

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

September 29, 2015
7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Rebecca Weissman, David Schroder, Commissioners

Emily Kingston, Associate Commissioner
Charles Katuska, Conservation Agent

Absent: Shaw Lively, Jim McGrath, Commissioners; Sheri O'Brien, Conservation Assistant

Dr. Rutberg, Chair, opened the meeting at 7:30 PM.

General Business

Request for Administrative Plan Change - DEP #185-580, Lot 188 Indian Ridge Road South - *Chris Torti/Tortcon Builders*

Present for the applicant: Chris Torti

Mr. Torti reviews the plan change, which is to construct the approved single-family house with a smaller footprint than previously approved.

**Ms. Pilch made a motion accept the plan change for Lot 188 Indian Ridge Road South.
Ms. Weissman seconded the motion. Unanimous. (5-0-0)**

Request for Administrative Plan Change - DEP #185-707, 944 Washington Street. *John Curran*

Present for the applicant: John Curran

Mr. Curran reviews the plan change; where the driveway is to be moved to the east by 10qin order to save larger granite blocks in the historic stone wall.

**Ms. Pilch made a motion accept the plan change for 944 Washington Street.
Mr. Schroder seconded the motion. Unanimous. (5-0-0)**

Landowner Conference – David & Nancy Dubin - 1070 Washington Street (LilqFolks Farm)

Ms. Dubin discussed the new clearing of slopes above the intermittent stream alongside the Rail Trail with the Conservation Commission, and the following remediations are agreed upon:

- Ten boulders, ¼ cubic yard minimum in size, are to be placed along the edge of the farm access road, not more than 150 from the existing paddock fence without additional coordination.
- Seed the disturbed area with New England Wetland Plants, Inc. %Wetmix+seed mix, or approved equivalent, (3,000 to 5,000 sq. ft. - distribution area estimated)
- Ms. Dubin takes a marked-up GIS figure and agrees to the boulder boundary.

Request for Certificate of Compliance – DEP #185-769, Lot 80 Mohawk Path - *Toll Brothers of New England LLC*

Mr. Katuska reports on his site inspection and notes that the lot is not yet stabilized by lawn and that the Order of Conditions provision for final stabilization (Conditions 28 and 31) remain in force and effect.

Ms. Weissman made a motion to issue a Partial Certificate of Compliance for DEP File #185-769, Lot 80 Mohawk Path. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Request for Certificate of Compliance – DEP #B-003, Lot 87A Mohawk Path *Toll Brothers of New England LLC*

Mr. Katuska reports on his site inspection and notes that the lot is not yet stabilized by lawn and that the Order of Conditions provisions for final stabilization (Conditions 28 and 31) remain in force and effect.

Mr. Bajdek made a motion to issue a Partial Certificate of Compliance for DEP File #B-003, Lot 87A Mohawk Path issued as drafted. Mr. Schroder seconded the motion. Unanimous. (5-0-0)

Discussion of Proposed Town Meeting Article – Transfer of 2 Tax Title Parcels

Old Sawmill (off of Beaver Brook Drive) Open Space (6.99 ac.) . Map 4, Block 3, Lot 82
0 Courtland Street (0.83 ac.) . Map 4, Block 3, Lot 48

Ms. Pilch made a motion to submit the Article for Town Meeting as drafted. Ms. Weissman seconded the motion. Unanimous. (5-0-0)

Open Space Updates

Warren Woods CR & Site Inspection . Site inspection performed with Mass Audubon staff. Request for 3 additional boundary points to be permanently monumented will required survey services.
Rogers Road CR & Project Planning - Mr. Katuska continues to revise the Draft CR received from the MA Farm Bureau and commented on by the Agricultural Commission.

Public Meetings and Hearings

****New Public Meeting – Request for Determination of Applicability (#D-553) for 760 Washington Street (Assessors Map 8F Block 3, Lot 4)** proposal to replace an existing failed septic system . . *Paul Saulnier/Civilized Solutions* representing *760 Washington Street LLC*

Mr. Katuska read the legal ad.

