

Holliston Conservation Commission

Approved Meeting Minutes
Town Hall – Meeting Room #014

February 28, 2012
7:30 PM

Present: Geoffrey Zeamer, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Fred Carnes, Richard Maccagnano, Allen Rutberg, Commissioners

Charles Katuska, Conservation Agent
Sheri O'Brien, Conservation Assistant

Mr. Zeamer opened the meeting at 7:31 PM.

General Business

Agent's Report

An Agent's Report was not presented tonight. The following was discussed:

All Boards Meeting

There will be an All Boards meeting next Monday, March 5th at 8:00 PM at the Senior Center. Mr. Katuska will attend and the Commission members are invited.

Review/Discuss Mail

The mail was reviewed.

Vote on Approval & Issuance of Order of Conditions for DEP File #185-719: 2016 Washington Street, identified as Holliston Assessors Map 4, Block 6, Lots 11.1, 11.2, and 12.1, proposal to construct an access roadway, and to fill and replicate wetlands, Robert Truax/GLM Engineering, Inc. representing Brian McCann/Hill Companies

Approval and denial of the project were discussed. During the previous hearing, the Commission asked the applicant about using vertical retaining walls to decrease the wetland area by approximately 800 square feet. The applicant explained that it was not financially reasonable, since they already had to spend an extra \$60,000 for an arched bridge span. The Commission explained that the state requires an arched bridge at stream crossings; therefore, the placement of the arched culvert span is not an upgrade over what is required.

The Holliston Wetlands Administration Bylaw states that to deny the project it must have a significant adverse impact to the resource area. It is the opinion of the Agent and some

Commissioners that the 800 square feet decrease in wetlands impact by using retaining walls (vs. riprap slopes) as compared to the 500,000 square feet of wetlands in this area does not seem to have a "significant" adverse impact on the whole wetlands. In addition, the rip-rap slope used with the arch bridge span will allow some small wildlife habitat, whereas, a vertical retaining wall would not.

Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP File #185-719, 2016 Washington Street. Mr. Bajdek seconded the motion. Three Voted Yes (GZ, AMP, CB). One Voted No (FC). Dr. Rutberg and Mr. Maccagnano abstained. The motion passed.

Discussion RE: Enforcement Order - DEP #185-628 - 355 Highland Street Highland Meadows/The Orchards - Gary Ruping/Ruping Companies

Brian Levey, the attorney for Ruping Companies, submitted a Final Action Plan to Mr. Katuska today. Mr. Zeamer signed the Final Action Plan document as the representative for the Commission. If there is an erosion control failure, there must be a response immediately.

Ms. Pilch made a motion to allow the Chair to sign the Final Action Plan representing the Commission. Dr. Rutberg seconded the motion. Unanimous.

Finance Committee Meeting at 8:00 PM

The Commission adjourned the ConCom meeting to attend the Finance Committee meeting in Room 105. The Commission returned to Room 014 to continue the Conservation Commission meeting at 8:26 PM.

Letter to Jamieson Luskay

Ms. Pilch recommended that a letter of congratulations be sent to Jameson Luskay for the completion of his Eagle Scout Project. The Commission concurred. Mr. Katuska will draft a letter for the Commission to sign at the next meeting.

Request for Certificate of Compliance for DEP #185-711, 89 Cross Street, Robert Truax representing Avery Dennison

A request for a Certificate of Compliance for DEP File #185-711 was received from Robert Truax/GLM Engineering. Mr. Truax's request verified that the project at 89 Cross Street was completed according to the Record Plan approved with the Order of Conditions for DEP File #185-711. Mr. Katuska inspected the site today and the work is completed.

Ms. Pilch made a motion to approve the Certificate of Compliance for DEP #185-711, 89 Cross Street/Avery Dennison. Mr. Carnes seconded the motion. Unanimous.

Discuss New ConCom Liaison for CPC to Replace Peter Rosati

The Commission discussed who should be the new liaison for CPC and Mr. Bajdek volunteered to be the liaison for the next round of CPC meetings this Spring before the May Town Meeting. Mr. Carnes volunteered to be liaison in the future.

8:30 PM - Public Meetings & Hearings

****New Public Meeting - Request for Determination of Applicability #D-468: 375 Concord Street, identified as Holliston Assessors Map 11, Block 6, Lot 26,** proposal to replace the existing septic system, *Paul Saulnier/Civilized Solutions* representing *Eleanor Brooks*

Mr. Katuska read the legal notice published in the *Metrowest Daily News* on February 21, 2012. Mr. Saulnier presented an engineering plan for the proposed replacement septic system. It is a FAST (Fixed Activated Sludge Treatment) system using Geoflow drip lines. There isn't a lot of room on this property for a traditional system. The site is very wet in the back yard, so only the tank will be put in the backyard with a drain line to the pump chamber and drip lines will be put in the front of the house. The system will be kept out of the 50' buffer zone. No stockpiling will occur on site and the equipment will be kept on the driveway.

Dr. Rutberg made a motion to issue the following Determinations for RFD #D-468, 375 Concord Street:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands or other resource areas as shown on the plan 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:

- A) Erosion control barrier, as shown on the record plan, must be installed prior to any tree removals, filling, excavation, and/or 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.
- B) No stockpiling will occur on site as indicated on the record plan.
- C) The equipment will be parked on the pavement as indicated on the record plan.

Ms. Pilch seconded the motion. Unanimous.

