

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

January 19, 2016
7:30 PM

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

Charles Katuska, Conservation Agent

Absent: David Schroder, Commissioner
Sheri O'Brien, Conservation Assistant

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

General Business

Enforcement Order (Rev. #1) for DEP #185-782: Lot 75A Old Cart Path

- Peter Lavoie/G & H and Toll Brothers

Mr. Katuska reviews Revised Enforcement Order issued Jan. 14, 2016.

Ms. Pilch made a motion to ratify the revised Enforcement Order, Revision #1 for DEP #185-782: Lot 75A Old Cart Path. Ms. Kingston seconded the motion. Unanimous. (6-0-0).

Amended Order of Condition Public Hearing to be held February 2, 2016.

Enforcement Order for DEP #185-530: 0 Old Cart Path & 0 Praying Indian Way (end of Jennings Road, north of Old Cart Path) - Peter Lavoie/G & H and Toll Brothers

Present for the Applicant: Peter Lavoie, Guerriere & Halnon

Mr. Lavoie presented the Restoration Plan dated 1-6-16.

- Described pumping out of trench
- Agreed to provide a written narrative of dewatering

Mr. Katuska reviewed the 1-19-16 Buffer Zone Restoration Memo.

The Commission discussed the existing lot layout and questions of access over former Jennings Road.

- A revised Restoration Plan will be submitted for the February 2, 2016 meeting.

- The schedule for the restoration is not dependent on the owner's desire to develop these parcels.
- Development may require re-subdivision.

Mr. Katuska reviews revised Enforcement Order issued Jan. 14, 2016.

Ms. Pilch made a motion to ratify the revised Enforcement Order for DEP #185-530: 0 Old Cart Path & 0 Praying Indian Way. Mr. Lively seconded the motion. Unanimous. (6-0-0).

Public Meetings and Hearings

****New Public Meeting – Request for Determination of Applicability (#D-563) for 43 Bogastow Brook Road (Assessors Map 9, Block 1, Lot 34)** proposal to replace an existing septic system . *Joyce Hastings/GLM Engineering* representing *Marvin Kahn*

Present for the applicant: Chris Gaboriault/GLM Engineering

Mr. Gaboriault presents the proposal to replace an existing septic system.

The Commission discussed the proposal.

Mr. Katuska presents staff draft of Determination of Applicability. Reviewed 7 draft Special Conditions. Ms. Hastings agrees to all.

Mr. Lively made a motion to issue the following Determination for RFD #D-563: 43 Bogastow Brook Road:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands 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) **AUTHORIZED WORK.** This Determination of Applicability applies only to work associated with (a) the replacement of the existing failed septic system at 43 Bogastow Brook Road as shown on the project plan referenced in part A.1, (2) the removal of woody debris (yard waste) from nearby bordering vegetated wetlands and (3) shrub plantings required to restore an altered wetland edge and discourage future wetland encroachments at this location. 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) **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.** There is to be no stockpiling within the 100qwetland buffer zone.
- 4) **PROJECT ACCESS.** Project access will be from the street and across the existing lawn area on the easterly side of the house, as indicated on the record plan.
- 5) **REMOVAL/RELOCATION OF YARD WASTE.** The existing pile of woody debris (yard waste) circumscribed by wetland flags #4 - #12, as shown on the project plan, shall be removed from the wetland area and disposed of offsite or in any onsite area beyond the limit of the 50qNo Disturbance Area (Article XXX).
- 6) **SHRUB PLANTINGS.** Following removal of woody debris from the wetland, a number (2-5) of native wetland shrubs shall be planted between wetland flags #4 and #12 as shown on the record plan. Said shrub plantings shall be healthy container-grown (2-gallon) nursery stock in any combination of highbush blueberry (*Vaccinium corymbosum*), winterberry holly (*Ilex verticillata*) and/or sweet pepperbush (*Clethra alnifolia*).
- 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 survive the expiration of this Determination of Applicability.

Ms. Pilch seconded the motion. Unanimous. (6-0-0)

General Business continued

Vote on Draft Meeting Minutes:

- **Ms. Weissman motioned to accept the 11-17-15 Meeting Minutes. Mr. Bajdek seconded. (Passed 5-0-1). Mr. Lively abstained.**

- The Commission edited the 9-1-15 Meeting Minutes, and the minutes will be resent to the Commission for review.
- The 7-7-15 Meeting Minutes were edited per Ms. Weissman's comments, and will be resent to the Commission for review.
- **Mr. Lively motioned to accept the 8-4-15 Meeting Minutes as edited. Ms. Pilch seconded. (Passed 5-0-1). Dr. Rutberg abstained.**
- Meeting minutes from 10-13-15, 11-3-15, and 1-5-16 were tabled to the February 2, 2016 meeting.

Fairbanks Property: Ms. Pilch noted that approaches to the wetlands bridge at the Fairbanks property are still wet and rutted up by bikes.

FY 2017 Budget: Review status of fund accounts

At 9:07 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Lively seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be:

- ∞ **Tuesday, February 2, 2016** at 7:30 PM; Lower Level Meeting Room #014
- ∞ **Tuesday, February 23, 2016** at 7:30 PM; Lower Level Meeting Room #014