

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

February 10, 2015

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Jim McGrath, Rebecca Weissman, Commissioners

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

Absent: David Schroder, Commissioner; Emily Kingston, Associate Commissioner

Allen Rutberg, Chair, opened the meeting at 7:32 PM.

General Business

Informal Discussion: Holliston Agricultural Activities

Tony Lulek, the Agricultural Commission Chair, and Donna Kramer, Agricultural Commission member and ConCom Liaison, were present representing the Holliston Agricultural Commission. The Serocki Farm property off of Rogers Road has been acquired by the town and there will be a Conservation Restriction (CR) on the property. The Open Space Committee is investigating who should hold the CR, such as the Massachusetts Farm Bureau Federation (MFBF). THE MFBF will not ask for endowment money and Mr. Lulek told the ConCom that the MFBF voted on December 5, 2014 to take on the CR for the Serocki property if Holliston agrees to ask them to hold the CR. Mr. Lulek said that he was told by Doug Gillespie, Director of MFBF, that the AgCom can work on the Serocki property prior to the CR being approved; however, the Commission believes this should be clarified and recommended that no work be done on the property before the CR is approved. It needs to be determined how the AgCom's development of the property will dovetail with Conservation needs and the CR. The ConCom supports agriculture and would like to part of the brainstorming for the Serocki property's new uses. The property has been deeded to the Town, so the Board of Selectmen will sign off on the Conservation Restriction.

Mr. Lulek and Ms. Kramer explained the activities that the AgCom participates in, such as creating the Community Gardens behind the golf course, which won an America-in-Bloom award last year. They host Holliston Farm Days each year with the participation of about 8-9 farms. This year's winter event is a %Kiss-the-Pig+contest to raise money for a butterfly aviary. In general, they try to raise Agricultural awareness in Holliston, because it is a %ight-to-farm+town. Their expectation is that farmers be good neighbors.

A handout from the state about Farming in Wetland Resource Areas was provided to Mr. Lulek and Ms. Kramer for the AgCom members. Since the ConCom supports agriculture, there was a discussion regarding how agriculture can take place near wetlands and

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comply with the Wetlands Protection Act and the Holliston Wetlands Bylaw. The Agricultural Commission is an Advisory Board. Their goal is to be in more of an advocacy and education role, so that residents would know to come to them when there are questions or issues regarding agriculture. They have been working hard to educate people about agriculture. They suggested that a Commission member sit in on their meetings, but the ConCom and AgCom meetings are often on the same Tuesday nights.

Public Meetings & Hearings

Continued Public Hearing – Notice of Intent for DEP File #185-786: Lot A, Forest Park Drive (Assessors Map 7, Block 3, Lots 30 & 66.2) construction of a single-family house - *Joyce Hastings, GLM Engineering Consultants, Inc.* representing *Peter & Nancy O'Neill*

The applicant's representative, Joyce Hastings, was present. This lot was created by taking portions of two other lots (Lots 30 and 66.2). The newly created lot was approved by the Planning Board on January 8, 2015. The plans were reviewed at the ConCom's meeting on November 18, 2014. The driveway will be outside the 50' buffer zone. The septic system will be outside the 100' buffer zone. An Order of Conditions will be drafted for the meeting on February 24, 2015.

Mr. McGrath made a motion to close the hearing for DEP File #185-786: Lot A, Forest Park Road to February 24, 2015. Ms. Pilch seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Notice of Intent for DEP File #185-781: Hopping Brook Road Extension (Assessors Map 1, Block 1, Lot 43 and Map 4, Block 6, Lots 15.1, 18, 32, 32.3, 33, and 52) proposed extension of the existing commercial roadway. *Brian Butler/Oxbow Associates, Inc.* representing *Jon Deli-Priscolli/New Hopping Brook Trust*

Brian Butler (Oxbow), Jon Deli-Priscolli (New Hopping Brook Trust), and Arthur Borden (Engineer, Borden Associates) were present. An escrow check for \$4,000 and a W-9 form were received for the peer review to be performed by AP Associates. Mr. Butler submitted Supplemental Materials to the Notice of Intent (dated February 10, 2015), Stormwater Report & Checklist (revised January 7, 2015), and a CD with electronic copies of the documents on it.

