

Holliston Conservation Commission

Meeting Minutes

Town Hall- Meeting Room #014

February 28, 2017

7:30 PM

Present: Chris Bajdek, Chair; Jennifer Buttarro, Ann Marie Pilch, Allen Rutberg, Rebecca Weissman, Commissioners

Sheri O'Brien, Conservation Agent; Kristin O'Brien, Conservation Assistant

Absent: Shaw Lively, Commissioner

Chris Bajdek, Chair, opened the meeting at 7:30 PM.

Eagle Scout Proposal, Fairbanks Conservation Land Boardwalk – Ben Cappello, Troop 14

- Master Cappello presented his proposal to build three boardwalks over a very muddy spot on a trail in Fairbanks Conservation Land.
- The boardwalks would be a quarter mile in from Dunster Road. One boardwalk will be 8qlong and the other two will be 12qlong.
- All materials will be donated by the New England Mountain Bike Association (NEMBA) and will be cut and prepared before being walked to the site by volunteers. There will be about 15-20 volunteers.
- Master Cappello said the area does dry out in summer, but minor rain events will result in standing water.
- Master Cappello would like to begin the project as soon as possible. The Commission requested that no work be done if the ground is very wet/muddy as the heavy foot traffic can damage the trails.
- The Commission also asked Master Cappello to remind his volunteers that they should not wander off the trails as it is conservation land.
- There was discussion on contingency plans for the materials should they arrive and the ground is too wet for work to begin. John Goeller (President of NEMBA) lives nearby on Dunster Road and as with past projects, he has the materials delivered to his home, where they are then cut and stored until work can begin.
- Mr. Bajdek signed the Eagle Scout project proposal.
- Master Cappello will inform the staff about which day he will begin work.

Discussion: Potential 77 Mellen Street Conservation Restriction – Maxfields

- David McGowan, from Mass Audubon, invited Mr. and Mrs. Maxfield to the meeting to discuss options; however, they were not present.
- Ms. S. O'Brien will reach out to the Maxfields for more information.

Request for a Certificate of Compliance DEP File # 185-532: 71 Whitney Street – Andrew Rodenhiser

- Ms. S. O'Brien explained that Mr. Rodenhiser requested a Certificate of Compliance for a project completed in 2002. Since he already received a Partial CoC; no fee is required and there is no concern regarding the past expiration of the Order of Conditions (OoC).
- Mr. Rodenhiser is selling the property and closing March 13, 2017.
- Upon inspection there are pipes and other materials near the 50qno-disturbance line, but back in 2002 the no-disturbance line was only 25qfrom the wetlands, which is where the wetland bounds are installed. All materials along the 50qline will be removed before the closing.
- Per the OoC, Mr. Rodenhiser had the drainage systems cleaned out and provided a receipt showing that the cleaning had been completed by Holliston Septic Service/Harry Kampersal.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP File #185-532: 71 Whitney Street. Dr. Rutberg seconded. Unanimous. (5-0-0).

Request for an Order of Conditions Extension DEP File # 185-702: Lot A adjacent to 667 Highland Street – Daniel Rutowicz

- Ms. S. O'Brien explained that Mr. Rutowicz requested an OoC extension and it will expire in one year on April 8, 2018.
- There was discussion about the \$500 fee for an extension to the OoC, as the applicant was not pleased with the cost. Ms. S. O'Brien recommended that this be kept in mind when the regulations and bylaw filing fees are updated this spring.

Ms. Pilch made a motion to issue an Extension for the Order of Conditions for DEP File #185-702: Lot A adjacent to 667 Highland Street. Ms. Weissman seconded. Unanimous. (5-0-0).

Discussion: Potential Arcadian Farm/Koshivas Property Agricultural Preservation Restriction

- Ms. S. O'Brien received a call from Christine Chisholm, Mass Department of Agriculture Resources (MDAR); the Koshivas family would like to create a 21 acre Agricultural Preservation Restriction (APR) at Arcadian Farm.
- The property is not land-locked and has access to Norfolk Street.
- At this point in time, MDAR is not asking for money, but would like to know if the town (Open Space Committee and ConCom) would be interested in moving forward. The Open Space Committee met last night and agreed that they are interested in the project.
- MDAR is submitting an application to the USDA for funding of the APR, and they needed to know if the town was interested in moving forward with the APR before the application's March 3rd deadline. If the USDA awards the necessary funds, MDAR will request about \$184,000 from the town to go towards the APR. The deadline for the warrant for the next town meeting, May 8, 2017 has passed, so a request for funding would have to wait until the October 2017 town meeting, the May 2018 town meeting, or have a special town meeting called.
- After discussion, the Commissioners agreed that they would be interested in working with the Koshivas family and the MDAR regarding this APR.

Discussion: Commissioner and Vice Chair Openings

- There was discussion about what openings need to be filled: the Vice Chair and a Commissioner opening.
- Ms. Weissman volunteered to be Vice Chair.
- The Commission agreed to posting the Commissioner vacancy on the internet (town website, Holliston Reporter, Holliston-Hopkinton Patch, and Facebook town groups)

Dr. Rutberg nominated Ms. Weissman as Vice Chair of the Conservation Commission. Ms. Pilch seconded. Ms. Weissman abstained. (4-0-1). The motion passed.

