

Holliston Conservation Commission

APPROVED Meeting Minutes

Via Remote Participation

July 11, 2023

7:30 PM

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

Absent:

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
S. Narayanan:	Present
A. Pilch:	Present

General Business

Interview Conservation Commission candidate: Caitlin Newton

- C. Newton introduced herself to the Commission, explaining her background as a science teacher and interest in this line of work. She has been attending Conservation Commission meetings, and believes this is an excellent way to give back to the community. She has taken several MACC Fundamentals courses to familiarize herself with the work of the Conservation Commission.
- As there have been other applications received for the open seat on the Conservation Commission, the Commission decided to wait until all applicants have been interviewed to make a recommendation to the Select Board.

Review/Approve Minutes of 5/16/2023, 6/6/2023, 6/13/2023, and 6/27/2023

- The minutes of 5/16/2023, 6/6/2023, 6/13/2023, and 6/27/2023 were tabled until the next meeting on 7/25/2023.

Vote on Slate of Officers: FY24

- **A. Rutberg made a motion to nominate A. Pilch as Chair and E. Corey as Vice Chair. N. Smith seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
S. Narayanan: Aye
A. Pilch: Aye

Review Correspondence

- R. Clapp noted that there have been two other applicants for the open seat on the Conservation Commission. A. Pilch noted that a third individual may be applying for the open seat.
- R. Clapp noted that he had received a complaint about an encroachment into a Conservation Restriction that he will be investigating.
- N. Smith noted that she will be reaching out to Commissioners for assistance in updating the Open Space and Recreation Plan.

Public Hearings/Public Meetings

Public Meeting – Request for Determination of Applicability for #D-740: Near #250, #400, and #792 Winter Street for proposed replacement of three drain pipes – *Holliston Department of Public Works*

Documents: WPA Form 1

- R. Clapp read the legal advertisement into the record.
- R. Clapp reviewed DEP's response determining that this project is not an exempt minor activity.
- R. Walker reviewed the locations of the three drain pipes, noting that their replacement should be a quick operation. They will be installing erosion controls, and will be notifying adjacent homeowners regarding road closures during this time.
- E. Corey clarified that by adding a riprap apron with the replacement of these, they will be complying with the Stormwater Standards to a greater degree than it is currently.
- **A. Rutberg made a motion to issue a Negative #3 Determination for #D-740: Near #250, #400, and #792 Winter Street. E. Corey seconded the motion. A roll call vote was taken.**

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

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N. Smith: Aye
S. Narayanan: Aye
A. Pilch: Aye

Public Meeting – Request for Determination of Applicability for #D-739: #53 Wingate Road (Assessors Map 11-8-277) for proposed replacement septic system – *Hayes Excavation*
Documents: WPA Form 1; Plan of Land entitled “On-Site Sewage Disposal System, 53 Wingate Drive, Holliston, Massachusetts” dated 4/14/2023

- B. Gottweld, representative for the applicant, presented the project to the Commission. The existing septic system has failed and needs replacement as part of the renovations to the house. They are proposing to replace the system in the same location as the existing system. Jarr Brook is in the rear of the property, with no encroachment into the 50’ No Disturbance Zone.
- E. Corey expressed concerns about driving heavy equipment over the drainage easement. B. Gottweld noted that provided the drain line was constructed in the correct location, they should not be driving over the drain line. E. Corey requested that project access be on the other side of the house to err on the side of caution.
- R. Clapp noted there is an existing swimming pool in poor condition onsite and asked what the plan for the pool was. B. Gottweld is unsure. R. Clapp noted the Determination will only apply for the septic system replacement. Any work associated with the pool will require a separate filing.
- **E. Corey made a motion to issue a Negative #3 Determination for #D-739: #53 Wingate Road. N. Smith seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
S. Narayanan: Aye
A. Pilch: Aye