This project was originally submitted in an NOI in 2006 and an Order of Conditions was issued for DEP file #185-524. This new NOI significantly truncates the road so that it is 400 linear feet. The net impact to the resource areas is now 3,313 square feet with a proposed replication area of 5,600 square feet. An easterly proposed wetlands fill of about 365 square feet has been eliminated. There will not be any work within the Riverfront area of Hopping Brook. The equipment will be brought in via an existing gravel haul road. Work within the NStar right-of-way is allowed and easement materials to this effect were provided. No work will be done near the gas line.

There is a wetland area that is regulated as both a Federal and Bylaw wetland area. It will be surrounded by the cul-de-sac. The hydrology of this wetland will be cut off by the cul-de-sac and it will not develop any further. Paving around the wetland was allowed in the previous Order of Conditions (185-524).

A wetland replication area will be created and planted during the drier part of the year. Three soil test pits were dug in January that showed that the soil would support the hydrology of the replication area. A channel will then be dug from the adjacent wetlands to connect it to the replication area. This replication area will also replace the ACOE/Federal wetlands.

Mr. Borden presented the changes to the Stormwater system in response to the peer review comments provided by AP Associates. These changes are included in the Stormwater Report and Checklist revised January 7, 2015. The Stormwater Management system is designed specifically for this road and none of it is over-sized for future development. There will be no work in the 50' buffer zone as previously planned for the first NOI (185-524), as both basin outlet structures were pulled out of the no-disturb zone. Each lot owner on the road will develop its own stormwater management plan for its property.

There was a discussion regarding the swale on the east side of the property that will intercept and divert a substantial amount of surface run-off flowing down the hill and around the north side of the cul-de-sac. Most of the water will be diverted to a different wetland system than it was originally flowing to, but it will still be part of the Hopping Brook system.

The new information that was submitted will be forwarded to AP Associates for further review; therefore, the hearing will be continued until February 24, 2015.

Ms. Pilch made a motion to continue the hearing for DEP File #185-781: Hopping Brook Road Extension to February 24, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing - Amendment to Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street (Assessors Map 4, Block 6, Lots 2 & 39 and Map 5, Block 4, Lot 44) construction of a 66-unit senior (55+) residential community - Matthew Leidner/Civil Design Group representing Pulte Homes of New England LLC

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence for this hearing.

Reid Blute and Mark Mastroianni (Pulte Homes) and Matt Leidner (Civil Design Group - CDG) were present to discuss the Amendment to the Order of Conditions for DEP File #185-658. At the last meeting on January 6, 2015, peer review comments had just been received from AP Associates in a letter dated January 5, 2015. The peer review comments were addressed by the Mr. Mastroianni and Mr. Leidner at a working meeting on January 15, 2015 with Barbara Thissell from AP Associates and Mr. Katuska. After this meeting, Mr. Leidner (CDG) responded formally to AP Associates' comments in a letter dated January 20, 2015. In a letter dated January 26, 2015, AP Associates responded with final comments regarding the Operation and Maintenance Plan and responsibility, which were addressed by Mr. Mastroianni and Mr. Leidner via e-mail. They also responded to the Agent's e-mail comments regarding soil infiltration capacity and updated Sheet 25 with a note about the infiltration system. AP Associates has signed off on the project at this point.

Mr. Leidner presented the proposed Conservation Restriction (CR). The Commission had concerns regarding the areas that would be disturbed and re-vegetated, so these areas were removed from the CR and the CR area still well exceeds what is required by the Zoning Bylaw for Open Space. This will be brought to the Planning Board (PB) for their concurrence. Once

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the PB has agreed, the CR will be modified in the final plans. The Commission asked about the purpose of the CR perimeter strips of land (about 10-20qwide). It was explained that in large part this low-value open space is required by the PB. The buffer zone restoration plan that was submitted is still in place.

