

Holliston Conservation Commission

APPROVED Meeting Minutes
Town Hall – Meeting Room #014

June 25, 2013
7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Shaw Lively, Jim McGrath, Commissioners

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

Absent: Richard Maccagnano, Rebecca Weissman, Commissioners

Allen Rutberg, Chairman, opened the meeting at 8:00 PM.

Public Meetings & Hearings

****New Public Hearing – Notice of Intent for DEP File # 185-759: 157-165 Lowland Street - identified as Holliston Assessors Map 12, Block 4, Lot 34 and Map 9, Block 3, Lot 16, respectively,** proposal to remediate an historical release of oil and hazardous material within a 4,000 square foot area, *Catherine Johnson/GEI Consultants, Inc.* representing *Aggregate Industries – Northeast Region, Inc.*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on June 18, 2013.

Ms. Johnson, LSP, presented a plan for the remediation of the site at 156-165 Lowland Street where petroleum was previously released adjacent to Bogastow Brook. Abutter notification receipts were received from Ms. Johnson. This site was cleaned up last year; however, they found more contamination than expected when they were doing the remediation. Recent testing showed that they had not obtained all of the contaminants during the last remediation clean-up. This proposed clean-up will most likely be completed in the Fall of 2013. The water obtained from de-watering will be put into a tank and disposed of off-site properly. Erosion and sediment controls will be installed prior to any work. They will back fill the site with clean material that will be tested prior to use on the site.

A letter still needs to be received from NHESP. There were some concerns regarding the potentially high water table; however, Andrea Igo did not expect to find a high water table based on their previous experience.

Ms. Pilch made a motion to continue the hearing for DEP File #185-759, 157-165 Lowland Street July 9, 2013. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

****New Public Hearing – Amendment to Order of Conditions for DEP File # 185-725: 36 Kingsbury Drive (Lot #28R) - identified as Holliston Assessors Map 5, Block 3, Lot 55.6,** proposal to replace an existing septic system, including additional site work, *Joyce Hastings/GLM Engineering* representing *Jonathan Gerber*

Ms. Hastings waived the reading of the legal notice published in the *MetroWest Daily News* on June 18, 2013. The general contractor, Brian Sweeney, was present.

Ms. Hastings presented a plan for the modifications to the work at 36 Kingsbury Drive. The following modifications were proposed:

- 1) the house was revised, but remains outside the 100' buffer zone,
- 2) the driveway was modified so that 280 ft² of pavement have been added which brings the driveway 92' from the bordering vegetated wetlands and into the 100' buffer zone,
- 3) the septic system was modified to handle an increase from 4 to 5 bedrooms, and will remain outside the 100' buffer zone.

In order to help mitigate the extra square footage in the 100' buffer zone, the roof top drainage will drain into Cultec infiltrators. The limit of work has not changed.

Ms. Pilch made a motion to close the hearing for the Amendment to the Order of Conditions for DEP File #185-725, 36 Kingsbury Drive (Lot #28R). Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Ms. Pilch made a motion to approve and issue the Amendment to the Order of Conditions for the hearing for DEP File #185-725, 36 Kingsbury Drive (Lot #28R). Mr. Lively seconded the motion. Unanimous. (5-0-0)

**** New Public Meeting - Request for Determination of Applicability - #D-504: 397 Gorwin Drive - identified as Holliston Assessors Map 7, Block 7, Lot 61, proposal to replace an existing septic system, Joyce Hastings/GLM Engineering representing Ellen Portal**

Ms. Hastings waived the reading of the legal notice published in the *MetroWest Daily News* on June 18, 2013. She presented a plan for a replacement septic system. The new system is an alternative Elgin system which allows it to be a smaller system (it is not yet approved by the BoH). It will be 53' from the from the bordering vegetated wetlands (BVW) and is further away from the BVW than the existing system. The entire system will be in existing lawn and garden areas, but the owners may lose a large tree due to equipment accessibility needs. No materials will be stockpiled on site. If moved, the existing garden shed must not be placed within the 50' no-disturbance zone.

