

Holliston Conservation Commission

APPROVED Meeting Minutes

Via Remote Participation

February 21, 2023

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Utah Nickel, Rebecca Weissman, Commissioners; Richard Shansky, Alternate commissioner
Ryan Clapp, Conservation Agent

Absent: Eilish Corey, Nicole Smith, Commissioners

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:	Absent
U. Nickel:	Present
N. Smith:	Absent
R. Weissman:	Present
R. Shansky:	Present
A. Pilch:	Present

General Business

Review/Approve Minutes of 12/27/2022, 1/10/2023, 1/24/2023, and 2/7/2023

- **A. Rutberg made a motion to approve the minutes of 12/27/2022. R. Weissman seconded the motion. A roll call vote was taken.**

A. Rutberg:	Aye
U. Nickel:	Aye
R. Weissman:	Aye
R. Shansky:	Aye
A. Pilch:	Aye
- A. Rutberg offered typo corrections to the minutes of 1/10/2023.
- **A. Rutberg made a motion to approve the minutes of 1/10/2023 as edited. U. Nickel seconded the motion. A roll call vote was taken.**
 - **A. Rutberg:** **Aye**

- U. Nickel: Aye
- R. Weissman: Aye
- R. Shansky: Abstain
- A. Pilch: Aye
- The minutes of 1/24/2023 and 2/7/2023 were tabled until the next meeting on 3/7/2023.

Request for Partial Certificate of Compliance: DEP #185-851: #589 Prentice Street

- This item was tabled until the meeting on 3/7/2023.

Request for Partial Certificate of Compliance: DEP #185-853: #607 Prentice Street

- This item was tabled until the meeting on 3/7/2023.

Request for Certificate of Compliance: DEP #185-882: Lot 31B Old Cart Path

Request for Certificate of Compliance: DEP #185-884: Lot 77 Old Cart Path

Request for Certificate of Compliance: DEP #185-887: Lot 81 Old Cart Path

Request for Certificate of Compliance: DEP #185-867: Lot 82 Old Cart Path

Request for Certificate of Compliance: DEP #185-876: Lot 83A Pout Lane

Request for Certificate of Compliance: DEP #185-877: Lot 83B Pout Lane

Request for Certificate of Compliance: DEP #185-878: Lot 83C Pout Lane

Request for Certificate of Compliance: DEP #185-879: Lot 83D Pout Lane

Request for Certificate of Compliance: DEP 3185-880: Lot 83E Pout Lane

- These 9 Requests for Certificates of Compliance were tabled until the next meeting on 3/7/2023.

Review Correspondence

- R. Clapp reminded the Commission that registration for the MACC Conference was still ongoing. A. Pilch noted there is a course introducing BioMap, but the MA Open Space Conference is doing one as well that will be free.
- R. Clapp noted that there is a tree bylaw in the works that he and Karen Sherman are working on. He will circulate the draft when ready.
- R. Clapp noted that Woodland Street has been closed by the bridge near the dam. The Select Board will be discussion options for repair and reopening of the street, as part of a larger discussion regarding repairing the Factory Pond Dam.
- R. Weissman noted that there is a proposed change to DEP regulations for climate change resilience, particularly as they relate to the Stormwater Standards. Additionally, the criteria for wetland delineation will be updated to be more in line with that used by the Army Corps.

Public Hearings/Public Meetings

Public Hearing – Notice of Intent for DEP #185-939: #38 Grove Street (Assessors Map 8A-3-4) for proposed replacement septic system, removal of in-ground pool, enlargement of existing garage, and landscaping – Inge Daniels

Documents: WPA Form 3; Plan of Land entitled “Daniels-Jankovsky Residence, 38 Grove Street, Holliston, Massachusetts 01746” dated 12/12/2022; Plan of Land entitled “Septic System Construction, 38 Grove Street, Holliston” dated 1/20/2023; Plant List, 38 Grove Street, Holliston

- R. Clapp reported that from the previous session of the public hearing, the only outstanding item remaining was the issuance of a DEP File Number. He reviewed DEP's comments on the project, noting that they referenced tree and vegetation clearing along the banks of the Winthrop Canal. He noted that was permitted under a previous request from the homeowner in 2018, and is not an issue.
- **U. Nickel made a motion to close the public hearing for DEP #185-939: #38 Grove Street. A. Rutberg seconded the motion. A roll call vote was taken.**
 - A. Rutberg:** Aye
 - U. Nickel:** Aye
 - R. Weissman:** Abstain
 - R. Shansky:** Aye
 - A. Pilch:** Aye
- **A. Rutberg made a motion to issue an Order of Conditions for DEP #185-939: #38 Grove Street. U. Nickel seconded the motion. A roll call vote was taken.**
 - A. Rutberg:** Aye
 - U. Nickel:** Aye
 - R. Weissman:** Abstain
 - R. Shansky:** Aye
 - A. Pilch:** Aye