Present for the applicant: Paul Saulnier

- Mr. Saulnier described the proposed replacement septic system, including grease trap, stormwater infiltration, small pavement (less than 1,000 sq.ft.) removal to grass, and rain garden for run-off.
- They will saw-cut the existing pavement to remove 7.5 ft of fill.
- 2 retaining wall near property line

Conservation Commission questions Mr. Saulnier on various grading and drainage issues. Grade (slope) to be reduced from front to back.

Mr. Katuska presents staff draft of Determination of Applicability. Reviewed 5 draft Special Conditions. Mr. Saulnier agrees to all.

Ms. Pilch made a motion to issue the following Determination for #D-553: 760 Washington Street, as drafted and discussed.

Positive #2B Determination: the boundaries of the wetlands area are confirmed as NOT 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) AUTHORIZED WORK. This Determination of Applicability applies only to work associated with the replacement of the existing failed septic system at 760 Washington Street as shown on the project plan referenced in part A.1. Any work not covered by this Determination (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area below the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river; will require a separate filing. Any other activity proposed within said areas subject to jurisdiction of the Commission shall require coordination with the Conservation Commission (508-429-0607) and may require the filing of an additional Request for Determination of Applicability or a Notice of Intent prior to the commencement of said activity. Any impacts on wetland resource areas associated with such additional activities will take into consideration the cumulative impacts of such activities as well as those associated with this filing.

2) EROSION CONTROL BARRIER. The proposed erosion control barrier must be installed prior to any tree removals or land disturbance for septic system replacement 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 septic system reconstruction are fully restabilized with vegetation.

3) STOCKPILING. No stockpiling of materials on site during construction is authorized.

4) PROJECT ACCESS. Project access will be from the existing two driveways as indicated on the record plan.

5) SNOW REMOVAL AND STORAGE. At no time shall snow removal operations result in the direct discharge of snow into wetlands, stormwater management systems or drainage channels. This condition shall survive this Determination of Applicability and is intended to run with the land in perpetuity.

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

****New Public Meeting – Request for Determination of Applicability (#D-554) for 109 Winthrop Street (Assessors Map 8F Block 3, Lot 4) proposal for backyard landscaping - Martha Lewis**

Mr. Katuska read the legal ad.

Present for the applicant: Martha Lewis

Ms. Lewis described her proposed loaming, under the former shed, and planting and seeding.

Mr. Katuska presents staff draft of Determination of Applicability. Reviewed 5 draft Special Conditions. Ms. Lewis agrees to all.

Ms. Pilch made a motion to issue the following Determination for #D-554: 109 Winthrop Street, as drafted and discussed.

Positive #2B Determination: the boundaries of the wetlands area are confirmed as NOT 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) **AUTHORIZED WORK.** This Determination of Applicability applies only to work for placement of a shallow (5+) top-dressing of loam, planting of native plants and seeding with a wetland grass seed mix at 109 Winthrop Street as shown on the project plan referenced in part A.1. Any work not covered by this Determination (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area subject to the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river; will require a separate filing. Any other activity proposed within said areas subject to jurisdiction of the Commission shall require coordination

with the Conservation Commission (508-429-0607) and may require the filing of an additional Request for Determination of Applicability or a Notice of Intent prior to the commencement of said activity. Any impacts on wetland resource areas associated with such additional activities will take into consideration the cumulative impacts of such activities as well as those associated with this filing.

- 2) **STOCKPILING.** Temporary stockpiling of loam, if necessary, will be outside the 50-foot no-disturb zone as indicated on the record plan.
- 3) **PROJECT ACCESS.** Project access will be across from the driveway and around the southern side of the house as indicated on the record plan.
- 4) **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 survive the expiration of this Determination of Applicability.
- 5) **COMPLIANCE MANAGEMENT.** Following substantive completion of the project, applicant shall contact the Conservation Commission at 508-429-0607 to schedule a project completion inspection. For the purpose of this Determination of Applicability, substantive completion of the project is defined as completion of all loaming, planting and seeding.