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” revised 6/14/2023

- R. Clapp reported that the applicant had requested a continuance to the next meeting on 7/25/2023.
- **N. Smith made a motion to continue the public hearing for DEP #185-947: #2016 Washington Street until the next meeting on 7/25/2023. U. Nickel seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye
E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
S. Narayanan: 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. Truax has revised the plans per the stormwater peer review comments from McClure Engineering. Beaver Brook has been shown on the plans in detail, as well as the 100-year floodplain associated with the river. The wetland replication area has been revised and is shown in a detailed plan, totaling approximately 800 square feet. The road layout has also been revised so that the entirety of the road, including the pond in the center, will be accepted by the Town when the time comes. R. Truax recommended a condition that Lots 4 & 5 be regulated under different Orders of Conditions to address any issues with the Riverfront Area. He also noted that comments from DEP included a filing fee issue and a question regarding the placement of stormwater BMPs, which is addressed in the plans.
- A. Pilch requested clarification as to what the Conservation Commission and Planning Board would be approving for this project. R. Truax is unsure as to how the Planning Board will break the project down, but there is a meeting on Thursday. He noted that usually, the road is separated from the houses, which are all done under different Notices of Intent. However, D. Ferreira’s priority is dividing the land and deeding it to the Town.
- R. Truax requested that R. Clapp relay to K. Sherman the general opinion of the Commission on this project. The general consensus of the Commission is that there are still various questions, but the Commission does not have serious outstanding issues thus far. The Commission is excited to accept the Open Space.
- N. Smith asked what was applied for with the Planning Board. R. Truax responded that a 7-lot subdivision was applied for, requesting a covenant that a 2-lot plan could be recorded, to be later divided into 7-lots in the future. He clarified that this Notice of Intent is just for the road and drainage structure, with an additional 5 Notices of Intent to be filed in the future. U. Nickel asked if the property lines may change in the future. R. Truax responded that there is not much opportunity for property line revision onsite.
- **N. Smith made a motion to continue the public hearing for DEP #185-XXX: #734 Adams Street until the next meeting on 7/25/2023. A. Rutberg seconded the motion. A roll call vote was taken.**

A. Rutberg: **Aye**

E. Corey: **Aye**

U. Nickel: **Aye**

N. Smith: **Aye**

S. Narayanan: **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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- B. Rego noted that there has been several months since the last meeting, and refreshed the Commission on the project. A mitigation area within the 50' No Disturbance Zone has been added, where the vans will be removed. The pool has also been sunken into the ground with a retaining wall to avoid impacts to the 100-year floodplain. He also noted there were several comments regarding work within the Riverfront Area, largely due to the lack of a 100' inner riparian zone that is flooded. He noted that this is an allowed use within this area, provided they are greater than 50' away from the bank of the river or the wetlands. A. Pilch and R. Clapp reviewed the relevant sections of the Wetlands Protection Act regulations with the Commission.
- **A. Rutberg made a motion to close the public hearing for DEP #185-940: #99 Pilgrim Road. U. Nickel seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - E. Corey: Aye
 - U. Nickel: Aye
 - N. Smith: Aye
 - S. Narayanan: Abstain
 - A. Pilch: Aye
- **A. Rutberg made a motion to issue an Order of Conditions for DEP #185-940: #99 Pilgrim Road. N. Smith seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - E. Corey: Aye
 - U. Nickel: Aye
 - N. Smith: Aye
 - S. Narayanan: Abstain
 - 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 7/25/2023.
- **U. Nickel made a motion to continue the public meeting for #D-727: #600 Central Street until next meeting on 7/25/2023. N. Smith seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - E. Corey: Aye
 - U. Nickel: Aye
 - N. Smith: Aye
 - S. Narayanan: 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 7/25/2023.
- **A. Rutberg made a motion to continue the public hearing for DEP #185-928: “0” Bartzak Drive until the meeting on 7/25/2023. N. Smith seconded the motion. A roll call vote was taken.**

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
N. Smith:	Aye
S. Narayanan:	Aye
A. Pilch:	Aye

E. Corey made a motion to adjourn at 9:19 PM. U. Nickel seconded the motion. A roll call vote was taken.

A. Rutberg:	Aye
E. Corey:	Aye
U. Nickel:	Aye
N. Smith:	Aye
S. Narayanan:	Aye
A. Pilch:	Aye

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