

Holliston Conservation Commission

Meeting Minutes

Town Hall- Meeting Room #014

May 30, 2017

7:30 PM

Present: Chris Bajdek, Chair; Rebecca Weissman, Vice Chair; Shaw Lively, Blake M. Mensing, Ann Marie Pilch, Allen Rutberg, Commissioners
Kristin O'Brien, Conservation Assistant

Absent: Jennifer Buttarro, Commissioner; Utah Nickel, Associate Commissioner; Sheri O'Brien, Conservation Agent

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

GENERAL BUSINESS

Eagle Scout Final Project Presentation, Fairbanks Conservation Land Boardwalk – Ben Cappello, Troop 14

- Master Cappello presented his final report for the boardwalk he constructed at Fairbanks Conservation Land.
- The work was done on May 20, 2017 with 15 volunteers.
- In addition, nearby boardwalks were repaired.
- Mr. Bajdek signed the final report.

Request for Minor Modifications to the Determination for D-583: 85 Rockland Street- Paul DeSimone, Colonial Engineering, Inc representing Novus Homes LLC

- Ms. K. O'Brien explained about 20 years ago this lot had been issued a negative 3 Determination of Applicability for the construction of a single family house, but no work began. The same owner was approved to submit a similar plan in October 2017.
- Mr. DeSimone explained that the water easement is not in the proper location on the deed.
- The house and septic were moved back, but are within the same limit of work.
- The erosion controls will remain in their original location.

Ms. Pilch made a motion to accept the Minor Modifications for the Determination for D-583: 85 Rockland Street. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

Request for Minor Modifications to the Order of Conditions for Lots 71 and 69 Minuteman Circle Dep File # 185-789 and 185-787– Peter Lavoie, Guerriere & Halnon, Inc.

- Mr. Lavoie explained these lots were purchased by Toll Bros. from Fafard with approved and revised plans, but the revised plans were not sent to the Commission. The alterations were chosen by the new homeowners from approved floor plans.

DEP File # 185-789: Lot 71 Minuteman Circle

- The foot print of the new house is smaller than the original, it is a similar distance to the 50' buffer zone, and there will be less grading.

Ms. Pilch made a motion to accept the Minor Modifications for the Order of Conditions for DEP File #185-789: Lot 71 Minuteman. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

DEP File # 185-787: Lot 69 Minuteman Circle

- The house has not been built, but the area was cleared.
- The new owner requested a 3 bay garage versus 2 bays, the deck is slightly larger and closer to the wetlands/limit of work.

Dr. Rutberg made a motion to accept the Minor Modifications for the Order of Conditions for DEP File #185-787: Lot 69 Minuteman. Ms. Pilch seconded the motion. Unanimous. (6-0-0).

Request Minor Modifications to the Order of Conditions and for a Partial Certificate of Compliance for Lot 72 Minuteman Circle DEP File # 185-787 - Peter Lavoie, Guerriere & Halnon, Inc.

DEP File # 185-790: Lot 72 Minuteman Circle

- Mr. Lavoie explained this lot is similar to Lots 69 and 71 and was purchased by Toll Bros. from Fafard but the revised plans were not sent to the Commission. All outside work has been completed so he is requesting a Minor Modification and a CoC.
- The bump out was changed to a deck, the grading behind the house was altered.
- There was discussion about a pipe draining water into the road, and it was from the foundation drain.
- The yard still needs to be hydroseeded.

Ms. Pilch made a motion to accept the Minor Modifications for the Order of Conditions for DEP File #185-790: Lot 72 Minuteman. Ms. Weissman seconded the motion. Unanimous. (6-0-0).

Ms. Pilch made a motion to issue a Partial Certificate of Compliance for the Order of Conditions for DEP File #185-790: Lot 72 Minuteman, pending the yard is hydroseeded and a correct as-built is submitted. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

Warren Wood Conservation Restriction Update

- Dave McGown, MassAudubon, has been calling to push the Warren Woods CR through before he leaves for his new job and before the fiscal year is over.
- Ms. Pilch will review the CR and make any final comments.

Vote on Draft Meeting Minutes – 5/2/17

Ms. Pilch made a motion to accept the 05/02/17 minutes. Dr. Rutberg seconded the motion. Mr. Lively and Mr. Mensing abstained. The motion passed. (4-0-2).

