

## Holliston Conservation Commission

### DRAFT Meeting Minutes

Town Hall- Meeting Room #014

January 17, 2017  
7:30 PM

Present: Chris Bajdek, Chair; Emily Kingston, Vice-Chair; Jennifer Buttaro, Ann Marie Pilch (arrived at 7:33), Allen Rutberg, Commissioners  
Sheri O'Brien, Conservation Agent; Kristin O'Brien, Conservation Assistant  
Absent: Shaw Lively, Rebecca Weissman, Commissioners

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

### GENERAL BUSINESS

#### Discussion: National Honors Society Student Project Proposal: Cleaning up Bogastow Brook near the 8 Arch Bridge - Eamonn Powers

- Mr. Powers explained his proposed community project for the National Honor Society.
- His initial goal was to restore the Bogastow Brook for trout habitat between the Factory Pond Dam and 8 Arch Bridge. Bogastow Brook is annually stocked with trout downstream near Fiske Street. However, the summer water levels may not be high enough to support trout.
- Currently, Mr. Powers would like to focus on removing debris and large rocks from the waterway and invasive plants from the bank and in the brook.
- In addition, he wants to create a sign for the trail explaining the habitat and the species present. He will also give a presentation at the library.
- *Ms. Pilch arrived.*
- Mr. Powers is working with the Rail Trail Committee and his friends will assist with the required manual labor.
- Safety protocols were discussed.
- Staff was concerned about Mr. Powers identifying and removing plants in April, as the vegetation will most likely be small and very difficult to identify. The best time of year would be June/July. Mr. Powers agreed to working with the vegetation during the summer.
- After discussion the Commission agreed a Request for Determination of Applicability (RFD) is needed and can be submitted as a town project.
- The Commission requested a more detailed description of his methods and a map showing the project location.
- Mr. Powers will meet with staff to fill out a RFD.

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

- Mr. Gerber was present to discuss the counter proposal for donating a portion of his property to the town.
- There was discussion about the notch in the boundary line from the previous proposal. Mr. Gerber explained the notch is near a gate in his fence and since this area is not in a buffer zone he would like the possibility to put a shed in this location.
- The Commission requested seven bounds and Public Open Space+plaques be installed on the property line; Mr. Gerber requested three bounds. It was agreed by all that he will install five bounds, which will be equidistance apart on the new property line. There was further discussion on bound locations, including if one should be at the 50' no-disturb line.
- In section B3, the Commission asks for the word "may" be changed back to "shall", as the only access to this new lot would be through 36 Kingsbury Drive; the neighboring lot is entirely comprised of wetlands and vernal pools, making access difficult. Mr. Gerber will be notified at least one week in advance of staff/Commission visiting the new lot. Mr. Gerber agreed.
- Ms. S. O'Brien explains that the proposal requires the issuance of a Certificate of Compliance (CoC) within five days of signing the agreement, but a CoC cannot be issued without bounds

and plaques being installed. Mr. Gerber is hoping GLM can install the bounds immediately; however, if the ground is frozen then he offered to put money into escrow or pre-pay GLM for them to install in spring and have orange stakes temporarily placed.

- The Commission agreed that if the bounds cannot be installed due to winter conditions, a Partial CoC can be issued.
- Ms. S. O'Brien will send Town Counsel the agreement, and once they have responded Mr. Gerber will submit a final agreement.

### **PUBLIC HEARINGS/PUBLIC MEETINGS**

#### **Continued Public Meeting - Request for Determination of Applicability for #D-576 and #D-577: 194 Lowland Street (Assessors Map 9-2-57.1) proposed removal of compost and earth products and removal of recycled asphalt materials - George F. Connors, Esq. representing Michael Brumber**

- The Requests for Determination of Applicability for D-576 and D-577 were considered simultaneously.
- Mr. Connors submitted and presented an updated plan dated January 17, 2017.
- He explained the issues of the property, the type and extent of work that would be done, including the removal of RAP parking area in the 200qrivervfront area and removal of mix filled/compost.
- Board of Health is concern about rodents, pests, and possibly other contaminates in several piles of compost. These piles will be moved this winter and dispersed onto the face of other mixed fill piles.
- Staked haybales will be installed along the northern limit of work and boulders will mark the 200qrivervfront line.
- The screening and removal of the material will take about 5-6 months, once work can begin.
- Mr. Connors explained the property is owned by the DiCarlo family, but the compost material is owned by Mr. Brumber. Once the material is removed, the property will once again have a gravel pit floor as it historically did.
- Mr. Rolf Briggs, who is interested in buying the property, received different information from Mr. Brumber regarding the ownership of the property.
- Mr. Brumber must wait until all permits are issued and the Cease and Desist Order is lifted before any fill/compost material can leave the property.
- There was discussion about the process/order of the mixing, screening, and moving of material.
- Mr. Connors claimed the hydroseed mix used to establish grass on large areas tends to have fertilizer included and asked for that to be considered for the wording of any condition pertaining to the use of fertilizers.
- Marc Connelly and the Commission discussed the property and possible presence of other undesirable materials.

