

Holliston Conservation Commission

Meeting Minutes

Town Hall- Meeting Room #014

November 29, 2016

7:30 PM

Present: Chris Bajdek, Chair; Emily Kingston, Vice-Chair; Jennifer Buttaro, Shaw Lively, Ann Marie Pilch (arrived at 7:32), Allen Rutberg, Rebecca Weissman, Commissioners Sheri O'Brien, Conservation Agent; Kristin O'Brien, Conservation Assistant

Absent: None

Chris Bajdek, Chair, opened the meeting at 7:31 PM.

GENERAL BUSINESS

Request for Partial Certificate of Compliance for DEP File #185-804: 1146 Washington Street - David Lindhal

- The applicant installed a buried stone swale as asked, and it was done well.
- New straw wattle was installed upgradient of the wetland; however, the area where rain runoff and debris were clearly flowing into the wetland was not repaired.
- The Agent recommended not issuing a Partial Certificate of Compliance until a silt fence is installed along the edge of the wetland. The silt fence will remain until the lawn is stable.
- The Commission discussed and agreed with the Agent's recommendation.

Discussion: Boardwalk Construction at Adams St Conservation Land by Eagle Scout Mike Bozyczko

- Master Bozyczko completed a 58 foot boardwalk about 2 weeks ago. He began at 10:00 a.m. with 20 people and finished around noon.
- All materials were pre-cut and carried to the location.
- Master Bozyczko presented photos of the final boardwalk and a map with the location.
- Several helpers also removed a rotting tree that fell over the trail near the boardwalk Ryan Paradie built (about a mile away).
- Mr. Bajdek signed the final report.
- Ms. S. O'Brien informed Charlie Paradie, Troop 14 Leader, of another possible Eagle Scout project on Poitras Conservation Land.

Notice of Violation for DEP File #185-725: 36 Kingsbury Drive (Lot 28R) - J. Gerber

- The Commission reviewed the proposed settlement submitted by Mr. Gerber on November 22, 2016.
- The Commission agreed that a Conservation Restriction is not needed, as there is very limited public access and the lot would not be large enough to build on. However, language will be added to the agreement allowing the Conservation Commission access to the property, up to two times a year, for encroachment inspections.
- There was discussion about why there is a notch in the proposed property line. Ms. S. O'Brien will ask if it is to make the new lot 1.0 acres and/or to gain more land outside the 100 ft buffer zone for resident use and/or to allow the acreage necessary for lot size in this zoning district.
- The Commission would prefer the property line to be straight.
- The Commission would like wetland plaques and bounds installed on the property line. If the notch remains the plaques will be at each corner and along the straight edge. With the notch or a straight line, seven (7) plaques will be required.
- Joyce Hastings confirmed the front half of the lot with the notch would meet zoning requirements.

PUBLIC HEARINGS/PUBLIC MEETINGS:

(Legal notices to be read for NEW hearings and meetings marked with **)

Continued Public Hearings - Three Notices of Intent for DEP File # 185-819, 185-820, 185-821: Lots 1, 2, and 3 - Laurel Glen (Assessors Map 11-8-347.1, -347.2, and 347.3, respectively) Construction of three Single Family Homes in the "Brooksmont Meadows" Open Space Residential Development off of Dodd Drive – Joyce Hastings/GLM Engineering representing Skip Kelleher/Minglewood Development LLC

- Ms. Hastings presented for Mr. Kelleher (present).
- After the November 15, 2016 meeting, Ms. Hastings went on a site walk at 81 Dodd Drive (near Lot 3) with Mr. Bajdek and Mr. Talmanson.

Lot 2

- Ms. Hastings added four bounds next to the driveway on Lot 2 (across from Lot 1),

Lot 3

- The following changes were made to Lot 3
 - more detail around the driveway and property line of Lot 3, indicating water will be moving away from Mr. Talmanson's home (81 Dodd Drive) and towards the driveway recharge,
 - a swale was added near the southwest corner of the retention wall to further divert water away from 81 Dodd Drive, and
 - the retention wall was moved back to the 15' buffer line.
- The 15' buffer line is a building setback line for the house; there will be no structures within the buffer line.
- Mr. Talmanson does not approve of the retention wall, stating it will be unsightly and decrease the value of his property. He asked if there was an alternative to the wall.
- Ms. Hastings explained that since it is a new construction the only options for the septic system in an area with high ground water is to mound and put in a retention wall or to grade the land. However, due to the elevations grading would require more trees to be removed and grading would continue onto Mr. Talmanson's property.
- There was discussion, and the Commission informed Mr. Talmanson that he should speak with Mr. Kelleher or the new homeowners association to ask if they would be willing to plant shrubs to screen the retention wall.
- The wetland delineations and current elevations were discussed further with Mr. Talmanson and it was explained that the delineations and plans were completed within the last two years and were considered accurate and formalized.