****New Public Meeting - Request for Determination of Applicability #D-470: 60 Stagecoach Road, identified as Holliston Assessors Map 14, Block 1, Lot 80,** proposal to grade the back yard, and install a patio and associated landscaping, *James Ross*

Mr. Katuska read the legal notice published in the *Metrowest Daily News* on February 21, 2012. Mr. Ross presented a drawing of his property showing where he would like to smooth out his back yard so that he can place a swing set on level ground. Gravel and pavers/stepping stones will be used to create the patio with a stepping stone walkway. The drawing also showed where they would like to place a patio and associated landscaping. All of the proposed work is within the existing lawn area within the chain link fence.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-470, 60 Stagecoach Road:

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Positive #2B Determination: the boundaries of the bordering vegetated wetlands or other resource areas as shown on the plan 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.

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- A) Erosion control barrier, as shown on the record plan, must be installed prior to any tree removals, filling, excavation, and/or 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.
- B) No addition of substantial fill material is allowed. Gravel and pavers can be used to create the patio and walkway.
- C) No stockpiling is allowed on site.

Mr. Maccagnano seconded the motion. Unanimous.

****New Public Hearing - Notice of Intent for DEP File # 185-722: 94 Brook Street, identified as Holliston Assessors Map 12, Block 2, Lot 7,** proposal to construct a single-family house, including the installation of a septic system, driveway, utilities, and associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty*

Mr. Katuska read the legal notice published in the *Metrowest Daily News* on February 21, 2012. Robert Poxon of Guerriere and Halnon presented engineering plans for this property. The previous home on this lot was demolished prior to the current owner purchasing the property.

Peter Tartakoff, the Building Inspector, sent the Conservation Commission a letter explaining that this lot is not a buildable lot and a Zoning Board of Appeals special permit would need to be obtained. This lot is smaller (32,000 square feet) than the standard size (1 acre) required in this zoning district.

The house is only 7 feet from the wetland line. The Commission explained that the building would need to be outside the 50' no-touch buffer zone. The applicant's representative asked for a continuance.

Ms. Pilch made a motion to continue the hearing for DEP #185-722, 94 Brook Street to March 13, 2012. Dr. Rutberg seconded the motion. Unanimous.

****New Public Hearing - Notice of Intent for DEP File # 185-724: 194 Lowland Street, identified as Holliston Assessors Map 9, Block 2, Lot 57.1 and Map 12, Block 4, Lot 33.1,** proposal to construct industrial buildings with associated parking, access driveways, drainage, utilities, grading and site work, *Robert Truax/GLM Engineering, Inc.* representing *Geoffrey Zeamer/VAB Realty Trust*

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Mr. Zeamer, Chair, recused himself from this hearing and left the meeting at 9:05 PM. Ms. Pilch, Vice Chair, chaired the hearing in his absence.

Mr. Katuska read the legal notice published in the *Metrowest Daily News* on February 21, 2012. Mr. Truax presented engineering plans for this project showing 3 industrial buildings with two of the buildings (Buildings B & C) attached. This property was formally known as Holliston Sand and Gravel and is approximately 40 acres in size. Bogastow Brook lies on the southerly side and an existing pond of 9-10 acres lies on the northerly side of the property. A garage and office building have been subdivided on a 1 acre site and the industrial buildings will be on 39 acre site.

The 200' riparian zone was delineated and is probably a conservative delineation, because there are beaver dams downstream that are holding the water back so that the water level is high. There is also an isolated wetland southeast of the buildings. All of the buildings and parking areas are outside the 100' BVW buffer zone and the 200' riparian zone.

Metal debris will be cleaned out of the pond. There are two beach areas where they would like to clean out the weeds and dead branches/logs. They would like to maintain a trail that goes around the pond. A gravel road, which allows access to the beaches and to the NStar land behind the property, will be outside the 50' buffer zone. There will be some filling on the north side of the property between the 50 and 100' buffer zone lines.

The site will be finished with grading, parking lots, and drainage basins before the buildings are built. The buildings may be built one at a time.

A filing has been made with the Natural Heritage and Endangered Species program. The filing fees were adjusted after review by the staff and Mr. Truax. They will be submitting with the Planning Board in the next week. Rich Westscott typically does the stormwater drainage review for the Planning Board and the Commission will also use Mr. Westscott for the ConCom's third party stormwater review, so that the consultant's review can be used by both Boards.

Mr. Katuska asked that Subsurface testing be done in each of the areas of the infiltration structures. He also inquired about what is going to be done in and around the pond and what the long term management proposals are for the pond and around the pond. Mr. Katuska's review comments were e-mailed to Mr. Truax today.

Loaming and seeding will be done in some areas that are within the 50' buffer zone. There is a dock on the far side of the pond and Mr. Truax will ask what is going to be done with it. Another dock is proposed for one of the beaches. No tree cutting is proposed.

The Commission was concerned about the gravel road that will be within the 100' buffer zone. Abbess Instruments makes thermal vacuum systems for sterile environments. Fabricated metal would be the type of thing delivered, but not on weekends. General hours of operation are 7:00-5:00 PM. Truck traffic and noise are Planning Board issues.

A fence might be installed to keep out vandals. The fence would need to be added to the plan.

Elizabeth Morrison of 116 Marilyn Street called today to inquire if any toxic waste would be generated. At this time, there are no plans to create any toxic waste.

Dr. Rutberg made a motion to continue the hearing for DEP # 185-724, 194 Lowland Street to March 13, 2012. Mr. Bajdek seconded the motion. Unanimous.

At 10:02 PM, Mr. Maccagnano made a motion to adjourn the meeting. Dr. Rutberg seconded the motion. Unanimous.

The next Conservation Commission meeting will be Tuesday, March 13, 2012.