PUBLIC HEARINGS/PUBLIC MEETINGS

Continued Public Hearing – Notice of Intent for DEP File # 185-823: 1670 Washington St (Assessors Map 5-4-26) proposed addition to autobody repair shop – Joyce Hastings/GLM Engineering representing Michael Ibrahim/Hometown Automotive Service & Sales, Inc.

- Ms. S. O'Brien received approval from GLM to continue the hearing until peer review of the stormwater report is completed.
- The stormwater peer review report response comments were received today from TetraTech. GLM is reviewing and planning a response for the next Planning Board meeting on March 2, 2017.

Ms. Pilch made a motion to continue the public hearing for DEP File #185-823: 1670 Washington Street until the March 21, 2017 meeting. Dr. Rutberg seconded the motion. Unanimous. (5-0-0).

****New Public Meeting - Request for Determination of Applicability for #D-596: 11 Bartzak Dr (Assessors Map 14-4-28) proposed reconstruction of an existing parking lot – Gabriel Crocker, CHA Consulting, Inc. representing Herb Chambers Holliston, LLC**

- Mr. Crocker (CHA Consulting) and Frank Marinelli (Herb Chambers Honda) waived the reading of the legal notice advertised in the *MetroWest Daily News* on February 21, 2017.
- Mr. Marinelli explained they purchased this property with the intention of converting the existing building, which was used as a manufacture warehouse, into a collision center. All work has been outlined on the presented plan dated February 1, 2017.
- Most work will be inside the building; however, they propose to reconstruct the parking area, and upgrade the drainage and other utilities.
- Currently, the parking lot descends towards the building, which they will regrade so cars can easily enter the building (current doors are for loading large trucks).
- There is a portion of the parking lot in the 100qbuffer zone. This will not be extended and erosion controls will be installed along the edge of the existing parking lot.
- There will be minor grading alterations in the parking lot near the 100qbuffer zone, but it is to direct run-off toward the catch basins.
- The catch basins will be replaced with deep-sump hooded catch basins and the original pipes will remain.
- The project is entirely outside the 50qbuffer zone.
- There was discussion as to the type of repairs and work that will occur. Some cars will be stored temporarily outside if there is no space inside.
- All catch basins and open pipes will have erosion controls around them until work is complete.
- A Stormwater Pollution Prevention Plan (SWPPP) report and follow-up monitoring reports will be submitted to NPDES (National Pollutant Discharge Elimination System). During construction all stormwater will be stored on site until deemed safe for discharge, otherwise it will be pumped off the site and removed.
- The stormwater drainage system will be inspected twice a year and cleaned once a year at a minimum.
- There was discussion about snow pile locations and the Commission requested that no snow be plowed into the 100qbuffer zone.
- Mr. Crocker and Mr. Marinelli agreed to remove all of the debris (concrete stairs, litter, leaf and brush piles, etc.) that was dumped along the edge of the parking lot in the 100qbuffer zone.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-596: 11 Bartzak Drive, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Ms. Buttaro seconded the motion. Unanimous. (5-0-0).

****New Public Hearing – Request for an Amendment to an Order of Conditions for DEP File #185-781: Hopping Brook Road Extension (Assessors Map 1, Block 1, Lots 43 & 51.1 and Map 4, Block 6, Lots 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 18.2, 18.3, 18.4, 32.1, 32.3 & 33.0) Proposed road realignment – Peter Bemis/Engineering Design Consultants representing Jon Delli Priscoli**

- Mr. Bemis and Mr. Delli Priscoli waived the reading of the legal notice advertised in the *MetroWest Daily News* on February 21, 2017.
- Abutter notification cards were submitted.
- Mr. Bemis presented work from the Modification Plans to the Amended Definitive Plan of Land ± Hopping Brook Road & Utility Extension for the Hopping Brook Business Park in Holliston, MA, dated January 25, 2017.
- The first part of the road, which goes through and near wetlands was approved in a past OoC and has not changed.
- The two detention basins have been combined into one with the discharge area now approximately 80qfrom the wetlands. The discharge has created a 360qnew intermittent channel/stream resource area that flows down to the bordering vegetated wetlands. The

Conservation Commission Minutes 02-28-17

Issued by: Kristin O'Brien

Approved by Commission:

detention basin grading does encroach somewhat into the 50-foot disturbance zone. Design of the detention basin was discussed.