Public Meeting – Request for Determination of Applicability for #D-736: #547 Washington Street (Assessors Map 8A-1-35) for proposed replacement septic system – Paul Saulnier, representing *Holliston Historical Society*

Documents: WPA Form 1; Plan of Land entitled “Septic System Construction, 547 Washington Street” dated 2/14/2023

- R. Clapp read the legal advertisement into the record.
- Paul Saulnier, representative for the applicant, presented the project to the Commission. The two existing septic systems at the historical society is failing. The new system will combine the systems into a single system. There is a wetland to the north of the proposed project, resulting in a minor encroachment into the buffer zone. The Board of Health has reviewed the plan and requested a larger leaching field, therefore he will be adjusting the type of system. No increase in encroachment into the buffer zone is proposed, however.
- A. Pilch requested confirmation as to how much work is proposed within the buffer zone. P. Saulnier noted that approximately 500 square feet of encroachment is proposed within existing lawn.
- **A. Rutberg made a motion to issue a Negative #3 Determination for #D-736: #547 Washington Street pending receipt of revised plans. U. Nickel seconded the motion. A roll call vote was taken.**
 - A. Rutberg:** Aye
 - U. Nickel:** Aye
 - R. Weissman:** Aye
 - R. Shansky:** Aye
 - A. Pilch:** Aye

Public Hearing – Notice of Intent for DEP #185-XXX: #99 Pilgrim Road (Assessors Map 9-4-92) for proposed in-ground pool – Riverhawk Environmental, representing Fabricio De Faria
Documents: WPA Form 3; Plan of Land entitled “Plan to Accompany NOI” dated 1/27/2023

- R. Clapp read the legal advertisement into the record.

- Bob Rego, representative for the applicant, presented the project to the Commission. The applicant proposes the construction of an in-ground pool within existing lawn. There is an existing tributary to the north of the property to Dopping Brook, creating Riverfront Area. Along the stream, there is also BVW, with a portion of the work within the 100' buffer zone. The entire property is also located within the 100-year floodplain, but they will not be filling in the floodplain, so no compensatory flood storage is proposed, though through the grading for the pool, flood storage is incidentally increased. He noted R. Clapp had provided comments, including a request for Frog Logs within the pool, as well as a requirement for removal of 2 vans located within the 50' No Disturbance Buffer Zone. R. Clapp also noted the presence of newly planted fruit trees, and cautioned the applicant about the use of herbicides and pesticides within the buffer zone.
- A. Rutberg inquired if any trees were to be removed. B. Rego noted one 30" tree will be removed as part of the project, though it is outside the buffer zone. He noted it is still within the Riverfront Area, however. R. Weissman asked if there could be mitigation for the removed tree. B. Rego noted the location of the existing vans within the 50' No Disturbance Zone would be an appropriate location for mitigation.
- **U. Nickel made a motion to continue the public hearing for DEP #185-XXX: #99 Pilgrim Road until the next meeting on 3/7/2023. R. Weissman seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - U. Nickel: Aye
 - R. Weissman: Aye
 - R. Shansky: Aye
 - A. Pilch: Aye

Public Hearing – Notice of Intent for DEP #185-936: Parcel D Prentice Street (Assessors Map 7-4-55.D) for proposed single family house – GLM Engineering, representing Thomas Murch, Murch Prentice Realty Trust

Documents: WPA Form 3; Plan Set entitled "Proposed Site Plan, Parcel D – Prentice Street, Holliston, Massachusetts" dated 12/7/2022

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 3/7/2023.
- **U. Nickle made a motion to continue the public hearing for DEP #185-926: Parcel D Prentice Street until 3/7/2023. R. Weissman seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - U. Nickel: Aye
 - R. Weissman: Aye
 - R. Shansky: 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 to the next meeting on 3/7/2023.
- **U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until the next meeting on 3/7/2023. A. Rutberg seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - U. Nickel: Aye

R. Weissman: Aye
R. Shansky: 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 noted that this hearing had already been continued to 3/21/2023.

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; Preliminary Vernal Pool Assessment, 0 Bartzak Drive, Holliston MA, from Oxbow Associates, Inc., dated 12/8/2022

- R. Clapp noted that this hearing had already been continued to 4/4/2023.

U. Nickel made a motion to adjourn at 8:32 PM. A. Rutberg seconded the motion. A roll call vote was taken.

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

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