

Holliston Conservation Commission

**Approved Meeting Minutes**

Via Remote Participation

November 29, 2022

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Eilish Corey, Utah Nickel, Commissioners  
Ryan Clapp, Conservation Agent

Absent: Rebecca Weissman, 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
R. Weissman:	Absent
R. Shansky:	Absent
A. Pilch:	Present

**General Business**

**Interview Conservation Commission candidate – Nicole Smith**

- The Commission interviewed Nicole Smith for the open seat on the Conservation Commission. The Commission reviewed her qualifications and asked questions about her experience and availability. N. Smith noted she is excited to serve the Town of Holliston, and inquired about certain aspects of the role of the Conservation Commission, noting that the Commission has a profound ability to affect Holliston's growth.
- **A. Rutberg made a motion to recommend Nicole Smith to the Select Board for appointment to the Conservation Commission. U. Nickel seconded the motion. A roll call vote was taken.**

<b>A. Rutberg:</b>	<b>Aye</b>
<b>E. Corey:</b>	<b>Aye</b>
<b>U. Nickel:</b>	<b>Aye</b>
<b>A. Pilch:</b>	<b>Aye</b>

**Review/Approve Minutes of 9/27/2022, 10/11/2022, 10/18/2022, 10/25/2022, and 11/15/2022**

- These items were tabled until the next meeting on 12/13/2022.

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

- R. Clapp reported that Town Counsel had reviewed the terms of this temporary interim restriction and found them legally acceptable.
- **E. Corey made a motion to approve the Open Space Restrictions for Rebeca Lane. U. Nickel seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye

**E. Corey:** Aye

**U. Nickel:** Aye

**A. Pilch:** Aye

**Request for a Certificate of Compliance: DEP #185-787: #23 Minuteman Circle (Lot 69)**

- R. Clapp reported that he had received the outstanding information from NHESP for this project. He recommends the issuance of a Certificate of Compliance.
- **A. Rutberg made a motion to issue a Certificate of Compliance for DEP #185-787: #23 Minuteman Circle (Lot 69). U. Nickel seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye

**E. Corey:** Aye

**U. Nickel:** Aye

**A. Pilch:** Aye

**Tree Removal Request: #26 Old Cart Path**

- A. Pilch circulated photos from her site visit. She reviewed the trees in question, noting that while most of the trees were definitely a hazard, there was one that was questionable. She also noted that Bartlett Tree Experts does not remove trees, but did an evaluation and recommended the removal of the trees.
- The Commission approved the removal of three of the four trees were approved for removal, with a note that if saving the fourth was impossible, the applicant would contact the Commission for an amendment.

**Ratify Emergency Certification: "0" Westfield Drive**

- R. Clapp reported that he had received a complaint about a beaver dam on Westfield Drive causing flooding. He visited the sites along Westfield Drive with S. Moles and confirmed significant flooding in backyards, potentially causing risks to septic systems and basements. He had contacted the DPW who indicated they could partially breach the dam and install a beaver deceiver. R. Clapp issued the Certification, and the associated work has since been completed. R. Clapp inspected the deceiver earlier today.
- **A. Rutberg made a motion to ratify the Emergency Certification for "0" Westfield Drive. U. Nickel seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye

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

### **Review Correspondence**

- R. Clapp noted the Commission tentatively has a meeting scheduled for 12/27/22, and polled the Commission for attendance to ensure quorum. Based on responses, no changes to the meeting schedule are warranted.
- A. Pilch reported that there is a state initiative called Land Lines to make regional connections of trails. David Loutenheizer from MAPC has been working on this initiative for the Rail Trail and Highland Street. If anyone is interested in getting involved, A. Pilch can connect them.
- E. Corey noted that she has accepted a position with the Town of Wellesley and is interested in how another municipality operates and how she can share that information with Holliston.

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

**Public Meeting – Request for Determination of Applicability for #D-732: #665 Adams Street (Assessors Map 4-1-1)** for proposed construction of two decks and underground water line – *McArthur Environmental Consulting*, representing *Michael & Nancy Maher*

**Documents:** WPA Form 1; Plan of Land entitled “Plan to Accompany Notice of Intent, 665 Adams Street, Holliston, Mass” dated 11/7/2022

- R. Clapp read the legal advertisement into the record.
- S. McArthur presented the project to the Commission. The project entails the construction of two decks onsite, as well as an underground water line. The site consists of a single family home with a back deck and patio, as well as a large barn in the rear of the parcel. Much of the site is used for agriculture, with forested wetlands wrapping around the site, and the site is relatively flat and existing lawn. The proposed project will construct one deck above an existing brick patio, and the demolition and reconstruction of a new deck. Both decks are within the 100’ buffer zone, and the deck above the patio encroaches into the 50’ No Disturbance Zone. Additionally, the applicant proposes an underground water line coming out of the barn, running to the back of the property with a hydrant on each end in order to irrigate the crops in the field. The water line is a 1” plastic pipe buried 4’ underground. This portion of the project is within the 100-year floodplain, but there is no filling of floodplain associated with this project. Prior to any work commencing on site, several erosion control barriers are proposed onsite.
- A. Pilch inquired if the crops are grown for sale or personal use. S. Maher noted that the crops are grown for a farm stand and CSA. A. Pilch inquired why there was a need for a hydrant on the streamside of the water line. S. Maher noted on the other side of the stream are additional crops. A. Pilch confirmed that the crop field was existing. S. McArthur responded that it was.
- R. Clapp inquired if the stream was perennial or intermittent. S. McArthur noted that it was intermittent, and the buffer zone was inaccurately labeled as a riparian zone.
- E. Corey requested additional erosion controls associated with the deck. S. McArthur agreed to this.
- U. Nickel inquired if the brick patio would be removed. S. McArthur noted that it would be.
- A. Pilch requested a condition that the existing Jacuzzi not be drained into the wetlands. R. Clapp will so condition.