- The Commission agrees this is an improvement from the previous plan; however, the stormwater peer reviewer (AP Associates) indicated there is no proof that a test pit for the basin was completed, because the test pit was not witnessed.
- The basin has been partially built, it is functioning, and there have been no drainage issues at this time.
- Mr. Bemis is working with Planning Board to address this issue, but claims they did a 10-foot deep test pit and did not reach ground water.
- The basin is not considered a dam due to the volume to height ratio and this has been addressed in the reply comments to the peer reviewer.
- Once parcels have been sold, an owners association will be created and they will be responsible for managing vegetation and other maintenance to the property.
- Several condo owners from Holliston Woods were present and asked how this project will affect them. Mr. Delli Priscoli explained the potential for a water main hook up between Holliston Woods and his property, stating the loop system will improve water quality and pressure. They also discussed how this will proceed with the Zoning and Planning Boards.
- Ms. S. O'Brien asked for clarification of the second cul-de-sac on the plans. Mr. Delli Priscoli says that could be built if the market calls for lots to be sold in that fashion.
- Mr. Delli Priscoli explained that he has been working on this project since 1997 and has since made five filings with the Conservation Commission. He requested the Commission waive a portion of the most recent fee he had to pay for this amendment, due to the extent of fees he has paid over the years and his cooperation with the town.
- The Commission discussed the fee that was paid for the amendment. The Bylaw regulations require a fee of 75% of the original fee for a Request for an Amended Order of Conditions. The original fee was \$4,900 and \$3,500 was paid for the Amendment. The Commission agreed to take the request under consideration. (see below)
- The Commission agreed that as long as the stormwater report comments are finalized and agreed upon, the staff will prepare a draft Amended Order of Conditions for the next meeting, March 21, 2017. They will also decide if a fee waiver will be granted.

Dr. Rutberg made a motion to continue the public hearing for DEP File # 185-781: Hopping Brook Road Extension until the March 21, 2017 meeting. Ms. Pilch seconded. Unanimous. (5-0-0).

Vote on Draft Meeting Minutes – 2/14/17

Ms. Pilch made a motion to accept the 02/14/17 minutes with the discussed edits. Dr. Rutberg seconded the motion. Ms. Weissman abstained. The motion passed (4-0-1).

Consideration of Reduced Fee for Hopping Brook Road Extension

- The Commission discussed the possibility of waiving or reducing the fee for the Request for Amended Order of Conditions for Hopping Brook Road Extension, DEP File No. 185-781.
- The origin of the fee structure was discussed. The original fee was most likely based on the number of detention basins, and there were originally two basins and now there is one basin.
- It was agreed that the applicant could be allowed to pay 50% of the original \$4,900 application fee vs. the usual 75% of the application fee; therefore, \$2,450 would be owed.
- Since a fee of \$3,500 was paid for the Amended OoC request, \$1,050 will need to be refunded to the applicant. ($\$3,500 - \$2,450 = \$1,050$) The staff will process this refund.

FY16 Conservation Commission Annual Report

- There was discussion about the number of permits received and issued this year compared to last year.
- Ms. Weissman will be added as Vice Chair to the report.

Ms. Pilch made a motion to accept the FY16 Annual Report. Ms. Weissman seconded. Unanimous. (5-0-0).

Review Correspondence

- Correspondence was reviewed

Lot 18 Kingsbury Drive

- Lou Petrozzi moved the location of the proposed house on Lot 18 Kingsbury Drive due to ledge being in the way of the original proposed location. A necessary drinking water well is also being proposed in the 50-100qbuffer zone.
- The original plan had about one third of the home in the 100qbuffer zone, now more than half of the home and the well are in the 100qbuffer zone.
- Ms. S. O'Brien recommends the Commission require a Request for an Amended Order of Conditions and the Commission agreed.

229 Lowland Street Complaint

- A neighbor to 229 Lowland Street sent the office pictures of pallets, large logs, and other debris being dumped along the edge of Bogastow Brook.
- Staff went to the property and from the parking lot could see excessive dumping along the brook on both sides of the property, snow was being plowed up to the brook edge, and uncontained mulch and sand piles in the parking lot.
- There was discussion about the property and who to speak with - the owner of property or leaser(s).
- It was agreed that Ms. S. O'Brien will speak with the property owner and explain what is in violation and how to prevent a future violation.

Poitras Eagle Scout Project

- The Conservation Associates and Marc Connelly are concerned about the Jeff Meyers Eagle Scout project that the Commission approved for the entrance to the Poitras Conservation Land located across from the police station on Washington Street.
- Master Meyers was going to create a gravel/recycled asphalt foot path at the entrance to the Poitras Conservation Land.
- The Commission agreed that recycled asphalt should not be used if it is to be left uncovered (no stone dust cap), because of the possibility of carcinogenic polycyclic aromatic hydrocarbons leaching out from the ground-up used asphalt. They would like only clean gravel to be used.
- There was further discussion about the impacts of asphalt and the flow habit of the nearby water.
- Ms. S. O'Brien will speak with Master Meyers to explain that he should only use clean gravel and no recycled asphalt.

Warren Wood Conservation Restriction

- The status of the Warren Woods CR was discussed. Ms. S. O'Brien has been trying to determine which warrant needs to be attached to the CR from the May 2013 town meeting, but she has not received a response from the EEA state office despite several attempts.
- The Commission agreed to submit both warrants with the CR.

Dr. Rutberg made a motion to adjourn the meeting at 9:51 PM. Ms. Weissman seconded the motion. Unanimous. (5-0-0).