

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

September 1, 2015

7:30 PM

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

Charles Katuska, Conservation Agent

Absent: David Schroder, Shaw Lively, Commissioners; Emily Kingston, Associate Commissioner, Sheri OqBrien, Conservation Assistant

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

General Business

Eagle Scout Candidate – Zack Kerstgens, Troop 14

- Proposes to work with P. Goeller (and Zack's father) to build a 2nd bridge in Fairbanks Conservation Area
- All materials to be donated by New England Mountain Bike Association
- Mr. Kerstgens shows rough map of proposed bridge location
- Mr. Kerstgens shows photos (on phone) of bridge area

Mr. Katuska agrees to a site walk tomorrow afternoon, after school. Mr. Kerstgens has a materials list. Chairman Rutberg agreed to sign for the Conservation Commission as project beneficiary after the site inspection, photos circulate and assessment of possible impacts.

Mellon Street Conservation Land Camping Permission . Troop 76 Boy Scout and Scout Leader appeared before the Commission to request permission to camp on October 17th at the Mellon Street conservation land. There will be:

- no open fires
- no brush cutting
- several tents
- will use backpack stoves

The Conservation Commission granted permission for the overnight camp for approximately 17 Scout members.

Downtown Planning to be supported by the Conservation Commission. The Planning Board has an Integrated Plan that improves parking, traffic improvements, and rail trail access. They are in early planning discussions.

Conflict of Interest Training: Mr. Katuska will resend web link to the commissioners.

Public Meetings and Hearings

****New Public Meeting – Request for Determination of Applicability for #D-550: 162 High Street (Assessors Map 11 Block 5, Lot 8)** proposal to replace an existing failed septic system . *Daniel McIntyre/McIntyre Engineering & Septic Service, Inc.* representing *Laura Angliss*

Mr. Katuska read the legal ad.

Present for the applicant: Dan McIntyre

- Mr. McIntyre explains site and project.
- Mr. Katuska reports the site inspection.
- Reserve areas ok.

Ms. Weissman made a motion to issue the following Determinations for RFD #D-550, 162 High Street:

Positive #2A Determination: the boundaries of the bordering vegetated wetlands are 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 #2 Determination: the work is within an area subject to protection under the Act or Bylaw, but will not remove, fill, dredge, or alter that area. therefore, the work does not require a Notice of Intent.

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 162 High 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) 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.** Stockpiling of materials on site during construction is limited to the two (2) “stockpile areas” indicated on the record plan.

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

5) **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.

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

****New Public Meeting – Request for Determination of Applicability for #D-551: 1 Francine Drive (Assessors Map 11 Block 8, Lot 14)** proposal to replace an existing failed septic system . *Eric Dickinson/Civilized Solutions* representing *Glenn J. Lewis*

Present for the applicant: Eric Dickinson, Civilized Solutions

Mr. Dickinson reviews the site and project, and shows a colored proposed septic plan.

- The leach field is about 18 feet from the bordered vegetated wetlands.
- 3 to 5 trees total will be lost.
- Mr. Dickinson agrees to the draft.

Ms. Pilch made a motion to issue the following Determination for RFD #D-551, 1 Francine Drive, as drafted and discussed:

Positive #2B Determination: the boundaries of the wetlands area 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 the replacement of the existing failed septic system at 1 Francine Drive 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) **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.** Stockpiling of materials on site during construction is limited to the single "Temp. Soil Stockpile" indicated on the record plan as adjacent to the existing driveway.

4) **PROJECT ACCESS.** Project access will be across the existing paved driveway and around the western side of the house as indicated on the record plan.

5) **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.

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

Mr. Dickinson will pick up Determination tomorrow afternoon.

****New Public Meeting – Request for Determination of Applicability for #D-552: 85 Lakeshore Drive (Assessors Map 5 Block 1, Lot 210)** proposal to replace an existing failed septic system . *Eric Dickinson/Civilized Solutions* representing *June Hunter*

Present for the applicant: Eric Dickinson, Civilized Solutions

Mr. Dickinson reviews the site and project. The septic system is to be in the grass lawn (only lawn available). Mr. Dickinson agrees.

Mr. McGrath made a motion to issue the following Determination for #D-552: 85 Lakeshore Drive, as drafted and discussed.

Positive #2B Determination: the boundaries of the wetlands area 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 the replacement of the existing failed septic system at 85 Lake Shore Drive 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. Stockpiling of materials on site during construction is limited to the single "Temp. Soil Stockpile" indicated on the record plan as adjacent to the existing gravel driveway.

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

5) 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 Lake Winthrop. This condition is intended to apply in perpetuity and will survive the expiration of this Determination of Applicability.

Ms. Pilch seconded the motion. Unanimous. (5-0-0)

There will be an early project start. Mr. Dickinson will pick up Determination tomorrow afternoon.

****New Public Hearing – Notice of Intent for DEP File #185-XXX: 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*

Present for the applicant: Mark Mastroianni, Pulte Homes; Matt Leidner, Civil Design Group, Bruce Griffin, NEE

- No DEP file number received yet
- 20.4 acre site
- Mr. Mastroianni makes initial presentation
- Mr. Griffin submits abutter notification receipts
- Mr. Griffin continues with NOI presentation
- Notes last year's ANRAD/ORAD approving on-site wetlands reserve area
- NEE did delineation of off-site wetlands and GPS-located new wetland edges. (note small off-site seasonal pond, +possible vernal pool?)
- Notes no work in 50' no-disturb zone, and only minimal work in 50 to 100' zone
- Project to be phased (won't be open/unstabilized all at once)
- Discussion between Mr. Katuska and Mr. Leidner about on-going stormwater management review and need for on-site attention to sedimentation and erosion control.

Mr. Bajdek makes a motion to continue the public hearing on the Notice of Intent for DEP File #185-XXX: 415 Concord Street to September 29, 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*

Present for the applicant: Russell E. Waldron/Applied Ecological Sciences; Michael Brumber

- The project purpose now redefined as remove existing, unauthorized material from the site and abandon business enterprise at this location.
- Mr. Gordon, Cold Chain Technologies, wants an explanation of what just happened. Mr. Katuska explains that the project has now been redefined from what was originally proposed and that there is now no proposal to institute and continue a commercial activity at this location.
- Liz Tyler, 17 Norfolk Street, spoke about high metals content in leaf samples and urges caution, even in removal of compost piles

Ms. Weissman makes a motion to continue the public hearing on Notice of Intent for DEP File #185-796: 194 Lowland Street to September 29, 2015. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

General Business Continued

Lil' Folk Farm - Mr. Rutberg presented photos of new clearing of slopes above the intermittent stream alongside the rail trail. This site and activity now needs a Notice of Non-Compliance and the owners should be required to appear at next meeting, September 15, 2015. Mr. Katuska commits to sending out the directed notice.

At 9:33 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Weissman seconded the motion. Unanimous. (5-0-0)

The next Conservation Commission meetings will be:

Tuesday, September 15, 2015 at 7:30 PM; Lower Level Meeting Room #014

Tuesday, September 29, 2015 at 7:30 PM; Lower Level Meeting Room #014