Mr. Lively made a motion to issue the following Determinations for RFD #D-504, 397 Gorwin Drive:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands 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 must be installed prior to any tree removals or land disturbance for 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) There will be no stockpiling of materials as indicated on the record plan.

- c) Project access will be from the street along the east side of the house as indicated on the record plan.
- d) If the existing garden shed is relocated from its current position, it may not be placed at any new location within 50 feet of the existing edge of wetlands.
- e) **FERTILIZERS/PESTICIDES/HERBICIDES.** Fertilizers utilized for landscaping and lawn care shall be low phosphate content, slow-release variety, and shall be used in moderation. Pesticides and herbicides shall not be used within 100 feet of the wetland resource area.

Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

**** New Public Meeting - Request for Determination of Applicability - #D-506: 59 Westfield Drive - identified as Holliston Assessors Map 11, Block 8, Lot 44, proposal to replace an existing septic system, Joyce Hastings/GLM Engineering representing Marc Rothberg**

Ms. Hastings waived the reading of the legal notice published in the *MetroWest Daily News* on June 18, 2013. She presented a plan for a replacement septic system. The leaching area will be moved from the backyard to the front yard, so that it will be outside the 100' buffer zone. The existing tank will be pumped clean, crushed, and filled with gravel. A pump chamber tank and a new 1500' gallon septic tank will be added. The stockpile will be located in front of (west of) the house.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-506, 59 Westfield Drive:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands 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 must be installed prior to any tree removals or land disturbance for 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) The stockpile will be located west of the house as indicated on the record plan.
- c) Project access will be from the street along the south side of the house as indicated on the record plan.
- d) **FERTILIZERS/PESTICIDES/HERBICIDES.** Fertilizers utilized for landscaping and lawn care shall be low phosphate content, slow-release variety, and shall be used in moderation. Pesticides and herbicides shall not be used within 100 feet of the wetland resource area.

Mr. McGrath seconded the motion. Unanimous. (5-0-0)

**** New Public Meeting - Request for Determination of Applicability - #D-505: Kingsbury Drive - identified as Holliston Assessors Map 5, Block 3 private ways, proposal to complete the roadway (curbing, guardrail and final pavement) and sidewalk improvements, Joyce Hastings/GLM Engineering representing Lou Petrozzi/Wall Street Development Corp.**

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on June 18, 2013. Mr. Lou Petrozzi presented plans for the remaining work required by the Planning Board to finish the road. Originally, this subdivision roadway was built under the Order of Conditions for DEP File #185-441 and this Order has expired. Since the final work on the roadway does not require work in the wetlands, it was felt that the work could be completed via a Request for Determination. This includes the final topcoat for the road, curbing, and completing the sidewalks. Between the roadway Stations + 17.00 to +22.00, curbing, sidewalks, guard rail, grass strip and final pavement will be finished. The guardrail will act more like a fence for pedestrian safety, because the bridge is not wide enough to fit the gas main, the electric, and guardrail posts. This "guard rail" has not been approved by the PB yet.

The berm that separates the natural wetland and the mitigation area has not been broken through so that the areas can be joined hydrologically. The plants in the mitigation area are well established. Mr. Petrozzi believes that the mitigation area was approved as a stand-alone area, but was willing to join the mitigation area to the natural wetland area. Mr. Petrozzi will meet Mr. Katuska on-site and determine the best solution for the connection of the areas. Certain sections of sidewalk on the north side of the road were waived by the Planning Board. It was asked that any leftover silt fence or erosion controls from the previous construction be removed after this construction, so that the wildlife in the wetland areas can move about freely.

