

Holliston Conservation Commission

APPROVED Meeting Minutes

Via Remote Participation

June 13, 2023

7:30 PM

Present: Ann Marie Pilch, Chair; Allen Rutberg, Vice Chair; Eilish Corey, Utah Nickel, Nicole Smith, 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
N. Smith:	Present
R. Weissman:	Absent
R. Shansky:	Absent
A. Pilch:	Present

General Business

Review/Approve Minutes of 4/4/2023, 4/18/2023, and 5/2/2023

The minutes of 4/4/2023, 4/18/2023, and 5/2/2023 were tabled until the next meeting on 6/27/2023.

Discussion: Drain Replacements: Robert Walker, Holliston Department of Public Works

- R. Walker reported that various drains along Winter Street, located near #250, #400, and #792 need replacement, and asked the Commission if this project would need a filing with the Conservation Commission.

- R. Clapp noted that it may be an exempt activity under the Act and Bylaw. The Commission recommended that he reach out to the MassDEP Circuit Rider for confirmation.

Request for Certificate of Compliance: DEP #185-517: #105 Johnson Drive

- R. Clapp reported that this request was for a pool, and it had previously been issued a Partial Certificate of Compliance pending grass growth and stabilization, which has since been completed.
- **N. Smith made a motion to issue a Certificate of Compliance for DEP #185-517: #105 Johnson Drive. A. Rutberg seconded the motion. A roll call vote was taken.**

A. Rutberg: **Aye**

E. Corey: **Aye**

U. Nickel: **Aye**

N. Smith: **Aye**

A. Pilch: **Aye**

Review Correspondence

- No correspondence received.

Public Hearings/Public Meetings

Public Hearing – Notice of Intent for DEP #185-947: #2016 Washington Street (Assessors Map 4-6-11.3) for proposed addition to commercial building – *GLM Engineering*, representing *James Read*

Documents: WPA Form 3; Plan of Land entitled “Proposed Site Plan Amendment, ‘Proposed Accessory Garage,’ 2016 Washington Street, Holliston, Massachusetts

- R. Clapp read the legal advertisement into the record.
- J. Hastings presented the project to the Commission. The Applicant constructed this building in 2020, and received a Certificate of Compliance for the project. His business has now outgrown the existing building, and a Notice of Intent has been submitted for an addition off the rear of the existing building. The addition has been designed to minimize encroachment into the buffer zone, particularly the 50’ No Disturbance Zone. No encroachment into the 100-year floodplain is proposed with this project, and all work would be within the prior limit of work. The applicant proposes to replant the rear slope towards the wetland with a variety of native vegetation as mitigation for the project.
- A. Rutberg asked how much encroachment into the 50’ No Disturbance Zone was proposed. J. Hastings responded that 15 square feet of encroachment is proposed.
- A. Pilch noted that the Article XXXI Regulations provide a 70’ No Structure Zone from the edge of wetlands. She noted that the main reason for this Zone was so that buildings are not constructed close to large, formerly interior forest trees. J. Hastings noted that the project was previously partially within the 50’ No Disturbance Zone, and that area is all grass, with no trees within the buffer, just beyond the wetland line. No trees are proposed to be impacted as a part of this project now or in the future.

- A. Pilch asked if the ground cover within the 50' No Disturbance Zone would remain maintained grass. J. Hastings responded that the area will need to be maintained around the plantings until they are established. Afterwards, the area can be left to itself.
- E. Corey noted that the amount of encroachment into the No Disturbance Zone is so small that she believes it meets the intent of the Bylaw.
- N. Smith asked for clarification on the Bylaw regulations for the 70' No Structure Zone. A. Pilch noted there had historically been issues with area being built upon up to the 50' No Disturbance Zone. The formerly interior forest trees are now subjected to new stresses, and new homeowners continually expressed concerns about these trees, requesting permission to remove them, which reduced the effectiveness of the 50' No Disturbance Zone. A. Rutberg added that with no trees nearby, this should address the concerns posed by the Bylaw regulations. N. Smith expressed concerns about setting a precedent.
- A. Pilch asked if there was any anticipation for future growth. J. Hastings noted that between parking and access, there is no more area onsite for expansion.
- E. Corey requested confirmation if there was to be erosion control around the stockpile area. J. Hastings will provide a plan note.
- **A. Rutberg made a motion to continue the public hearing for DEP #185-947: #2016 Washington Street until the next meeting on 6/27/2023. N. Smith seconded the motion. A roll call vote was taken.**
 - A. Rutberg:** Aye
 - E. Corey:** Aye
 - U. Nickel:** Aye
 - N. Smith:** Aye
 - A. Pilch:** Aye

Public Hearing – Notice of Intent for DEP #185-XXX: #734 Adams Street (Assessors Map 4-2-58) for proposed 7-lot open space subdivision – *GLM Engineering*, representing *Dennis & Yvonne Ferreira*

Documents: WPA Form 3; Plan set entitled “Definitive Open Space Subdivision, ‘Beaver Brook Farm’, A 7 Lot Single Family Residential Subdivision, Holliston, Massachusetts” dated 3/6/2023

- R. Clapp reported that the applicant had requested a continuance to the meeting on 6/27/2023.
- **A. Rutberg made a motion to continue the public hearing for DEP #185-XXX: #734 Adams Street until the next meeting on 6/27/2023. U. Nickel seconded the motion. A roll call vote was taken.**
 - A. Rutberg:** Aye
 - E. Corey:** Aye
 - U. Nickel:** Aye
 - N. Smith:** 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

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Drafted for the Commission by: Ryan Clapp

Approved by the Commission: 8-8-23

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- R. Clapp reported that the applicant has requested a continuance to the meeting on 6/27/2023.
- **U. Nickel made a motion to continue the public hearing for DEP #185-940: #99 Pilgrim Road until the next meeting on 6/27/2023. E. Corey seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
N. Smith: 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 has requested a continuance to the next meeting on 6/27/2023.
- **U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until next meeting on 6/27/2023. N. Smith seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
N. Smith: 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; Preliminary Vernal Pool Assessment, 0 Bartzak Drive, Holliston MA, from Oxbow Associates, Inc., dated 12/8/2022; Vernal Pool Assessment and Resource Area Delineation, from Beals Associates, Inc., dated 5/25/2023; 2023 Spring Vernal Pool and Resource Area Assessment, from Oxbow Associates, Inc., dated 4/24/2023

- R. Clapp reported that the applicant had requested a continuance to the next meeting on 6/27/2023.
- **E. Corey made a motion to continue the public hearing for DEP #185-928: “0” Bartzak Drive until the meeting on 6/27/2023. A. Rutberg seconded the motion. A roll call vote was taken.**

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

A. Pilch: **Aye**

N. Smith made a motion to adjourn at 8:53 PM. A. Rutberg seconded the motion. A roll call vote was taken.

A. Rutberg: **Aye**

E. Corey: **Aye**

U. Nickel: **Aye**

N. Smith: **Aye**

A. Pilch: **Aye**

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