 10/11/2022

- The minutes of 9/13/2022, 9/27/2022, and 10/11/2022 were tabled until the next meeting on 11/8/2022.

Request for a Certificate of Compliance: DEP #185-888: #169 Central Street

- R. Clapp reported that he had received a Request for a Certificate of Compliance for the Water Treatment Facility located at #169 Central Street. He walked the site with the project engineer,

Ali Parand, on 10/17/2022 and upon review of the Order of Conditions and the plans, recommends the issuance of a Certificate of Compliance.

E. Corey made a motion to issue a Certificate of Compliance for DEP #185-888: #169 Central Street. A. Rutberg seconded the motion. A roll call vote was taken.

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

Tree Removal Request: Balancing Rock Village

- R. Clapp reported that this request was for a number of trees at various locations at the Balancing Rock Subdivision. The houses built in this subdivision are very close to the tree line, and several trees along the edge adjacent to the houses are in poor condition and leaning over the houses. The property owners have proposed to replant the tree line with shrubs for a gradient to the wetlands, avoiding similar issues in the future.
- The Commission approved this request.

Tree Removal Request: 700 Central Street

- R. Clapp reported that this request was for six pine trees. These trees have grown into the side of a slope and are now damaged and leaning over the house and power lines. The property owner has proposed a list of plantings, including rhododendrons and laurels, for replanting.
- The Commission approved this request.

Review of Open Space Restrictions: Rebeca Lane (Triangle Farm)

- R. Clapp provided an overview of the situation, noting that the Planning Board had allowed an interim 30-year restriction while waiting on the State to review the permanent Conservation Restriction. At the previous meeting, the Commission was waiting on a legal review from Town Counsel. He has not received a response from Town Counsel as of yet, so the Commission cannot approve this tonight.
- A. Parra, attorney for the applicant, noted that a draft had been reviewed in July, and has incorporated approved language from the draft Conservation Restriction model. He noted the Conservation Restriction is in front of the State at the moment, but the State is backlogged. Once the Restriction is approved, they will be able to record the Restriction at the earliest available opportunity.
- G. Snyder, Elite Home Builders, noted that J. Hastings will have the Baseline Documentation Report done by the end of this week for the Conservation Restriction. He inquired if there was any opportunity for a temporary occupancy. A. Pilch noted this was a Planning Board

requirement, so they should follow up with them. She noted that as long as the process is on track, the Conservation Commission would support such a course of action.

Review Correspondence

- R. Clapp reported that the Commission was invited to a climate summit from Representative Jake Auchincloss. Interested individuals should RSVP by 11/1/2022.
- A. Pilch circulated an email regarding the Outdoor Recreation Survey from EOEEA.
- A. Pilch noted that she, R. Weissman, and R. Clapp had attended the MACC Conference on 10/15/22.

Public Hearings/Public Meetings

Public Meeting – Request for Determination of Applicability for #D-729: #63 Westfield Drive (Assessors Map 11-8-45) for proposed replacement septic system – *CIVILized Solutions*, representing *Roslyn Renzi Living Trust (c/o) Diane Robinson*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 63 Westfield Drive, Holliston,” dated 9/15/2022

- R. Clapp read the legal advertisement into the record.
- K. Skinner-Catrone presented the project to the Commission. The existing septic system at #63 Westfield Drive is failing and needs to be replaced. The replacement septic system is proposed in the rear of the lot within existing lawn. Due to site constraints, much of the project is located within the 50’ No Disturbance Buffer Zone. One tree is required for removal within the 100’ buffer zone.
- U. Nickel requested a naturalized area between the limit of work and the wetlands. He recommends keeping a 10’ swath of lawn mowed twice annually to avoid invasive species growth. R. Clapp will write that condition into the Determination.
- R. Weissman inquired if there was a need for wetland boundary markers, since the current owner is selling the house. A. Pilch agreed. R. Clapp suggested they be used to mark the extent of the 10’ minimally mowed area.
- E. Corey requested confirmation if there was a fence in the backyard. After reviewing aerial imagery, it was determined that the fence in the backyard had been removed.

E. Corey made a motion to issue a Negative #3 Determination for #D-729: #63 Westfield Drive. R. Weissman seconded the motion. A roll call vote was taken.

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

Public Meeting – Request for Determination of Applicability for #D-730: #129 Heritage Way (Assessors Map 6-2-134A) for proposed replacement septic system – *GLM Engineering*, representing *Marylou Decollibus*

Documents: WPA Form 1; Plan of Land entitled “Proposed Sewage Disposal System, 129 Heritage Way, Holliston, MA” dated 9/23/2022

- R. Clapp read the legal advertisement into the record.
- No one was present for this project this evening.

U. Nickel made a motion to continue the Public Meeting for #D-730: #129 Heritage Way until the next meeting on 11/8/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

Public Hearing – Notice of Intent for DEP #185-XXX: #9 Green Street, #21 Green Street, #769 Washington Street (Assessors Map 8E-3-61, 8E-3-84, 8E-3-70) for proposed construction of a municipal parking lot and associated site improvements – *Pare Corporation*, representing *James Keast, Town of Holliston*

Documents: WPA Form 3; Plan Set entitled “Town of Holliston, 9 Green Street” dated October 2022; Stormwater Report entitled “9 Green Street Parking Lot, Green Street, Holliston, MA,” dated October 2022

