

Holliston Conservation Commission

APPROVED Meeting Minutes

Via Remote Participation

September 19, 2023

7:30 PM

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

Absent: Nicole Smith, 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:	Absent
S. Narayanan:	Present
A. Pilch:	Present

General Business

Review/Approve Minutes of 7/25/2023, 8/8/2023, 8/22/2023, 9/5/2023

- **U. Nickel made a motion to approve the minutes of 7/25/2023. A. Rutberg seconded the motion. A roll call vote was taken.**

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

- The minutes of 8/8/2023, 8/22/2023, and 9/5/2023 were tabled until the next meeting on 10/3/2023.

Conservation Commission Minutes 9-19-23

Drafted for the Commission by: Ryan Clapp

Approved by the Commission: 10-31-23

Page 1 of 6

Deliberations: Bylaw File #B-008: “0” Bartzak Drive

- A. Rutberg noted that he has not been able to find a path to making this project acceptable under the bylaw, and opposes issuing an Order of Conditions for this project. He is uncomfortable with the proposed encroachment into the 100’ No Disturbance Zone to the vernal pool, and notes that the applicant’s consultant has confirmed that this encroachment will likely have a negative impact on the vernal pool species, particularly wood frogs. Previous Orders of Conditions have provided waivers of this restriction, but only in those cases that the adjacent upland within the 100’ vernal pool no-disturb zone does not provide suitable habitat or migratory paths for vernal pool species. He further noted that the applicant references the public interest of solar energy generation, but observes that several other solar projects in Town, totaling nearly 100 acres of solar fields, have been reviewed and permitted by the Commission under the wetlands regulations. He noted that the applicant observed that future projects may be a greater nuisance to local residents, but as long as the future applicant respects the 100’ no disturbance zone around the vernal pool and other wetlands regulations, the Commission would likely approve the application.
- U. Nickel also expressed concerns about this project. While he supports clean energy, he is aware of the negative land use impacts from solar. The bylaw’s purpose is to protect the resource area, and believes this project would not protect these values. He further noted that the report established that the area’s capacity for spotted salamanders is already diminished; approving further disturbance would diminish it further.
- E. Corey noted that other projects have received waivers, and is concerned about precedent setting through issuing a waiver of this Bylaw. She is not supportive of trading forest for a solar field.
- S. Narayanan noted that she is not eligible to vote on this project. Furthermore, she lives on Mohawk Path, so will recuse herself from this conversation.
- A. Pilch noted that the Bylaw has a statement: “The Commission shall presume that all areas meeting the definition of “vernal pools” under Section 9 of this bylaw, including the adjacent buffer zone area, perform essential habitat functions. This presumption may be overcome only by the presentation of credible evidence which, in the judgment of the Commission, demonstrates that the basin or depression does not provide essential vernal pool habitat functions.” She does not believe that this presumption has been overcome.
- **A. Rutberg made a motion to issue a Denial Order of Conditions for #B-008: “0” Bartzak Drive. U. Nickel seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - E. Corey: Aye
 - S. Narayanan: Abstain
 - U. Nickel: Aye
 - A. Pilch: Aye

Order of Conditions: DEP #185-950: #1163 Washington Street

- **U. Nickel made a motion to issue an Order of Conditions for DEP #185-950: #1163 Washington Street. S. Narayanan seconded the motion. A roll call vote was taken.**
 - A. Rutberg: Aye
 - E. Corey: Aye

S. Narayanan: Aye
U. Nickel: Aye
A. Pilch: Aye

Order of Conditions: DEP #185-951: #3 Norfolk Lane

- U. Nickel made a motion to issue an Order of Conditions for DEP #185-951: #3 Norfolk Lane. S. Narayanan seconded the motion. A roll call vote was taken.

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

Recommendation to Select Board: Conservation Commission candidate

- S. Narayanan made a motion to recommend Matthew Clark to the Select Board for appointment to the Conservation Commission. A. Rutberg seconded the motion. A roll call vote was taken.

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

Tree Removal Request: #204 Mohawk Path

- R. Clapp reported that this request was for the removal of two white pines at #204 Mohawk Path. These trees have unbalanced branches, causing the tree to lean over the house and swingset, posing a safety hazard. The homeowner has proposed replanting with shrubs, and will work with R. Clapp for appropriate mitigation.
- The Commission approved the removal of these two trees.

Request for Certificate of Compliance: DEP #185-527: #112 Lakeshore Drive

- U. Nickel made a motion to issue a Certificate of Compliance for DEP #185-527: #112 Lakeshore Drive. S. Narayanan seconded the motion. A roll call vote was taken.

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

Request for Partial Certificate of Compliance: DEP #185-849: Constitution Village

- No representative was present for this discussion. This item was tabled until the meeting on 10/3/2023.

Review Correspondence

- S. Narayanan provided an update on the Open Space and Recreation Plan. She and N. Smith have met and developed a roadmap for the sections that need updating and will provide additional information at a future meeting.