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

Continued Public Hearing – Notice of Intent for DEP File #185-798: 415 Concord Street (Assessors Map 11 Block 6, Lot 27) proposal to construct a 66-unit residential subdivision . *Bruce Griffin/New England Environmental, Inc.* representing *Pulte Homes of New England, LLC*

AT THE APPLICANT'S REQUEST, CONTINUED UNTIL OCTOBER 13, 2015

Ms. Weissman made a motion to continue the hearing for DEP File #185-798: 415 Concord Street to October 13, 2015. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Notice of Intent for DEP File #185-796: 194 Lowland Street (Assessors Map 9 Block 2, Lots 33.1 and 57.1) proposal to stabilize a perimeter road and install permanent sedimentation & erosion controls in conjunction with the operation of a composting facility . *Russell E. Waldron/Applied Ecological Sciences* representing *Michael Brumber*

AT THE APPLICANT'S REQUEST, CONTINUED UNTIL OCTOBER 13, 2015

Mr. Bajdek made a motion to continue the hearing for DEP File #185-796: 194 Lowland Street to October 13, 2015. Mr. Schroder seconded the motion. Unanimous. (5-0-0)

****New Public Hearing – Abbreviated Notice of Resource Area Delineation for DEP File #185-799: 128 Fisher Street (Assessors Map 1 Block 1, Lots 23.3 and 49) to delineate the limits of areas subject to wetland protection jurisdictions . Scott Goddard/Goddard Consulting, LLC representing Greg Carey/Clean Energy Collective, LLC
AT THE APPLICANT'S REQUEST, CONTINUED UNTIL OCTOBER 13, 2015**

****New Public Meeting – Request for Determination of Applicability (#D-555) for: 43 Ruthellen Road (Assessors Map 11 Block 8, Lot 200) proposal to replace an existing failed septic system Joyce Hastings/GLM Engineering Consultants, Inc. representing Marjorie Cummins**

Mr. Katuska read the legal ad.

Present for the applicant: Joyce Hastings, GLM Engineering

Ms. Hastings described the proposed replacement of the failed septic system.

Mr. Katuska presents staff draft of Determination of Applicability. Reviewed 6 draft Special Conditions. Ms. Hastings agrees to all.

Mr. Bajdek made a motion to issue the following Determination for #D-555: 43 Ruthellen Road, as drafted and discussed.

Positive #2B Determination: the boundaries of the wetlands area are confirmed as NOT 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) AUTHORIZED WORK. This Determination of Applicability applies only to work associated with the replacement of the existing failed septic system at 43 Ruthellen Road as shown on the project plan referenced in part A.1. Any work not covered by this Determination (i) within 100 feet of any mapped wetland as shown on the plans; (ii) within any area below the 100 year flood elevation; or (iii) within 200 feet of a perennial stream or river; will require a separate filing. Any other activity proposed within said areas subject to jurisdiction of the Commission shall require coordination with the Conservation Commission (508-429-0607) and may require the filing of an additional Request for Determination of Applicability or a Notice of Intent prior to the commencement of said activity. Any impacts on wetland resource areas associated with such additional activities will take into consideration the cumulative impacts of such activities as well as those associated with this filing.

2) REMOVAL OF LEAF LITTER and RUBBISH. a) Leaf litter debris that has been dumped into the bordering vegetated wetlands beyond the northwest corner of the existing stockade fence must be removed from the wetlands, and b) any rubbish, plastic, metal, and other non-organic debris must be removed from the entire buffer zone area north of the existing stockade fence prior to or during construction. The Conservation Commission office must be notified (508-429-0607) following these removals so that the area can be inspected.

