

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

February 2, 2016
7:30 PM

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

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

Absent: Shaw Lively, David Schroder, Commissioners

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

General Business

Vote on Draft Meeting Minutes: 7/7/15 (as revised), 10/13/15, 11/3/15, 12/15/15, 1/5/16 – SDO. 9/1/15 (as revised), 12/1/15 – CJK

7/7/15

Ms. Pilch made a motion to approve the minutes from July 7, 2015 with revisions included. Ms. Kingston seconded the motion. Dr. Rutberg abstained. The motion passed. (4-0-1)

9/1/15

Ms. Pilch made a motion to approve the minutes from September 1, 2015 with revisions included. Mr. Bajdek seconded the motion. Ms. Kingston abstained. The motion passed. (4-0-1)

1/5/16

Ms. Pilch made a motion to approve the minutes from the January 5, 2016 meeting. Ms. Kingston seconded the motion. Ms. Weissman abstained. The motion passed. (4-0-1)

The meeting minutes for 10/13/15, 11/3/15, 12/1/15, and 12/15/15 were tabled until the next meeting. The correct updated meeting minutes for 10/13/15 & 11/3/15 will be sent out for review.

Request for Certificate of Compliance for Bylaw File No. B-001: 195 Mohawk Path (Lot 85) - Peter Lavoie/G & H and Toll Brothers

A Wetland Bound is missing from the southern property line, 47q from the road frontage and the lawn is not yet stable as it is not the growing season. Therefore, only a Partial Certificate of

Compliance will be issued at this time. In the spring of 2016, after the Wetland Bound is installed and the lawn has been mowed two times, a full Certificate of Compliance may be requested.

Ms. Kingston made a motion to issue a Partial Certificate of Compliance for Bylaw File No. B-001: 195 (Lot 85) Mohawk Path. Ms. Weissman seconded the motion. Unanimous. (5-0-0)

Request for Certificate of Compliance for Bylaw File No. B-006: 169 Mohawk Path (Lot 90A) - Peter Lavoie/G & H and Toll Brothers

Per the Agent, this property is not ready for a Certificate of Compliance. The Agent will send Mr. Lavoie a summary of the issues with the site.

Request for Certificate of Compliance for DEP File No. 185-770: 208 Mohawk Path (Lot 81A) - Peter Lavoie/G & H and Toll Brothers

Per the Agent, this property is not ready for a Certificate of Compliance. The Agent will send Mr. Lavoie a summary of the issues with the site.

Request for Certificate of Compliance for DEP File No. 185-752: 9 Governor Prencce Way (Lot 29) - Peter Lavoie/G & H and Toll Brothers

Per the Agent, this property is not ready for a Certificate of Compliance. The Agent will send Mr. Lavoie a summary of the issues with the site.

Enforcement Order for DEP File No. 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 a revised annotated/colored Land Disturbance Permit Plan dated 1/4/16 that showed how the trench is going to be dewatered. The dewatering tank (with Floc Logs® in the tank) will be moved into the disturbed area and additional silt fence and haybale check dams have been added. He also presented a Restoration Plan dated 1/4/16 that shows a planting plan for the property.

The notes on the plans need to be proofread and edited as there are several typographical errors and sentences that don't make sense. Note 1 on both plans needs to be updated so that it applies to these particular annotated plans.

The disturbed/excavated areas outside the buffer zones should at least be seeded. It was noted by the Agent that the yellow birch tree numbers appear to be too few, or perhaps the trees are too small.

The Commission requested on-site monitoring during planting and construction to ensure compliance management (reporting to the Conservation Commission). There should also be Post-Construction inspections (to include plantings) for 2 years post-construction with an Adaptive Management Plan.

When ownership of the property was questioned, Mr. Lavoie indicated that Paul Beattie, Esq. has sent Karen Sherman (Planning Board) an interpretation of the status of the old Jennings Road area since it was abandoned (somewhere between 1998-2005). A trust (under P. Beattie) owns the basin on the west side of Jennings Road (Map 14-4-63.1) and Fafard/Constitution Village LLC owns the east side of Jennings Road (Map 14-5-Lots 2.1, 2.2 & 3.A) therefore, they can access this property on the east side of the road to repair it.

Mr. Lavoie will revise the plans for the next meeting on February 23, 2015.

Public Meetings and Hearings

****New Public Hearing – Request for Amended Order of Conditions for DEP #185-782: Lot 75A Old Cart Path (Assessors Map 14 Block 5, Lot 75A)** Proposal to restore unpermitted alterations to buffer zone resource areas and construct an earthen berm at a lot previously approved for construction of a single-family house . *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Constitution Village LLC*

Present for the Applicant - Peter Lavoie/Guerriere and Halnon, Inc.

Mr. Katuska read the legal notice that was published in the *MetroWest Daily News* on January 26, 2015.

Mr. Lavoie submitted the green card return-receipts that were received from the abutters. He then presented an annotated/colored Site Development & Facilities plan for Lot #75 Old Cart Path dated 2/2/16. The huge earthen berm in the 50' buffer zone is to be reduced and planted with white pines along the top next to a 4' stone wall. Other plantings were shown on the outside of the stone wall closer to the wetlands. The applicant would like to leave the berm to % screen the homes on Minuteman Circle.

The Commission is concerned that the berm and plantings for privacy are not necessary and they would prefer that more of the berm on the west side of Lot 75 be removed so that the area is restored more closely to what was originally approved in the Order of Conditions for DEP File No. 185-782.

