

## **Holliston Conservation Commission**

### **Meeting Minutes**

Town Hall . Meeting Room #014

February 24, 2015

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Commissioners; Emily Kingston, Associate Commissioner

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

Absent: Jim McGrath, David Schroder, Rebecca Weissman, Commissioners

**Allen Rutberg, Chair, opened the meeting at 7:34 PM.**

### **General Business**

#### **Order of Conditions for DEP File #185-786: Lot A, Forest Park Drive - construction of a single-family house - Joyce Hastings representing P. & N. O'Neill and R. & S. Cahill**

The hearing for DEP File # 185-786 was closed on February 10, 2015. The draft Order of Conditions was reviewed by the Commission.

**Ms. Pilch made a motion to approve and issue the Order of Conditions for DEP File #185-786: Lot A, Forest Park Drive. Mr. Lively seconded the motion. Unanimous. (4-0-0)**

#### **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**

**Mr. Lively made a motion to approve the meeting minutes from November 19, 2013. Mr. Bajdek seconded the motion. Unanimous. (4-0-0)**

**Ms. Pilch made a motion to approve the meeting minutes from August 5, 2014. Mr. Lively seconded the motion. Unanimous. (4-0-0)**

**Mr. Bajdek made a motion to approve the meeting minutes from August 19, 2014. Ms. Pilch seconded the motion. Mr. Lively abstained. The motion passed. (3-0-1)**

**Mr. Lively made a motion to approve the meeting minutes from September 2, 2014. Mr. Bajdek seconded the motion. Ms. Pilch abstained. The motion passed. (3-0-1)**

**The draft minutes from 12/9/14, 12/23/14, and 1/6/15 were tabled to give the Commissioners more to review them.**

### **FY16 Budget**

A meeting with the FinCom is scheduled for March 10, 2015.

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**Issued by: Sheri D. O'Brien**

**Approved by Commission: 04-07-15**

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### **Holliston Wetlands Bylaw (Article XXX) Status Update**

A letter dated February 17, 2015 was received from the Office of the Attorney General (Kelli Gunagan, Assistant Attorney General, Municipal Law Unit) approving Warrant Article #15 from the October 27, 2014 Special Town Meeting. Article #15 deletes the previous Holliston General By-law Article XXX and replaces it with the new Article XXX. The Attorney General's office made suggestions and recommendations regarding the following sections: Section V. Applications, Application Fees and Consultant Fees; Section IX. Regulations; Section XI. Security; and Section XII. Enforcement. These areas were discussed by the Commission. The next step is to develop the new Bylaw Regulations. The Selectmen will be consulted regarding the use of McGregor and Associates to assist with the creation of the new Bylaw Regulations.

### **Staff Evaluation**

The Selectmen's office has asked the Commissioners to each complete a Performance Evaluation form for the Agent. The Agent will also complete a Self-Evaluation Form. Copies of the form were given to the Commissioners.

### **Project Updates**

#### **GIS Update -**

It is hoped that the municipal GIS system budget will be extended another year. The staff is investigating the use of an open source GIS program for the Commission's office.

#### **Newfound Farm -**

Justin Brown, the owner of Newfound Farm, has requested a meeting for tomorrow to review his farm plan with the staff.

#### **157-165 Lowland Street -**

Snow is being dumped in large quantities at this address, which is in Zone II of the Public Water Supply. Commissioner Bajdek consulted the DPW Director, Sean Reese, and Mr. Reese has no issue with snow being dumped in a Zone II Public Water Supply area.

### **Community Preservation Committee (CPC)**

Per Mr. Bajdek, the CPC has received no proposals for their March deadline at this time. A potential proposal regarding clean-up of the Winthrop Canal was discussed.

## **Public Meetings & Hearings**

### **\*\*New Public Meeting – Request for Determination of Applicability D-539: 47 Cold Spring Road (Assessors Map 6, Block 2, Lot 144) construction of a garage - Jason Stanley**

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on February 17, 2015.