PUBLIC HEARINGS/PUBLIC MEETINGS

****New Public Meeting – Request for Determination of Applicability for #D-609: Brentwood Conservation Land (Assessors Map 7-6-80) proposed trail culvert repairs – Ian Davis, Eagle Scout Troop 73**

- Master Davis explained he is proposing to do work on the Rees Memorial Trail at Brentwood Conservation Land and he has four projects; a sign post at the trailhead, trail markers in approximately five locations, a boardwalk in a very wet area, and repair a collapsed trail culvert.
- There was discussion as to the methods and materials Master Davis planned to use. The Commission was concerned about the longevity of a plastic pipe and recommended he speak with the Highway Department for suggestions.
- The design of the sign and/or kiosk to minimize ease of vandalism was discussed.

Ms. Pilch made a motion to continue the public meeting for #D-609: Brentwood Conservation Land until the June 13, 2017 meeting. Ms. Weissman seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-604: 172 Westfield Drive (Assessors Map 11-8-220) proposed replacement of failed septic system – Eric Dickinson, Civilized Solutions representing Elena Acosta**

- Mr. Dickinson explained that due to constraints of the lot, the septic system replacement will be in the 50-100qbuffer zone and a small portion of work will be the 50qbuffer zone. The work in the 50qbuffer zone is piping to connect the system the house. All work is in an existing lawn area.
- One tree will be removed due its proximity to the tank.
- There will be no stockpiling or overnight equipment storage.

Ms. Pilch made a motion to issue a negative 3 Determination of Applicability for #D-604: 172 Westfield Drive with the conditions as stated. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

- Ms. K. O'Brien explained a large tree in the wetlands behind the house is broken about 4q above the ground. If the tree falls it will damage the neighbor's house. Permission was given to cut the tree where it is broken, leaving the stump in place.

****New Public Meeting – Request for Determination of Applicability for #D-605: 269 Gorwin Drive (Assessors Map 7-7-113) proposed replacement of failed septic system – Eric Dickinson, Civilized Solutions representing Thomas Lamont**

- Mr. Dickinson explained no work will be in the 50qbuffer zone, but about 3,000 sf of work will be done in the 50-100qbuffer zone.
- All work will be in an existing lawn area.
- Erosion controls will be installed along the 50qbuffer zone line.

Ms. Pilch made a motion to issue a negative 3 Determination of Applicability for #D-605: 269 Gorwin Drive with the conditions as stated. Ms. Weissman seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-606: 64 Dorsett Road (Assessors Map 11-2-51) proposed replacement of failed septic system – Daniel McIntyre, McIntyre Engineering & Septic Service, Inc. representing Michael and Rosanna Jones**

- Mr. McIntyre explained the wetlands are on abutting properties with the buffer zones extending into the back portions of the lot.
- The existing system failed inspection and the replacement system will be raised due to the high water table.
- No work will be in the 50qno-disturb and there will be no stockpiling on site.
- Some pines trees will have to be removed along with the wire fence (which will not be replaced).
- The Commission required that all trees near the limit of work that are to be saved must be wrapped to protect them from accidental injuries from equipment.

Dr. Rutberg made a motion to issue a negative 3 Determination of Applicability for #D-606: 64 Dorsett Road with the conditions as stated. Ms. Pilch seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-607: 577 Gorwin Drive (Assessors Map 4-4-53) proposed reconstruction of a single family home – Mark Dellicker, M.E. Dellicker Construction Co representing Henry and Elizabeth Patt**

- Mr. Dellicker, and Mr. and Mrs. Patt were present.
- Mr. Dellicker explained that the fire damaged to the original house was extensive and in addition to rebuilding the home and front porch, part of the septic and the foundation need to be replaced.

- At a previous meeting the Commission agreed Mr. and Mrs. Patt could submit an RDA to rebuild their home, so long as the house has the same or smaller foot print and is not closer to the wetlands.
- The new foundation will be poured concrete and Mr. Patt would like use the stones from the original foundation for a display by the driveway (in the 50' buffer zone). All other debris will be removed from the property.
- The location of the erosion controls were discussed, and Ms. K. O'Brien will meet Mr. Dellicker to mark the location. The erosion controls will be a dug-in silt fence with staked hay bales.
- Equipment can be stored on location, but must be refueled on the hard top.
- An emergency spill kit must be on location at all times during construction.

Ms. Pilch made a motion to issue a negative 3 Determination for #D-607 577 Gorwin Drive with the discussed conditions. Ms. Weissman seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-608: 88 Central Street (Assessors Map 8-3-22) proposed porch foundation repairs – Mark Dellicker, M.E. Dellicker Construction Co representing John Johnson**

- Mr. Dellicker explained the porch foundation is failing and needs to be replaced. The current porch will be removed and four new sonotubes will be installed. The porch will be reconstructed in a similar style with the existing roof.
- The tree near the porch must be protected from construction equipment.
- The yard waste along the creek must be removed and no future dumping is allowed.
- No equipment is to be stored overnight.