Dr. Rutberg moved to close the hearings for DEP File # 185-819, 185-820, 185-821: Lots 1, 2, and 3 Laurel Glen (respectively). Mr. Lively seconded. Unanimous. (7-0-0).

Ms. Pilch made a motion to issue Orders of Conditions for DEP File # 185-819, 185-820, 185-821: Lots 1, 2, and 3 Laurel Glen (respectively), with discussed alterations. Ms. Weissman seconded. Unanimous. (7-0-0).

Continued Public Meeting - Request for Determination of Applicability for #D-576 and #D577: 194 Lowland Street (Assessors Map 9-2-57.1) proposed removal of compost and earth products and recycled asphalt materials - George F. Connors, Esq. representing Michael Brumber

- There was a meeting scheduled with Mr. Brumber, Conservation, Planning Board, Building Department, and Board of Health for the end of November to discuss all department concerns. However, the Planning Board has postponed the hearing until Peter Tartakoff has returned to

work. Mr. Tartakoff is the court appointed lead on the Cease and Desist Order and has been out due to back surgery.

Ms. Pilch made a motion to continue the meeting for #D-576 and #D-577: 194 Lowland Street to the December 13, 2016 meeting. Ms. Kingston seconded. Unanimous. (7-0-0).

Ratify Emergency Certificate for Beaver Dam Breaching at 1919 Washington Street

- The beaver dam is endangering the basement at 1919 Washington Street.

Ms. Pilch made a motion to ratify the Emergency Certificate. Dr. Rutberg seconded the motion. Unanimous. (7-0-0).

Vote on Draft Meeting Minutes - 11/15/16

Ms. Pilch made a motion to accept the 11/15/16 minutes, with discussed edits. Ms. Kingston seconded the motion. Mr. Lively abstained. The motion was passed. (6-0-1).

Review Correspondence

- The Commission received abutter notifications from the Glen Ellen Senior Residential Development in Millis. There will be a meeting on December 5, 2016 to review the Notice of Intent that was submitted.
- Ms. K. O'Brien has requested the building plans to determine if Commission presence is required at the meeting.

Policy for Culvert Clearing

- Ms. S. O'Brien requested a formal policy in regards to how the Highway Department should apply for permits to clean out culverts on Town property, especially in relation to beaver dam obstructions.
- There was discussion on a complaint received from a homeowner who is downstream of the beaver dam under Washington Street. The Highway Department has been removing dam blocking a culvert and resulting in flooding at 24 Washington Street after each removal.
- It is agreed that the culverts must be cleared of debris as a public safety hazard.
- Staff will draft a policy and discuss further.

Dam Repair

- Bob Rooney, Collins Center, added the dam at Houghton's Pond to a Capital Improvement Projects list for repair funding. However, the water level has already dropped and the pond is not publically accessible. Some residents have questioned why the dam should remain intact.
- The downstream impacts of removing the dam would need to be examined.
- The Commission agreed it would prefer to have the Old Factory Dam be added to the Capital Improvement Projects list, due to its potential impacts on the road, bridge, and recreation area.

173 Pinecrest Road

- Ms. S. O'Brien met with an arborist about trees that fell from Conservation Land, onto a fire road. While the Fire Department was notified, they were not able to remove the trees. However, an unknown person cut the trees and left them on Michelle Winn's property, who is adjacent to the fire road. The trees will be chipped and the chips will be removed from the property.
- A diseased maple on Conservation Land is leaning towards Ms. Winn's home. Conservation funds will be used to remove the tree and the wood chips.

Dr. Rutberg made a motion to adjourn the meeting at 9:45 PM. Ms. Kingston seconded. Unanimous. (7-0-0).