Mr. Stanley presented a garage sketch plan for a proposed garage addition that will be attached to his house. The single-car garage will be attached to the east side of his home in existing lawn area. The closest corner of the garage will be 20' from the bordering vegetated wetlands. Erosion control barriers will be installed. The Commissioners discussed potential optional locations and buffering vegetation with Mr. Stanley. The Commission agreed that an additional 10' no-mow buffer strip along the wetland edge of the lawn would be desirable. If Mr. Stanley

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would like, he can also plant native plantings in the buffer strip. They would also like the driveway and buffer strip shown on the plan.

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-539: 47 Cold Spring Road:**

**Positive #2B Determination:** the boundaries of the wetlands resource areas 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) **EROSION CONTROL.** Erosion control barrier must be installed prior to any tree removals or land disturbance for garage construction work. Conservation Commission office must be notified (508-429-0607) following installation of the erosion control barrier. Erosion controls are to be maintained onsite in functional condition until all areas disturbed for garage construction are fully restabilized with vegetation (new lawn has been mowed two times).
- 2) **NO-MOW+VEGETATED BUFFER STRIP.** A 10qwide vegetated buffer strip shall be created along the wetlands boundary as indicated on the record plan dated 2/24/15. This buffer strip will not be mowed and may also be planted with native wetland plants, such as blueberry bushes, red maples, or summersweet/sweet pepper bushes.
- 3) **CONSTRUCTION MATERIAL.** No storage of construction materials or disposal of construction debris beyond the limit of the proposed erosion control barrier is allowed.
- 4) **STOCKPILING.** All excess excavation spoils must be removed from the site with no soil material stockpiling on site.
- 5) **ACCESS.** Project access will be via the driveway from the street as indicated on the record plan.
- 6) **GARAGE.** The garage addition shall be used for residential garage or other non-commercial purposes only. Any commercial equipment storage in this area is prohibited. This condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.
- 7) **FERTILIZERS/PESTICIDES/HERBICIDES.** Fertilizers utilized for landscaping and lawn care shall be low phosphate content, slow-release variety, and shall be used in moderation. Pesticides and herbicides shall not be used within 100 feet of the wetland resource area. This condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.
- 8) **SNOW REMOVAL AND DE-ICING.** At no time shall snow removal result in the direct discharge of snow into the wetlands. No de-icing materials of any type shall be stored in bulk stockpiles within 100qof the wetlands. This condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.

**Mr. Lively seconded the motion. Unanimous. (4-0-0)**

**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**

Reid Blute and Mark Mastrionni (Pulte Homes) and Matt Leidner (Civil Design Group) were present to discuss the Amendment to the Order of Conditions for DEP File #185-658. The hearing was kept open at the last meeting to give the applicant time to meet with the Planning Board (PB). The PB asked for some plan changes that included moving mailboxes, sidewalk reconfigurations, updated signage, and adding some additional street lights. These updated plans for Washington Hills (Rev. 2/20/15) were presented tonight. The stormwater management was reviewed by Barbara Thissell, AP Associates and there are no remaining stormwater management issues.

The draft Amended Order of Conditions is substantially the same as the original Order of Conditions; however, there will be additional conditions regarding the stormwater basins and the placement of open space boundary plaques.

There will be two special conditions regarding the compliance inspection for the construction of the six (6) stormwater infiltration basins. The applicant will use an independent third-party compliance inspector that has been approved (prior to the Pre-Construction meeting) by the Conservation Commission. The compliance inspector will ensure conformance with the Conditions of this Order and the plans dated 2/20/15, including the suitability of the detention basin backfill material prior to placement.

The open space areas will be delineated by open space boundary plaques only in areas that include buffer zone or wetland resource areas. Sheet 4 of 33, %Open Space Plan+(Rev. 2/20/15)+was hand-marked during the meeting with locations for thirteen open space boundary plaques. These plaques will be mounted on 4qconcrete bounds. A detail with dimensions of the post and plaque will be provided to Mr. Leidner. Mr. Mastrionni and Mr. Katuska signed the annotated %Open Space Plan+for the locations of the open space plaques.