- N. Smith inquired if the barn was on well water or town water, and how much they will use. S. McArthur noted that it is well water. S. Maher is unsure on how much water will be used, as he is new to this site and this would be his first year at this site. However, he uses the lowest-flow irrigation possible.
- **E. Corey made a motion to issue a Negative #3 Determination for #D-732: #665 Adams Street. U. Nickel seconded the motion. A roll call vote was taken.**

<b>A. Rutberg:</b>	<b>Aye</b>
<b>E. Corey:</b>	<b>Aye</b>
<b>U. Nickel:</b>	<b>Aye</b>
<b>A. Pilch:</b>	<b>Aye</b>

**Public Meeting – Request for Determination of Applicability for #D-733: #26 Robert Road (Assessors Map 8-2-10.F)** for proposed replacement septic system – *GLM Engineering*, representing *Thomas Emmons*

**Documents:** WPA Form 1; Plan of Land entitled “Proposed Sewage Disposal System, 26 Robert Road, Holliston, MA” dated 11/14/2022

- R. Clapp read the legal advertisement into the record.
- No one was present for this application this evening.
- **U. Nickel made a motion to continue the public meeting for #D-733: #26 Robert Road until the next meeting on 12/13/2022. E. Corey seconded the motion. A roll call vote was taken.**

<b>A. Rutberg:</b>	<b>Aye</b>
<b>E. Corey:</b>	<b>Aye</b>
<b>U. Nickel:</b>	<b>Aye</b>
<b>A. Pilch:</b>	<b>Aye</b>

**Public Hearing – Notice of Intent for DEP #185-932: #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 (rev. 11/3/2022); Stormwater Report entitled “9 Green Street Parking Lot, Green Street, Holliston, MA,” dated October 2022 (rev. 11/3/2022); email from E. Corey dated 11/1/2022 re: Stormwater; letter from PARE Corp. re: Conservation Commission, Response to comments on Nov. 4, 2022, dated 11/9/2022; letter from PARE Corp. re: Notice of Intent – Response to DEP Review Comments, 9 Green Street, Holliston, DEP File No. 185-0932, dated 11/15/2022

- A. Hanscom noted that at the previous session of the public hearing, they had presented a series of responses to the comments on the stormwater report and MassDEP, but the Commission had not had the opportunity to review the responses at that time. A. Pilch noted that all questions appears to have been answered satisfactorily, but deferred to E. Corey. E. Corey agreed with A. Pilch.

- **A. Rutberg made a motion to close the public hearing for DEP #185-932: #9 Green Street, #21 Green Street, and #769 Washington Street. U. Nickel seconded the motion. A roll call vote was taken.**

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

- R. Clapp reported that the applicant had requested a continuance until the meeting on 12/13/2022.
- **U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until the next meeting on 12/13/2022. A. Rutberg seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye  
**E. Corey:** Aye  
**U. Nickel:** Aye  
**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 (rev. 10/18/2022); Stormwater Management Report dated 8/9/2022 (rev. 10/12/2022); letter from CDW Consultants re: Notice of Intent – AnyFence Co.

- R. Clapp reported that the applicant had requested a continuance until the meeting on 12/13/2022.
- **U. Nickel made a motion to continue the public hearing for DEP #185-931: #1485 Washington Street until the next meeting on 12/13/2022. A. Rutberg seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye  
**E. Corey:** Aye  
**U. Nickel:** 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 meeting on 12/13/2022.
- **U. Nickel made a motion to continue the public hearing for DEP #185-931: #1485 Washington Street until the next meeting on 12/13/2022. A. Rutberg seconded the motion. A roll call vote was taken.**

**A. Rutberg:** Aye  
**E. Corey:** Aye  
**U. Nickel:** 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. 10/20/2022); Letter from Goddard Consulting, LLC, dated 10/6/2022; Planting Plan dated 6/9/2022 (rev. 10/20/2022); Letter from Goddard Consulting, LLC, dated 11/22/2022

- M. Maslanka provided a revised plan with a revised planting schedule and reviewed it with the Commission. Horse Corral #3 has been removed, and will be lawned area. A 6” high berm and wetland plaques will be installed as well near Corral #2, and Planting Areas 2 and 3 were reviewed for location and species.
- E. Corey inquired if the applicant plans and to plant this season or wait until the next season. M. Maslanka noted that applicant is just waiting on final approval and would like to get some of the work done this season, even if it’s just seed mix.
- N. Smith inquired why the applicant removed the third horse corral. M. Maslanka noted it was a personal preference of the applicant.
- **A. Rutberg made a motion to close the public hearing for DEP #185-927: #369 Concord Street. U. Nickel seconded the motion. A roll call vote was taken.**

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

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

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

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