There were two non-native species of plants proposed in the planting plan (Zelkova-Japanese Elm and Norway Spruce); therefore, they have asked the landscape architect to substitute for these two plants. They are hoping to replace the Zelkova with Red Oak and the Norway Spruce with White Spruce or Balsam Fir.

The PB will be meeting on February 12, 2015; therefore, they would like to wait until the meeting on February 24, 2015 to submit final plans that will be the same as those agreed to by the PB.

Mr. McGrath made a motion to continue the hearing for the Amendment to the Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street until February 24, 2015. Ms. Pilch seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Notice of Intent for DEP File # 185-785: 58 Hopping Brook Road (Assessors Map 4, Block 6, Lot 10, 12.1 & 35.1, Solect solar project driveway & commercial building, Robert Truax, GLM Engineering Consultants, Inc. representing Ken Driscoll, 2016 Washington Street LLC

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence for this hearing.

A request to continue this hearing until February 24, 2015 was received from the applicants representative, Peter Barbieri (Fletcher-Tilton) in order for them to put together an easement plan.

Ms. Pilch made a motion to continue the hearing for DEP File # 185-785: 58 Hopping Brook Road to February 24, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

General Business Continued

The following three Orders of Conditions were considered simultaneously:

Order of Conditions for DEP File #185-787: Lot 69 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Order of Conditions for DEP File #185-788: Lot 70 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Order of Conditions for DEP File #185-789: Lot 71 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence for these three hearings.

The applicant originally allowed an extension from 21 to 22 days for the issuance of these Orders of Conditions. Since the meeting on January 27, 2015 had to be cancelled due to the snowstorm, the applicant allowed a further extension of the 22 days so that the Orders of Conditions could be issued within 36 days.

The NHESP has issued a letter requiring a MESA review for Lots 69, 70, and 71. There will be a condition issued solely under the Bylaw with a requirement regarding evidence of the MESA review.

Mr. Lively made a motion to approve and issue the Orders of Conditions for DEP File #185-787, 185-788, 185-789: Lots 69, 70, and 71, respectively, Minuteman Circle. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

The following three Orders of Conditions were considered simultaneously:

Order of Conditions for DEP File #185-790: Lot 72 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Order of Conditions for DEP File #185-791: Lot 73 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Order of Conditions for DEP File #185-792: Lot 74 Minuteman Circle - construction of a single-family house - Peter Lavoie representing Constitution Village LLC

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence for these three hearings.

The applicant originally allowed an extension from 21 to 22 days for the issuance of these Orders of Conditions. Since the meeting on January 27, 2015 had to be cancelled due to the snowstorm, the applicant allowed a further extension of the 22 days so that the Orders of Conditions could be issued within 36 days.

Mr. McGrath made a motion to approve and issue the Orders of Conditions for DEP File #185-790, 185-791, 185-792: Lots 72, 73, and 74, respectively, Minuteman Circle. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

Order of Conditions for DEP File #185-793: 186 Locust Street - installation of a replacement septic system - Mark Farrell representing Gustavson Development LLC

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence for this hearing.

The applicant originally allowed an extension from 21 to 22 days for the issuance of this Order of Conditions. Since the meeting on January 27, 2015 had to be postponed due to the snowstorm, the applicant allowed a further extension of the 22 days so that the Order of Conditions could be issued within 36 days.

Mr. McGrath made a motion to approve and issue the Order of Conditions for DEP File #185-793: 186 Locust Street. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

Request for Certificate of Compliance for DEP File #185-739: 156 (Lot 70) Mohawk Path - Toll Brothers, Inc.

A new drop inlet has been constructed next to this property and it is hoped that it will take care of the erosion issues adjacent to this property that affected the driveway on this property. The site was inspected on January 22, 2015 prior to the immense amount of snow that has fallen in the past two weeks.

Ms. Pilch made a motion to issue the Certificate of Compliance for DEP File #185-739: 156 Mohawk Path. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

Request for Certificate of Compliance for DEP File #185-749: Lot 25A Governor Prence Way - Toll Brothers, Inc.