**Mr. Lively made a motion to close the hearing for the Amendment to the Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street. Mr. Bajdek seconded the motion. Unanimous. (4-0-0)**

**Ms. Pilch made a motion to approve and issue an Amended Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street. Mr. Lively seconded the motion. Unanimous. (4-0-0)**

**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**

Eric Dickinson (GLM) was present representing 2016 Washington Street LLC. He presented an Easement Plan dated February 20, 2015 for Basin #3 on the adjacent solar project property, the driveway access, and the rail trail access. The Commission requested that an easement

document that describes these easements also be prepared to go with the Easement Plan. A special condition in the Order of Conditions will require this easement description document. The Commission would like to review the Easement Description Document prior to its issuance. The Easement Description Document and Plan should be recorded prior to the Pre-Construction Meeting.

**Mr. Lively made a motion to close the hearing for DEP File # 185-785: 58 Hopping Brook Road. Ms. Pilch seconded the motion. Mr. Bajdek voted No. The motion passed. (3-1-0)**

The Special Conditions of the draft Order of Conditions were reviewed with the Commission.

**Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP File # 185-785: 58 Hopping Brook Road. Mr. Lively seconded the motion. Unanimous. (4-0-0)**

**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. Barbara Thissell, Consultant from AP Associates, was also present. Ms. Thissell has reviewed the stormwater management calculations for this project.

Mr. Butler presented an overview plan to recap the project. In response to AP Associates's letter dated February 23, 2015, Mr. Butler and Mr. Borden discussed Ms. Thissell's comments with the Commission. The Commission requested that the applicant respond to the comments in writing.

There was a discussion regarding the Massachusetts River and Stream Crossing Standards (MRSCS) and whether the Standards were revised after the calculations were completed in 2006 for the roadway culverts (intermittent stream crossings) at roadway stations 43+40 and 44+00 (#2.k. in letter dated February 23, 2015 referenced above). If the MRSCS were revised after 2006 when the calculations were completed for the original Order of Conditions, then the original calculations may not be applicable. This needs to be further investigated.

The dirt access road that goes from Griffin Electric and across the triple culverts will be used for equipment access during construction, and afterwards it will be used by NStar and for emergency access. An easement will be created for the dirt road. Mr. Deli-Priscolli says that he absolutely will not be looking to expand this dirt road into a commercial road in the future.

The applicant agreed to a continuation until March 10, 2015 in order to have time to respond to the comments in the letter from AP Associates dated February 23, 2015.

**Ms. Pilch made a motion to continue the hearing for DEP File #185-781: Hopping Brook Road Extension to March 10, 2015. Mr. Bajdek seconded the motion. Unanimous. (4-0-0)**

## **General Business Continued**

### **94 Brook Street**

Holliston Residential Realty LLC (HRR) is filing an Administrative Appeal of the Zoning determination issued December 29, 2014 by the Zoning Enforcement Officer (P. Tartakoff), where it was concluded that variance relief is required for the HRR's proposed single-family house at 94 Brook Street. While maintaining that the variances are not needed, HRR is also filing a Variance Application for variances from the lot area and lot depth requirements. The Zoning Board's public hearings regarding the appeal and the dimensional variances are scheduled for March 18, 2015. The Conservation Commission believes that the house is too close to the wetlands.

### **Fire Station Improvements on Washington Street**

The fire house located behind Keystone Automotive on Washington Street needs to fit a new longer fire truck that the Fire Department is purchasing. The proposed plan is to add additional space at the front of the fire house. This project will need a NOI, because it is in the flood plain. Compensatory flood storage will need to be created for this expansion of the fire station. There will be a ZBA public hearing regarding this project on March 18, 2015.

### **Review Mail**

The mail was reviewed.

**At 9:42 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Lively seconded the motion. Unanimous. (4-0-0)**

The next Conservation Commission meeting will be on Tuesday, March 10, 2015.