**Dr. Rutberg made a motion to issue the following Determinations for RFD #D-576: 194 Lowland Street, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Ms. Buttaro seconded the motion. Unanimous. (5-0-0).**

- In regards to RFD # D-577, Mr. Connors asked to have the condition pertaining to the stone entrance pad removed, since the RAP parking area will most likely be removed before the spring when compost will be removed, at which time the stone pad will be installed. The Commission agreed.

**Dr. Rutberg made a motion to issue the following Determinations for RFD #D-577: 194 Lowland Street, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Ms. Kingston seconded the motion. Unanimous. (5-0-0).**

## General Business Continued

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

- The silt fence was installed per the request of the Commission.

**Ms. Pilch made a motion to issue a Partial Certificate of Compliance for DEP File #185-804: 1146 Washington Street. Ms. Kingston seconded. Unanimous. (5-0-0).**

### Request for Certificate of Compliance for Lot 27R Kingsbury Drive for DEP File #185-726 – Jaimin and Shana Anandjiwala

- An Order of Condition was issued for the construction of a single family home, however work never began.

**Ms. Pilch made a motion to issue a Certificate of Compliance for DEP File #185-726: Lot 27R Kingsbury Drive. Dr. Rutberg seconded. Unanimous. (5-0-0).**

### Update Tree Removal Policy

- Ms. S. O'Brien requested that the Conservation Assistant be added to the Tree Removal Policy, and given the authority to approve the removal of trees.

**Ms. Kingston made a motion to update the Tree Removal Policy with the changes as discussed. Dr. Rutberg seconded. Unanimous. (5-0-0).**

### Tree Removal Request at 8 Adam Wheeler Lane

- Ms. K. O'Brien explained a request to remove a large maple from the property. Upon inspection, the maple had no obvious signs of disease but was dropping large branches very close to the house. If the tree fell it would fall entirely on the home. Permission was given to take down the tree.

### 2017 ATM Warrant Article RE: Dams and Houghton's Pond Dam Phase 2 Proposal

- Ms. S. O'Brien reviewed the warrant article for dam repairs and inspections, which will cost about \$50,000.
- The funds would be for Phase 2 repairs for Houghton's Pond Dam, as well as, inspections for three other dams in town, which would occur in November 2017 and May 2018. The inspections and repairs are required by Massachusetts Department of Conservation and Recreation's Office of Dam Safety.
- This article will be co-sponsored by the Board of Selectman.
- A subsequent proposal will be obtained, which will include design and layout for any required repairs.

**Dr. Rutberg made a motion to sponsor the warrant article as written. Ms. Kingston seconded. Unanimous. (5-0-0).**

### Vote on Draft Meeting Minutes – 01/03/17

**Ms. Kingston made a motion to accept the 01/03/17 minutes. Ms. Pilch seconded the motion. Unanimous. (5-0-0).**

### Hopping Brook Road Extension

- No representative was present.
- There was discussion about how to proceed forward with the request for a modification versus amendment to the previously issued Order of Conditions.
- The Commission would like more information before they make a decision.

### **Review Draft FY18 Budget**

- The Commission added language regarding a cutoff point for the By-Law Revolving Fund to longer contribute to staff salary.

**Ms. Pilch made a motion to approve the proposed budget with the discussed alterations. Dr. Rutberg seconded the motion. Unanimous. (5-0-0).**

### **Review Correspondence**

- Mail was reviewed.

### **413 Gorwin Drive Beaver Dam**

- There is a beaver dam on Army Corp land next to 413 Gorwin Drive on Hopping Brook. There is neighborhood concern that without breaching the dam numerous properties and homes would most likely be flooded.
- There is also a smaller dam downstream backing up the water under the nearby culvert.
- The resident will be in for a permit from Board of Health and Conservation to continue to breach the dam.
- Options were discussed.

### **Commissioner Resignation**

- Ms. Kingston accepted a new job offer and will unfortunately have to leave the Commission.
- She will need to submit a letter of Resignation for the opening to be posted.

**Dr. Rutberg made a motion to adjourn the meeting at 9:45 PM. Ms. Kingston seconded the motion. Unanimous. (5-0-0).**