- R. Clapp read the legal advertisement into the record.
- A. Hanscom gave an overview of the project. He noted there was a large building previously located on this site that has since been demolished under a Determination of Applicability. They are now proposing a parking lot, with a rain garden and buffer zone restoration on this site. Several invasive species along the bank of the brook have been identified and will be disposed of.
- L. Gluck presented the existing conditions. There is an intermittent stream flowing west to east on the north side of the property, with a steep bank with a narrow wooded corridor. The site itself is previously developed, and the near entirety of the understory of the wooded corridor is invasive and will need to be addressed. The headwall for the stream will need to be replaced as well. 7 linear feet of bank will be impacted by this project and has been designed to minimize impacts to existing trees. For proposed mitigation, the applicant has provided a landscaping plan of native vegetation. They will replace the invasive vegetation that will be removed, and will have a 2 year monitoring period. The proposed stormwater management system will enhance the resource area as well.
- R. Clapp inquired if the Commission wanted him to send out the Stormwater Report for peer review. E. Corey inquired if there would be an increase or decrease in impervious area. S. Lynds responded that it should be a small net reduction in impervious surfaces. E. Corey will review the Stormwater Report in lieu of a third party peer review.
- U. Nickel noted that some of the proposed plantings are not natives. He believes this is a good opportunity to plant natives. A. Pilch agreed, but noted that the non-natives are largely outside of the buffer zone. Regardless, as a municipal project, the Town should be setting an example.

- A. Pilch inquired as to who would be doing the invasive species removal. L. Gluck responded that the contractor would be responsible, as it is not specified in the Notice of Intent. A. Pilch is concerned about this, especially due to proximity to the wetlands and disturbing the stability of the bank. She also wants to ensure that herbicides are being applied by a certified applicator. A. Hanscom noted that this can be conditioned and put in the details for the bidding process. R. Clapp will check with the DPW to see if anyone is certified for herbicide application.
- E. Corey inquired if there would be bypass pumping for the headwall reconstruction. A. Hanscom noted they will temporarily block flow and plan around the weather, using a water dam for the headwall reconstruction.
- E. Corey inquired if the headwall angle was pointing upstream. A. Hanscom noted that the way the headwall is designed, there is a pseudo-impoundment that controls the outflow of water from the pipe. She would still prefer it be facing downstream if possible. A. Hanscom noted that it has been designed to avoid tree removal, but will review further.
- E. Corey inquired if there could be a barrier to direct flow from the outlet structure. S. Lynds will research further.

R. Weissman made a motion to continue the Public Hearing for DEP #185-XXX: #9 Green Street, #21 Green Street, #769 Washington Street until 11/8/2022. U. Nickel seconded the motion. A roll call vote was taken.

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

Public Meeting – Request for Determination of Applicability for #D-727: #600 Central Street (Assessors Map 9-4-62) for proposed access road and battery energy storage facility – TRC Companies, representing BWC Bogastow Brook, LLC

Documents: WPA Form 1: Plan of Land entitled “Conceptual Site Layout Sketch” dated July 2022

- J. Lariscy gave an overview of the project updates. They recently received a peer review comment letter on the stormwater report and are reviewing their responses. He noted that the Commission wanted to have the peer review completed and signed off on before they acted on the Determination. He noted there is one specific comment that he wanted to review with the Commission related to the flood zone. A portion of the outlet structure extends into the 100-year floodplain, and the reviewer inquired if the Commission would require a Notice of Intent as opposed to a Request for Determination of Applicability.
- A. Pilch inquired if there would be any filling in the 100-year floodplain. J. Lariscy does not believe so, but will confirm with their civil engineer. E. Corey noted that in the previous session of the public meeting, the applicant had indicated there would be no elevation change that would affect flood storage. No Commissioners took issue with this application being a Request for Determination of Applicability.
- J. Lariscy will provide a list of native species that will be planted onsite as a part of this project.

U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until the next meeting on 11/15/2022. E. Corey seconded the motion. A roll call vote was taken.

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

Public Hearing – Notice of Intent for DEP #185-931: 1485 Washington Street (Assessors Map 5-3-59.1) for second story addition and drainage system, replacement of pavement, and restoration of altered buffer zone – CDW Consultants, representing Brian Donoghue, AnyFence Co.

Documents: WPA Form 3; Plan set for 1485 Washington Street, dated 8/9/2022; Stormwater Management Report dated 8/9/2022

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 11/8/2022.

U. Nickel made a motion to continue the public hearing for DEP #185-931: #1485 Washington Street. A. Rutberg seconded the motion. A roll call vote was taken.

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

Public Hearing – Notice of Intent for DEP #185-928: “0” Bartzak Drive (Assessors Map 14-4-21.4) for proposed construction of a solar power generation system and associated site work – Beals Associates, representing John Clifford, Bartzak PV, LLC

Documents: WPA Form 3; Plan Set entitled “Plans to Accompany Permit Documents for Large-Scale Solar Power Generation System, 0 Bartzak Drive, Holliston, Massachusetts” dated 7/27/2022, “Tree Inventory Plan” dated 7/27/2022; letter from Beals Associates, Inc., dated 10/7/2022

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 11/8/2022.

U. Nickel made a motion to continue the public hearing for DEP #185-928: 0 Bartzak Drive. A. Rutberg seconded the motion. A roll call vote was taken.

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

Public Hearing – Notice of Intent for DEP #185-927: #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 (rev. 10/6/2022); Letter from Goddard Consulting, LLC, dated 10/6/2022; Planting Plan dated 6/9/2022 (rev. 10/6/2022)

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 11/8/2022.

U. Nickel made a motion to continue the public hearing for DEP #185-927: #369 Concord Street. A. Rutberg seconded the motion. A roll call vote was taken.

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

U. Nickel made a motion to adjourn at 9:07 PM. A. Rutberg seconded the motion. A roll call vote was taken.

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

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