Ms. Pilch made a motion to issue a negative 3 Determination for #D-608 88 Central Street with the discussed conditions. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

Continued Hearing – Notice of Intent for DEP File # 185-827: 55 Boynton Road (Assessors Map 1-1-57) proposed addition to manufacturing building – David Faist, McClure Engineering Inc., representing J. Mack Hendrick, American Durafilm Co., Inc.

- Mr. Faist was present and addressed the comments from TetraTech's stormwater peer review.
- All new construction meets current stormwater management requirements and improves existing structures by directing more water into a detention basin.
- The future expansion plan was a requirement of the ZBA and the application has no intention for further expansion at this time.
- There was discussion on roof run-off and the planting mitigation requirements.
- Native shrubs are to be planted on the southern slope and any vegetation within 5' of the snow storage area can be topped at 5 feet.
- The approved de-icing materials were discussed with Mr. Hendrick.

Ms. Weissman made a motion to close the hearing for DEP File # 185-827: 55 Boynton Road. Mr. Lively seconded the motion. Dr. Rutberg and Mr. Mensing abstained. The motion passed. (4-0-2).

Ms. Pilch made a motion to issue an Order of Conditions for DEP File # 185-827: 55 Boynton Road with the discussed conditions. Mr. Lively seconded the motion. Dr. Rutberg and Mr. Mensing abstained. The motion passed. (4-0-2).

Continued Public Hearing – Notice of Intent for DEP File # 185-828: 15 Hill Street (Assessors Map 5-5-9) proposed addition and landscaping– Karon Skinner Carone, representing Jeffrey and Brenna Peterson

- Ms. K. O'Brien explained that the Commission continued the hearing on May 16, 2017, because DEP had not issued the File number in time.

Ms. Weissman made a motion to close the hearing for DEP File # 185-828: 15 Hill Street. Ms. Pilch seconded the motion. Dr. Rutberg and Mr. Mensing abstained. The motion passed. (4-0-2).

Ms. Pilch made a motion to issue an Order of Conditions for DEP File # 185-828: 15 Hill Street with the discussed conditions. Mr. Lively seconded the motion. Dr. Rutberg and Mr. Mensing abstained. The motion passed. (4-0-2)

242 Lowland Street

- The history of received complaints about 242 Lowland Street were discussed and at every site visit the owners have been in compliance or had minor issues that were quickly addressed.

270 Central Street- Proposed work review

- The owner is experiencing water pressure issues because a second house was added to a shared water line. He is proposing to attach a new line to the road (which was allowed by Sean Reese of DPW) and go through the wooded wetlands.
- Ms. K. O'Brien explained the pipe would require a 10' wide clearing for about 200' to the house.
- The Commission asked for an alternate plan.

Update on Potential Violations

86 Winchester

- Ms. K. O'Brien explained that a neighbor of 86 Winchester Drive said that she saw the owner using chemical sprays, leaf blowing, and using ATVs near a vernal pool.
- The local bylaw allows assumption of a vernal pool. Ms. K. O'Brien and Ms. Weissman went to the abutting property and stated that it does look like a vernal pool.
- It was agreed that a letter will be issued to the owners of 86 Winchester Drive, stating all disruptive activities must stop and they must schedule a meeting with the Commission.

Constitution Village

- Fafard and the ZBA are in mediation discussing how future work needs to be addressed, and the road and stormwater Order of Conditions for the development have expired. Ms. K. O'Brien will inform Peter Lavoie.
- There are two detention basins that are not functioning properly; one is completely clogged with sediment and the other is consistently holding water and is now functioning as a wetland with vegetation and wildlife.
- Fafard is also proposing a road that will result in the removal of the second basin and the road would go up to a wetland flag. Ms. K. O'Brien will speak with Peter Lavoie.

77 Ashland Street

- Mr. Bajdek visited an abutting property and there was no obvious wetland violation; all work appeared to be on the other side of the lot.
- There was discussion about neighbor land use near the stream.

Strawberry Hill Conservation

- Sign language, when to install it, and how best to clean it up were discussed. Ms. K. O'Brien will ask the Conservation Associates if they can organize a volunteer event. Signs will be installed after the debris is removed.

Review Correspondence

- None to review.

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Issued by: Shaw Lively

Approved by Commission: 07-25-17

Ms. Pilch made a motion to adjourn the meeting at 10:25 PM. Mr. Lively seconded the motion. Unanimous. (6-0-0).