

Holliston Conservation Commission

APPROVED Meeting Minutes

Via Remote Participation

March 7, 2023

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Eilish Corey (arrived 7:36 PM), Utah Nickel, Commissioners; Richard Shansky, Alternate commissioner
Ryan Clapp, Conservation Agent

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

General Business

Review/Approve Minutes of 1/24/2023, 2/7/2023, 2/21/2023

- **A. Rutberg made a motion to approve the minutes of 1/24/2023. U. Nickel seconded the motion. A roll call vote was taken.**

A. Rutberg:	Aye
U. Nickel:	Aye
R. Shansky:	Aye
A. Pilch:	Aye
- ****E. Corey arrived at 7:36 PM****
- **A. Rutberg made a motion to approve the minutes of 2/7/2023. U. Nickel seconded the motion. A roll call vote was taken.**

A. Rutberg:	Aye
E. Corey:	Aye

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Drafted for the Commission by: Ryan Clapp

Approved by the Commission: 4-18-23

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

- The minutes of 2/21/2023 were tabled until the next meeting on 3/21/2023.

Tree Removal Request: #140 Goulding Street

- R. Clapp reported that this request was for the removal of two white pines at #140 Goulding Street. These pines were growing out of an old fill pile onsite adjacent to the wetlands, and were leaning towards the house.
- The Commission approved this tree removal, and recommended replanting the area with highbush blueberry and sweet fern.

Request for a Certificate of Compliance: DEP #185-85: #43 Karen Circle

- R. Clapp reported that this request was in relation to an Order of Conditions issued in 2019. A Partial Certificate of Compliance had been issued, pending final grass growth and stabilization. R. Clapp has inspected the site and recommends the issuance of a Certificate of Compliance.
- U. Nickel made a motion to issue a Certificate of Compliance for DEP #185-855: #43 Karen Circle. A. Rutberg seconded the motion. A roll call vote was taken.
A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
R. Shansky: Aye
A. Pilch: Aye

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

- This item was tabled until the meeting on 3/21/2023.

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

- This item was tabled until the meeting on 3/21/2023.

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 3/21/2023.

Review Correspondence

- R. Clapp reported that the homeowner at 361 Winter Street is interested in tapping maple trees on the adjacent Conservation property for sap. The homeowner is planning to speak with the Commission in the summer.

- R. Clapp informed the Commission that he is having difficulties in finding a vendor for wetland and open space placards. He is reaching out to several companies and has requested information from other Conservation Agents.
- A. Pilch reported that she had walked with Joanne Hulbert on the Adams Street Town Forest and reviewed consistency with the use of these parcels and trail use with her.
- R. Clapp reported that unless otherwise extended, remote meeting provisions are set to expire at the end of March.

Public Hearings/Public Meetings

Public Meeting – Request for Determination of Applicability for #D-737: #53 Baker Street (Assessors Map 11.G-4-29) for proposed patio – Kevin Joshi & Virha Tiku

Documents: WPA Form 1; Annotated Plan of Land entitled “Septic System Construction, 53 Baker Street, Holliston,” annotated 1/22/2023

- R. Clapp read the legal advertisement into the record.
- R. Clapp presented the project to the Commission. The applicant proposes the construction of a patio in the rear of his property, approximately 35’ from the edge of wetlands. The project is entirely within existing lawn, and no trees are proposed for removal. The applicant also proposes a privacy fence surrounding his property.
- A. Pilch recommended that the fence have a minimum 4” gap from the bottom of the fence to the ground to allow for wildlife passage. The applicant was agreeable to this condition.
- A. Rutberg made a motion to issue a Negative #3 Determination for #D-737: #53 Baker Street. E. Corey seconded the motion. A roll call vote was taken.

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

Public Hearing – Notice of Intent for DEP #185-940: #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 reported that the applicant had requested a continuance to the next meeting on 3/21/2023.
- U. Nickel made a motion to continue the public hearing for DEP #185-940: #99 Pilgrim Road until the next meeting on 3/21/2023. A. Rutberg seconded the motion. A roll call vote was taken.

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: 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 (rev. 2/23/2023)

- J. Hastings presented the project revisions to the Commission. Changes to the plan included expansion of the wetland replication area, as well as a prohibition on the side slopes of the driveway within 50’ to the wetlands being mowed more than twice a year. Additionally, wetland bounds have been added around the limit of work to provide a visual barrier at approximately 70’ to the edge of wetlands. J. Hastings reviewed the planting list for the wetland replication area, based on existing vegetation and other suitable plantings.
- A. Pilch noted that she does not see a need to mow the side slopes twice annually as opposed to once. J. Hastings will amend to once annually. A. Pilch would like to see this as a condition for the mowing to be during the fall, when birds and amphibians are not nesting.
- U. Nickel confirmed that the house is greater than 70’ from the edge of the wetlands J. Hastings confirmed that it was, and the bounds are roughly 65-75’ from the edge of wetlands.
- R. Clapp reviewed the site visit, noting that they had observed debris and trash throughout the site. J. Hastings agreed, also noting that this was a historical dumping site. R. Clapp and J. Hastings will review language for such a condition.
- A. Pilch asked when the wetland replication would occur. J. Hastings responded that it would be done after the construction of the crossing, and before the construction of the house. R. Clapp noted that this can be a condition in the Order of Conditions.
- Jamie Ring, 427 Prentice Street, noted that the replication area has been relocated to an area that is where the visual tree buffer for 421 Prentice Street has. She also asked who enforces the conditions after the area is transferred to the homeowner. She also noted that the area is in Zone II.
- R. Clapp noted that the Conservation Commission is the enforcing body. He noted that the most valuable tool in the Commission’s arsenal are abutters reaching out with concerns.
- R. Shansky noted there could be a tree inventory in the wetland replication area. J. Hastings plans to work around the existing trees to the maximum extent possible. A. Pilch wants to ensure that as much as the natural character of the area is maintained. J. Hastings noted that wetland replication projects tend to develop over time to best address the area, and will keep R. Clapp informed throughout the process. J. Hastings also noted that a Zone II requires 10,000 square feet of lot area per bedroom, which is met.
- J. Ring also noted there is already a limited visual buffer to 421 Prentice Street, but acknowledged that attempts are being made to maintain existing trees. A. Pilch noted that the Commission’s purview does not include visual barriers such as that.
- **A. Rutberg made a motion to close the public hearing for DEP #185-936: Parcel D Prentice Street. E. Corey seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye**
 - E. Corey: Aye**
 - U. Nickel: 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 3/21/2023.

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- U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until the next meeting on 3/21/2023. A. Rutberg seconded the motion. A roll call vote was taken.

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

A. Rutberg made a motion to adjourn at 8:59 PM. U. Nickel seconded the motion. A roll call vote was taken.

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

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