Due to the great amount of snow on the ground, a site inspection cannot be made for Lot 25A Governor Prence Way at this time. Therefore, this request for a Certificate of Compliance will need to be reviewed at a future meeting after the snow has melted.

Mr. McGrath left the meeting 9:42 PM.

Request to Review Administrative Updates for Bylaw File #B-004, B-005, B-006: Lots 88A, 89A, 90A Mohawk Path, respectively - Peter Lavoie representing Holliston Residential Realty LLC

Revised plans for Lot 88A (plan dated 1/13/15), Lot 89A (plan dated 9/24/14), and Lot 90A (plan dated 1/13/15) were submitted to the Commission for review as required by their Orders of Conditions by Mr. Lavoie.

The footprint of the houses were modified and made larger; however, the footprint of the disturbance is not any larger. There will be: 1) no expansion in grading, 2) no work any closer to wetland resource areas (subject to protection under the Bylaw) than previously approved, and 3) no change in stormwater management or erosion controls. The owner of these properties has also been changed to Toll Brothers. Therefore, the Commission agreed that this modification in the size of the house footprints and the new owner could be administrative updates to the files not requiring Amendments to the Orders of Conditions or new Notices of Intent. Letters will be sent to Mr. Lavoie informing him of these approved administrative updates.

Mr. Lively made a motion to approve the changes to the plans for Bylaw File #B-004, B-005, B-006: Lot 88A, 89A, and 90A Mohawk Path as Administrative Updates to the File. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Informal Discussion: Beaver Management - North Mill Street

There is a beaver dam on Tom Burns's property on North Mill Street that was created by an old cranberry bog dike that was filled in by beavers. The beaver dam is located on a tributary to Cedar Swamp/Hopping Brook. The driveway at 304 Mill Street is now being threatened by flooding. Katrina Proctor from Central Mass Mosquito Control determined that a water level control device is not appropriate for this location. Trapping and temporary breaching seem to be the only options available. This location should be visited in the Spring after the snow has melted to determine the next steps.

Holliston's GIS System

A memorandum from Mr. Katuska, dated February 4, 2015, regarding GIS Usage was presented to the Commission. It identified the value of the Holliston GIS system to the Conservation Department. The MapsOnline GIS application was implemented and is managed by the software vendor, People GIS. This contract with People GIS is scheduled to run out this month. The Conservation Department is willing to support the GIS Working Group to secure future funding for municipal GIS support, because of its high value to the Conservation Department.

Invoices for Peer Review Consultant: 58 Hopping Brook Rd & Washington Hills

An invoice for \$3,195 dated 1/20/15 from AP Associates for 58 Hopping Brook Road was signed by the Commission.

An invoice for \$1,455 dated 1/15/15 from AP Associates for Washington Hills was signed by the Commission.

Staffing Discussion

A memorandum from Mr. Katuska, dated February 10, 2015, regarding a temporary staffing request was presented to the Commission. The Commission discussed a proposal to hire a Temporary Clerk to assist with organizational and filing needs. It was agreed that beginning the week ending February 27th, that Ann Adams (a BoH Clerk) will begin assisting the ConCom staff one day per week (8 hours/week for 8 weeks). This has been approved by her supervisor, the BoH Agent, Scott Moles. Ms. Adams would not work for the ConCom during her BoH hours.

The Commission agreed to spend money out of Bylaw Account to fund this temporary clerk position.

FY2016 Budget Proposal

The budget will be presented to the Selectmen tomorrow night, February 11, 2015. The proposal will be flat-lined except for Ms. O'Brien's Step Increase and a slight increase in office supplies due to the high expense of ink cartridges. The meeting with the FinCom is scheduled for March 10, 2015.

Review Mail

The mail was reviewed.

All Boards Meeting

With the upcoming retirement of Paul LeBeau, the search for a new town administrator has begun with the assistance of the Collins Center.

Vote on Meeting Minutes from 11/19/13, 8/5/14, 8/19/14, 9/2/14, 12/9/14, 12/23/14 & 1/6/15

Voting on these minutes was tabled to give the Commission more time to review them.

At 10:23 PM, Mr. Lively made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be on Tuesday, February 24, 2015.