

Holliston Conservation Commission

APPROVED Meeting Minutes

Town Hall . Meeting Room #014

June 24, 2014

7:30 PM

Present: Allen Rutberg, Chair (Arrived at 7:56 PM); Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Jim McGrath (Left Meeting at 9:40 PM), Rebecca Weissman (Arrived at 8:32 PM), Commissioners

Charles Katuska, Conservation Agent
Sheri O'Brien, Conservation Assistant

Absent: David Schroder, Commissioner

Ann Marie Pilch, Vice Chair, opened the meeting at 7:32 PM.

General Business

Potential Eagle Scout Project - Dock on Lake Winthrop at Stoddard/Patoma Park – Bennett Medeiros

Master Medeiros presented photographs of the location on Lake Winthrop where he is proposing a fishing and boat dock. It would be located near the border of Stoddard Park and Patoma Park. Master Medeiros' father, Nelson Medeiros, and his Eagle Scout mentor, Charlie Paradie, were also present. Master Medeiros reviewed his plan with the Parks Department last week and he told that Commission that the Parks Dept is in support of the dock. Right now, he proposes a dock that would be about 68' long x 5' wide, which will allow the dock to extend out into waist high water. The specific design will be determined with the assistance of an engineering firm to determine if the dock should be removable (or not) for the winter. The location of the dock will be more closely determined after consulting with the Parks Department. There should be close coordination with the Parks Department and the Conservation Commission.

Master Medeiros will need to get a Chapter 91 license from the state and submit a Notice of Intent to the Conservation Commission and DEP for the dock. It should be noted that the Eastern Pondmussel is considered a rare species by the Natural Heritage & Endangered Species Program (NHESP); therefore, a Notice of Intent for this project will need to be reviewed by NHESP. The Building Department does not require a Building permit for a dock (since it needs a Ch. 91 license), but the Building Inspector, Mr. Tartakoff, would still like to see the plans for the dock to ensure that it is safe.

1201 & 1225 Washington Street Flooding Issue – Justin Brown & Doug Foss

Mr. Brown was present. Mr. Brown explained that Mr. Foss had smoothed out the hole where the pump had been located to remove the water from his property. Mr. Brown will be completing his farm layout plan in the next few weeks so that he can submit it to the Commission for a Request for Determination of Applicability.

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Dr. Rutberg arrived at 7:56 PM and assumed role as Chair.

Public Meetings & Hearings

Continued Public Meeting - Request for Determination of Applicability - #D-522:

31 Robert Road (Assessors Map 14, Block 1, Lot 98) . proposed above-ground pool at existing single-family home. *Wilhelmina Murray*

The Commission had inquired about how the pool water would be handled and discharged at its last meeting, but Ms. Murray was not present. Tonight, Ms. Murray was present and explained that there would be the addition of a small dry well for the backwash of the pool, so that it would discharge slowly into the ground. The Commission requested that at the end of the season pool water not be discharged into the dry well for at least two weeks after the last chlorine is added, giving the chlorine time to dissipate.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-522, 31 Robert Road:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands and riverfront area are NOT confirmed as accurate;

Positive #5 Determination: the work is subject to review by the Holliston Conservation Commission pursuant to the Holliston Wetlands Administration ByLaw (Article XXX); and

Negative #3 Determination: the work is within the Buffer Zone, but will not alter an Area subject to protection under the Act, therefore, the work does not require a Notice of Intent.

Conditions:

- 1) All disturbed soil areas will be loamed and seeded (or landscaped) to re-establish stable lawn areas.
- 2) Waste water and filter backwash water will be discharged into a dry well and not into Jarr Brook. Waste water will be dechlorinated prior to discharge into the drywell.

Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Abbreviated Notice of Resource Area Delineation

(DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” (Assessors Map 4, Block 4, Lot 56.8, Map 4, Block 4, 57.2, and Map 5, Block 3 Lot 31, respectively), verification of the limits of the areas subject to wetlands protection jurisdictions, *Scott Goddard/Goddard Consulting LLC* representing *Steve O’Leary/O’Leary Builders Inc.*

A request was received from Scott Goddard to continue this hearing until July 8, 2014.

Ms. Pilch made motion to continue the hearing for Abbreviated Notice of Resource Area Delineation (DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” to July 8, 2014. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Amendment to Order of Conditions for DEP File #185-677: 1014 Highland Street (Assessors Map 8.E, Block 1, Lot 8) proposal to revise the boundaries of the areas onsite subject to the Massachusetts Wetlands Protection Act and the Holliston Wetland Bylaw (Article XXX) . *Christopher Malcolm, Esq.* representing *Alan Stone*

A request was received from Christopher Malcolm to continue this hearing until July 8, 2014.