Two abutters from Praying Indian Way, Tara D'Amato (#24) and Atul Suri (#18), were present. They had complaints about the loss of screening promised by Fafard when they bought their homes. Ms. D'Amato presented photos showing the view from her backyard during the summer, fall, and winter. The photos showed the progressive removal of the trees with the winter photo showing complete removal of all of the trees from behind her house with no screening left for privacy between her home and Lot 75. In addition, the privacy screening for Lot 75 (that Fafard has proposed in the 50' buffer zone) is on the opposite side (east) of the

proposed home; therefore, it offers no screening towards Ms. D'Amato's home on the west side of Lot 75. Mr. Suri explained that most of the trees were also removed from behind his home, but he asked the workers to stop removing trees before they all had been completely cleared out. He said there are a few trees left, but not much privacy.

The Commission asked Mr. Lavoie to discuss with his client the possibility of adding new screening for the Praying Indian Way residents on the west side of Lot 75.

Some options were suggested:

- Leave the berm as proposed in the plan dated 2/2/16 with the addition of decent screening for the Praying Indian Way residents
- Remove all of the fill beyond the previous approved limits, so that it is in agreement with the Order of Conditions
- Revoke the Order of Conditions

Mr. Lavoie will consult with his client and agreed to a continuation to the meeting on February 23, 2016.

Ms. Pilch made a motion to continue the hearing for the Amendment to the Order of Conditions for DEP #185-782: Lot 75A Old Cart Path to February 23, 2016. Ms. Kingston seconded the motion. Unanimous. (5-0-0)

****New Public Hearing – Notice of Intent (DEP #185-807): 1380 Washington Street (Assessors Map 5 Block 1, Lot 15) Proposal to replace an existing septic system . Karen Skinner Catrone, Wetland Scientist and CIVILized Solutions representing Greg Koski**

Present for the Applicant - Karen Skinner Catrone, Wetland Scientist; Paul Saulnier & Eric Dickinson, Civilized Solutions

Mr. Katuska read the legal notice that was published in the *MetroWest Daily News* on January 26, 2015.

Ms. Skinner-Catrone submitted the green card return-receipts that were received from the abutters and then presented a plan for the septic system dated 12/8/15 by Civilized Solutions. The septic system will be located in the existing lawn area. One antique apple tree will be saved and moved out of the septic system area. There is bordering land subject to flooding (BLSF) on the property, but it is not near the septic system work area.

There is Japanese knotweed on the property and the Commission encouraged continuing efforts to control the knotweed.

An Order of Conditions will be drafted for the next ConCom meeting on February 23, 2016.

Ms. Weissman made a motion to close the hearing for DEP File No. 185-807: 1380 Washington Street. Ms. Pilch 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) and to construct a single-family house and associated septic system, driveway and grading . *Paul Saulnier/Civilized Solutions* representing *Alan Stone*

Present for the Applicant - Karen Skinner Catrone, Wetland Scientist; Paul Saulnier and Eric Dickinson/Civilized Solutions; Chris Malcolm, Attorney

Ms. Weissman submitted an affidavit regarding her review of the public hearing evidence from 1/5/16.

Ms. Skinner Catrone presented a plan dated 12/9/15 for a 3 bedroom house and septic system instead of the originally proposed garage for DEP File No. 185-677. A Project Report, #1014 Highland Street, Holliston, MA, Owner/Applicant - Alan Stone (undated),+regarding the wetland delineation and the proposed project was submitted via an e-mail dated 2/2/16. The site was delineated by Goddard Consulting and verified by Ms. Skinner Catrone on January 22, 2016. She explained the wetlands and intermittent stream areas. There isn't any floodplain associated with the site. There are no Natural Heritage and Endangered Species concerns with the project.

The applicant does not want to create a backyard, therefore; no lawn, yard or disturbance will be in the 50' buffer zone. They are more interested in keeping the property as natural as possible. The two container trailers, very large truck tires, and trash on the property will be removed.

The home itself will be 696 ft² and the driveway will be 677 ft². The patio will be constructed of pervious pavers to eliminate any additional impervious area. Erosion Controls will consist of compost socks. They will come in through the existing curb cut. No work will be in the drainage easement.

The septic system will be shrunk in size; the chambers can be reduced by 40%. The abutter to the south (Steve LeCause) has been very concerned about run-off from the mounded septic system flowing onto his property. Mr. Dickinson explained that this was a concept plan and that the system will definitely be graded and a swale will be created along the edge of the system so that water would flow away from Mr. LeCause's property. It was also confirmed that the water flows onto the property from the east and into the drainage easement pipe, which then flows west under Highland Street.

In order to make revisions to the plan for the septic system, the representatives agreed to a continuation to February 23, 2016.

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 February 23, 2016. Ms. Kingston seconded the motion. Unanimous. (5-0-0)

General Business Continued

FY2017 Budget Review

The Agent reviewed the proposed FY17 budget of \$49,943 to be presented to the Selectmen tomorrow evening. The Commission agreed to offer to fund 33 1/3 % of the staff salaries using the Bylaw Fee Fund; however, they would like to keep the Omnibus budget line items as they are for salaries.

Ms. Pilch made a motion to accept the FY17 Budget as presented. Ms. Weissman seconded the motion. Unanimous. (5-0-0)

Review Correspondence

Millis - Former Glen Ellen Country Club ANRAD

An ANRAD has been submitted to the Conservation Commission in Millis by Toll Brothers. The former Glen Ellen Country Club abuts Holliston. There are wetlands along the town line. The public hearing is February 11, 2016.

At 9:39 PM, Mr. Bajdek made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

The next Conservation Commission meetings will be:

- ∞ **Tuesday, February 23, 2016** at 7:30 PM; Lower Level Meeting Room #014
- ∞ **Tuesday, March 8, 2016** at 7:30 PM; Lower Level Meeting Room #014