3) EROSION CONTROL BARRIER. The proposed erosion control barrier must be installed prior to any tree removals or land disturbance for septic system replacement 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 septic system reconstruction are fully restabilized with vegetation.

4) STOCKPILING. No stockpiling of materials within the 100-foot buffer zone on site during construction is authorized.

5) PROJECT ACCESS. Project access will be across the existing lawn and around the eastern side of the house as indicated on the record plan.

6) 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 wetland resource area. This condition is intended to apply in perpetuity and will survive the expiration of this Determination of Applicability.

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

****New Public Hearing – Notice of Intent for DEP File #185-XXX: Lot 15 Deer Run Road (Assessors Map 4 Block 3, Lot 102) proposal to construct a single family house . Joyce Hastings/GLM Engineering Consultants, Inc. representing Four Seasons Homes, LLC**

Mr. Katuska read the legal ad.

Present for the applicant: Joyce Hastings, GLM Engineering

- No DEP file number received yet.
- Ms. Hastings submits abutter notification receipts.
- She describes the proposal and site.
- The Subdivision Order of Conditions has expired.
- She reviews the work in the buffer zone
- Irrigation well is for lawn watering only.
- Well to be relocated, so 100-foot radius will not overlap wetland area..
- Propose to infiltrate roof run-off through 2 sets of Cultech chambers (not on plan)
- Plan to be revised

Discussion of limit of 100 year FEMA floodplain. Ms. Hastings will add FEMA flood plain boundary to plan.

Ms. Pilch made a motion to continue the hearing for DEP File #185-XXX: Lot 15 Deer Run Road on October 13, 2015. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

****New Public Hearing – Notice of Intent for DEP File #185-XXX: 1 Norfolk Lane (Assessors Map 5 Block 5, Lot 3) proposal to install new and repairs to existing landscaping . Joyce Hastings/GLM Engineering Consultants, Inc. representing James Stucchi/Ahronian Landscaping & Design, Inc.**

Mr. Katuska read the legal ad.

Present for the applicant: Joyce Hastings, GLM Engineering

- No DEP file number received yet.
- Ms. Hastings submits abutter notification receipts.
- She describes the proposal and site.
- She reviews the work in the buffer zone, wetlands and floodplain of Lake Winthrop

Mr. Katuska offers report of site investigation, questions removal of apparently healthy oak tree (1 of 3 proposed for removal) and seeks to further limit vegetation removals onsite to invasive species alone.

Ms. Weissman made a motion to continue the hearing for DEP File #185-XXX: 1 Norfolk Lane on October 13, 2015. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Notice of Intent for DEP File #185-798: 415 Concord Street (Assessors Map 11 Block 6, Lot 27) proposal to construct a 66-unit residential subdivision . Bruce Griffin/New England Environmental, Inc. representing Pulte Homes of New England, LLC

NO APPEARANCE - TO BE CONTINUED UNTIL OCTOBER 13, 2015

Ms. Weissman made a motion to continue the public hearing on the Notice of Intent for DEP File #185-798: 415 Concord Street to October 13, 2015. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Notice of Intent for DEP File #185-796: 194 Lowland Street (Assessors Map 9 Block 2, Lots 33.1 and 57.1) proposal to stabilize a perimeter road and install permanent sedimentation & erosion controls in conjunction with the operation of a composting facility . Russell E. Waldron/Applied Ecological Sciences representing Michael Brumber

NO APPEARANCE - TO BE CONTINUED UNTIL OCTOBER 13, 2015

Mr. Bajdek made a motion to continue the public hearing on Notice of Intent for DEP File #185-796: 194 Lowland Street to October 13, 2015. Mr. Schroder seconded the motion. Unanimous. (5-0-0)

At 9:45 PM, Ms. Pilch made a motion to adjourn the meeting. Ms. Weissman seconded the motion. Unanimous. (5-0-0)

The next Conservation Commission meeting will be:

Tuesday, October 13, 2015 at 7:30 PM; Lower Level Meeting Room #014