Ms. Pilch made a motion to continue the public meeting for D-505, Kingsbury Drive to the meeting on July 9, 2013. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

General Business

Vote on Issuance and Approval of Order of Conditions for DEP File # 185-757: 56 Chestnut Street, proposed utility interconnection with solar panel array, Joyce Hastings/GLM Engineering, Inc. representing Trevor Hardy/Blue Wave Capital

A draft Order of Conditions was presented with 54 Special Conditions. Mr. Bajdek disclosed that since the last meeting he has accepted a job with Harris Miller Miller & Hanson, Inc. (HMMH), the firm that represents Blue Wave Capital. In order to prevent any perceived conflict of interest, he will abstain from voting. Mr. Lively clarified that the majority of the work is not in the Commission's jurisdiction, but if run-off from this site impacts the wetlands then there would be jurisdictional issue.

Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP File # 185-757: 56 Chestnut Street. Mr. McGrath seconded the motion. Mr. Bajdek abstained. The motion passed. (4-0-1)

Discussion RE: Potential Modifications to Order of Conditions for DEP File #185-748, Lot 78 Highland Street – Todd Kiley

Mr. Kiley presented proposed modifications to the plan approved in the Order of Conditions. Mr. Kiley explained that he would like to make his backyard between the 50' no-disturbance line and the 100' buffer line into lawn. He would like to move the septic system to the front yard so that it is further from the wetlands. In addition, he proposed moving the pool slightly into the 100' buffer zone, so that he could fit a basketball court next to the house. The Commission was not comfortable with moving the pool further into the 100' buffer zone and creating so much lawn.

Approved Conservation Commission Minutes 06-25-13

Issued by: Sheri D. O'Brien

Approved by Commission: 07-23-13

Page 4 of 5

The Commission encouraged Mr. Kiley to use the approved plan from the Order of Conditions. Any changes to the approved plan would need review and approval by the Commission.

Request for Certificate of Compliance for DEP File #185-682: 5 & 6 Brandon Lane (Lots #1 & 2, respectively) – F&D Central Realty Corp.

The Agent visited the site today and everything in the buffer zone is stabilized.

Mr. McGrath made a motion to issue a Certificate of Compliance for DEP File #185-682: 5 & 6 Brandon Lane (Lots #1 & 2, respectively). Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Discussion RE: Potential Eagle Scout Project, Weston Pond – Nathaniel Bagge

There is an old bridge that goes to an island north of the soccer fields. It is comprised of three telephone poles with dilapidated decking on the poles. The decking needs to be replaced and the trail to a bench needs improvement. There is a sitting bench on the island. The Commission would like the Scout to come to a meeting and explain the project. The Commission suggested that the sides of the pavement going down to the pond be stabilized and possibly two more benches could be added near the pavement.

Review & Vote on Open Space & Recreation Plan

The Commission reviewed and commented on the draft Open Space and Recreation Plan.

Mr. Lively made a motion to support the Open Space and Recreation Plan as drafted by Karen Sherman. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Vote on Draft ConCom Meeting Minutes from 5/28/13 & 6/11/13 and Draft Executive Session Minutes from 6/11/13

Voting was postponed until the next meeting so that all Commissioners would have the opportunity to review the minutes.

Review Mail

Line Item Transfer for Personal Services

The Commission signed a Line Item Transfer for \$83.75 from Professional/Technical Services to Personal Services to cover staff salary.

Beaver Solutions Invoice

The Commission signed the invoice from Beaver Solutions for \$175.00.

Approval for Office Supplies, etc.

The Commission discussed allowing the Staff to approve office supplies and other minor expenses that are \$200 or less. A policy will be drafted for the Commission to review and approve at the next meeting.

Letter for Mr. Maccagnano

The Commission signed a letter of gratitude to Richard Maccagnano for his services.

MACC Membership Invoice

The Commission signed the MACC membership invoice for \$504.00.

At 10:32 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Approved Conservation Commission Minutes 06-25-13

Issued by: Sheri D. O'Brien

Approved by Commission: 07-23-13

Page 5 of 5