Public Hearings/Public Meetings

Public Meeting – Request for Determination of Applicability for #D-743: #318 Central Street (Assessors Map 8A-5-13) for proposed replacement septic system – *Paul Saulnier*, representing *Herbert Brockert, Jr.*

Documents: WPA Form 1; Plan of Land entitled “Proposed Sewage Disposal System, 318 Central Street, Holliston, MA” dated 3/23/2023

- R. Clapp read the legal advertisement into the record.
- No representative was present for this meeting.
- **U. Nickel made a motion to continue the public meeting for #D-743: #318 Central Street. E. Corey seconded the motion. A roll call vote was taken.**

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

Public Hearing – Notice of Intent for DEP #185-XXX: #1380 Washington Street (Assessors Map 5-1-15) for proposed construction of a single family house – *CIVILized Solutions*, representing *Paata Macharashvili*

Documents: WPA Form 3; Plan of Land entitled “Septic System Construction, 1380 Washington Street, Holliston, MA” dated 5/26/2023

- R. Clapp read the legal advertisement into the record.
- K. Skinner-Catrone presented the project to the Commission. The applicant proposes the construction of a single family house, including a septic system and driveway. The total amount Riverfront Area onsite is 39, 194 square feet, with a proposal to alter 14,403 square feet. No encroachment into the 50’ No Disturbance Zone or 70’ No Structure Zone is proposed. This is an existing wooded lot, so trees will be removed as a part of this project.
- A. Pilch noted there is not an alternatives analysis provided. K. Skinner-Catrone will provide this documentation.
- E. Corey noted that there are infiltrators along the driveway, but they are not shown on the plans. T. Wuerstneck, engineer for the project, reviewed the specifications for the infiltrators. R. Clapp requested a copy of the plans with these details.
- E. Corey asked how the slopes will be stabilized. T. Wuerstneck responded that they can install jute mats, but the overall plan is to stabilize with vegetation.
- R. Clapp noted a discrepancy with the house number, as #1380 Washington Street was split into two lots. An existing house is located at #1380 Washington Street, but the adjacent lot does not have a number. Going forward, this will be referred to as “0” Washington Street.

- R. Clapp recommended the installation of wetland bounds at the base of the slope. K. Skinner-Catrone agreed with this recommendation.
- **E. Corey made a motion to continue the public hearing for DEP #185-XXX: #1380 Washington Street until the next meeting on 10/3/2023. A. Rutberg seconded the motion. A roll call vote was taken.**

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

Public Hearing – Notice of Intent for DEP #185-XXX: #377 Highland Street (Assessors Map 11-1-3.2) for proposed additions to a single-family residence, reorientation of driveway, and stormwater management – *Ivas Environmental*, representing *Joel & Aimee Alban*
Documents: WPA Form 3; Plan of Land entitled “Proposed Site Plan” dated 6/5/2023

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 10/3/2023.
- **U. Nickel made a motion to continue the public hearing for DEP #185-XXX: #377 Highland Street until the next meeting on 10/3/2023. S. Narayanan seconded the motion. A roll call vote was taken.**

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

Public Hearing – Notice of Intent for DEP #185-XXX: “0” Prentice Street (Assessors Map 8-2-48) for proposed golf course improvements – *Epsilon Associates*, representing *Bob Smith, Pinecrest Golf Course Advisory Committee*
Documents: WPA Form 3; Plan of Land entitled “Pinecrest Golf Club, Capital Improvements to Golf Course – Holes #2 - #8” dated 8/2/2023

- R. Clapp reported that the applicant had requested a continuance until the next meeting on 10/3/2023.
- **U. Nickel made a motion to continue the public hearing for DEP #185-XXX: “0” Prentice Street until the next meeting on 10/3/2023. S. Narayanan seconded the motion. A roll call vote was taken.**

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

Public Hearing – Notice of Intent for DEP #185-948: #734 Adams Street (Assessors Map 4-2-58) for proposed 7-lot open space subdivision – *GLM Engineering*, representing *Dennis & Yvonne Ferreira*

Conservation Commission Minutes 9-19-23
 Drafted for the Commission by: Ryan Clapp

Approved by the Commission: 10-31-23

Documents: WPA Form 3; Plan set entitled “Definitive Open Space Subdivision, ‘Beaver Brook Farm’, A 7 Lot Single Family Residential Subdivision, Holliston, Massachusetts” revised 6/29/2023

- R. Truax noted that the outstanding issues with the Planning Board have been addressed for the mechanism for the deeding of the Open Space. There is no plan to immediately build the road, but the Open Space will be deeded prior to the issuance of the first building permit for the subdivision. He clarified that only the road, basin, and replication area are being approved; individual homes will require individual filings.
- **A. Rutberg made a motion to close the public hearing for DEP #185-948: #734 Adams Street. S. Narayanan seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye

E. Corey: Aye

S. Narayanan: Aye

U. Nickel: Aye

A. Pilch: Aye

- **A. Rutberg made a motion to issue an Order of Conditions for DEP #185-948: #734 Adams Street. U. Nickel seconded the motion. A roll call vote was taken.**

A. Rutberg: Aye

E. Corey: Aye

S. Narayanan: Aye

U. Nickel: Aye

A. Pilch: Aye

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

A. Rutberg: Aye

E. Corey: Aye

S. Narayanan: Aye

U. Nickel: Aye

A. Pilch: Aye

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