Ms. Pilch made a motion to continue the hearing for the Amendment to Order of Conditions for DEP File #185-677: 1014 Highland Street to July 8, 2014. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

General Business Continued

Request for Certificate of Compliance for DEP File #185-543A: 9 Forest Park Drive/Gary & Colleen Breitbord

This project received a Partial Certificate of Compliance in January of this year. The grass has now completely grown in and has been mowed more than two times.

Mr. Lively made motion to issue a full Certificate of Compliance with one ongoing condition for DEP File #185-543A: 9 Forest Park Drive. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Vote on Approval & Issuance of Order of Conditions for DEP/Bylaw File # 185-773: Brooksmont Meadow OSRD/Brooksmont Realty Trust

A draft Order of Conditions was circulated to the applicant and to the Commission for review. The Invasive Species Management Plan will be transferred to the Homeowners Association for a period of an additional 10 years after the first 3 years Developer Implementation ISMP. The Homeowners Association will own the land and the Conservation Commission will hold the Conservation Restriction for the open space.

Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP/Bylaw File # 185-773: Brooksmont Meadow OSRD. Mr. Lively seconded the motion. Three voted Yes (Lively, Rutberg, Pilch). Two voted No (McGrath & Bajdek). The motion passed. (3-2-0)

Review of Holliston Wetlands Administrative Bylaw (Article XXX) with Nathaniel Stevens of McGregor & Associates

Mr. Stevens and the Commission reviewed the Preliminary Draft of the Bylaw sent to the Commission in a letter dated May 14, 2014. The draft Bylaw is similar to the MACC model bylaw with Holliston's requirements incorporated into this draft.

Ms. Weissman arrived at 8:32 PM.

Mr. McGrath left the meeting at 9:40 PM.

The Agent will draft Definitions for the Bylaw. Mr. Stevens will incorporate the Commission's comments into this Preliminary Draft. The goal is to have a Final Draft of the Bylaw ready for the Board of Selectmen to review within a month.

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Commissioner Term Renewals

Dr. Rutberg and Ms. Weissman were reappointed by the Board of Selectmen and their terms will expire on June 30th. They need to go to the Town Clerk to be sworn in before the Commission's next meeting on July 8th.

Open Space Plaques

A quote was received from NEC trophies for plaques regarding no dumping, cutting, or disturbance beyond this point. These plaques would be used for delineating the open space property lines adjacent to private properties. The quote was \$15.45 per piece for 50 plaques and \$13.91 per piece for 100 plaques. The funds would need to come out of the Conservation Fund to purchase the plaques, because the plaques are being used for Open Space. The staff will ask the Town Accountant if the Conservation Fund can be reimbursed for the plaques (when purchased by developers, etc.) or if the reimbursement will need to go into the General Fund. Either way, the Conservation Commission would still like to purchase the Open Space plaques even if the money goes into the General Fund.

Ms. Pilch made a motion to approve the expenditure for 100 plaques out of the Conservation Fund. Mr. Bajdek seconded the motion. Unanimous. (5-0-0, Mr. McGrath had left the meeting.)

Summit Pointe

Ms. Pilch informed the Commission that the Open Space Committee has a Purchase and Sales Agreement in process with Northeastern for the 28 acres between the proposed Summit Point Open Space Residential Development (OSRD off of Highland Street) and Meadowbrook Lane. If the Planning Board decision for the Summit Pointe OSRD is not appealed, then the 28 acres will be acquired by the town and be under the care and custody of the Conservation Commission.

Ratify Emergency Certification to Breach Beaver Dam on Chicken Brook in Wenakeening Woods

An Emergency Certificate to breach a beaver dam across Chicken Brook (located approximately 1,000+ feet south of the pedestrian bridge behind Mission Springs Elderly Housing) was issued on June 10, 2014, so that the Highway Department could alleviate flooding of the pedestrian bridge. The Agent notified the Upper Charles Conservation Land Trust (UCCLT) about the emergency breaching, because the dam is located in Wenakeening Woods which is owned by the UCCLT. The Commission ratified the Emergency Certification.

Hopping Brook Beaver Dam

The beaver dam under the rail trail is causing Hopping Brook to back up again. The beaver dam behind 56 Paul Road has also been completely built up again. The Army Corps of Engineers (ACOE) owns the land where these dams are located and the land's purpose is for flood storage. If the beavers keep the flood storage area full, there won't be any storage left for flood waters. The Agent will contact the ACOE regarding these beaver dam flooding issues.

Vote on Meeting Minutes from 5/13/14 & 6/10/14

The vote on these minutes was postponed to give the Commissioners more time to review the minutes.

At 10:26 PM, Ms. Pilch made a motion to adjourn the meeting. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be on Tuesday, July 8, 2014.