

## **Holliston Conservation Commission**

**APPROVED Meeting Minutes**  
Town Hall – Meeting Room #014

October 23, 2012  
7:30 PM

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

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

Absent: Rebecca Weissman, Commissioner

**Allen Rutberg opened the meeting at 7:33 PM.**

### **General Business**

#### **Discuss General Business/Review Mail**

##### **Discussion RE: Girl Scout Troop 73786 proposal to use Conservation Land for a Letterboxing Trail**

The Junior Girl Scouts from Troop 73786 presented a proposal for a letterboxing trail. This type of trail gives clues that help you find a box using navigational skills. In the box, there is a rubber stamp and a clue to find the next box.

The Girl Scouts would like to create two letterboxing trails; one designed for younger kids and one designed for older kids and adults. First, they will put together letterboxes and a trail map for the Miller School for the younger children to use.

**Mr. McGrath made a motion to support the letterboxing project. Mr. Maccagnano seconded the motion. Unanimous. (6-0-0)**

##### **Discussion RE: Enforcement Order, 755 Concord Street - Mostafa Qergach**

Mr. Qergach did not pick up the Enforcement Order mailed Certified Return Receipt, because he does not reside at 755 Concord Street. No fines will be issued since the Enforcement Order was mailed to the incorrect address. Mr. Qergach presented the engineering plans showing wetlands delineation for his property. He created a horse paddock that is partially in the wetlands (which was then filled) and that is why he was issued the original violation letter.

The Commission requested that Mr. Quergach return with a plan that includes the disturbed and remaining wetlands, 50 and 100' buffer zone lines, topography, location of paddocks, indoor arena including drainage, and manure management.

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Mr. Bajdek arrived at 7:57 PM.

### **Public Meetings & Hearings**

#### **Continued Public Meeting - Request for Determination of Applicability - #491: 41**

**Pleasant Street identified as Holliston Assessors Map 8E, Block 4, Lot 18**, proposal to install a replacement septic system, *Schofield Brothers of New England, Inc.* representing *Michael P. Healy*

Mr. Healy and Dean Schofield presented revised engineering plans for a proposed septic system showing an historical wetlands line for the property.

There is a discharge line from a sump pump along the western property line. The Commission asked that the sump pump line be shortened so that it is no more than 100 feet from the pavement on Pleasant Street, but discharges out past the septic system.

The installer will be asked not to drive heavy equipment on or over the new drainage pipe that was installed by the Highway Department this past Spring (2012).

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-491, 41 Pleasant Street:**

**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:**

- 1) 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.
- 2) The existing sump pump discharge line now running southwest along the parcel's western property line shall be cut back to a new termination point along the property line at a distance of no more than 100' southwest of the existing Pleasant Street pavement.
- 3) The stockpile will be located northwest of the house as indicated on the record plan.
- 4) Project access will be from the street along the southeastern side of the house as indicated on the record plan.

Mr. McGrath seconded the motion. Dr. Rutberg and Mr. Lively abstained. The motion passed. (4-0-2)

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**Continued Public Hearing - Notice of Intent for DEP File # 185-742: Lot 82 Mohawk Path, identified as Holliston Assessors Map 15, Block 1, Lot 82,** proposed grading and site work associated with the construction of a single family house, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty*

Mr. Lavoie revised the plan so that there is a 1' wide "sump" of lawn along the side of the driveway to help catch run-off. The Town has a 20' wide easement to access the catch basin in the back of the property.

There was a discussion regarding potential projects that might require monumentation in the future. The staff will provide Mr. Lavoie with an example of the type of monumentation markers used in other locations in town.

**Ms. Pilch made a motion to close the hearing for DEP File #185-742: Lot 82 Mohawk Path. Mr. Lively seconded the motion. Unanimous. (6-0-0)**

**Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP File #185-742: Lot 82 Mohawk Path. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)**

**Continued Public Hearing - Notice of Intent for DEP File # 185-737: Lot 3.4 Old Cart Path, identified as Holliston Assessors Map 14, Block 5, Lot 3.4,** proposed grading and site work associated with the construction of a single family house, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty*

Mr. Lavoie presented new plans for Lot 3.4 Old Cart Path showing potential future lot lines and 3 single family homes. There will be no additional work in the 50' buffer zone. There will be minimal clearing in the 50-100' buffer area on the northwest side of the lot.

Since these 3 lots have not been through the "Approval Not Required" process with the Planning Board, this NOI will need to be withdrawn.

**Ms. Pilch made a motion to continue the hearing for DEP File #185-737, Lot 3.4 Old Cart Path to November 13, 2012. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)**

**Continued Public Hearing - Notice of Intent for DEP File #185-738: Lot 3.5 Old Cart Path, identified as Holliston Assessors Map 14, Block 5, Lot 3.5,** proposed grading and site work associated with the construction of a single family house, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty*

Mr. Lavoie presented revised plans showing the driveway moved to the opposite side of the property so that is out of the 100' buffer zone. The grading was moved outside the 50' buffer zone.

**Ms. Pilch made a motion to close the hearing for DEP File # 185-738: Lot 3.5 Old Cart Path. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)**

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**Mr. Lively made a motion to approve and issue an Order of Conditions for DEP File # 185-738: Lot 3.5 Old Cart Path. Ms. Pilch seconded the motion. Unanimous. (6-0-0)**

### **General Discussion Continued**

#### **Review Mail**

The mail was reviewed.

#### **Request for (Partial) Certificate of Compliance, 6 Indian Ridge Road (Lot 8), DEP File # 185-369**

This Order of Conditions was issued in 1996. This lot was never issued a Certificate of Compliance. The Agent visited the site today and found it completely stabilized.

**Ms. Pilch made a motion to approve and issue a Certificate of Compliance for DEP File # 185-369 6 Indian Ridge Road. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

#### **Review Draft Conservation Restriction for Winter Street Open Space Parcel #1**

The Grantor's attorney has not been able to obtain the required signatures, so this will be reviewed again on November 13, 2012.

#### **Discussion RE: Donation of Rosenfeld Land at the end of Harness Lane**

This 3.5 acre property is being offered for donation to the town "in fee" to be under the care and custody of the Conservation Commission. This lot is almost entirely wetlands and a lot of water drains from this land to the west. The land has become strewn with litter and it would be good to take care of the land. Mr. Lively suggested that the owner be asked if they can donate money for cleaning up the land, stabilize the land, and add a sign to memorialize the land. The hope is that this would help educate the neighbors about taking care of the property.

#### **Hunting on Conservation Land**

Eight bow hunters crossed someone's property on Jerrold Street to get to Brentwood Conservation Land. Mass Fish and Wildlife leases the right to hunt on some of the ACOE properties, but not all. However, the right to hunt is NOT allowed on any ACOE property north of Gorwin Drive; therefore, the bow hunters should not have been hunting on this land.

The Commission has a general policy to not allow hunting on Conservation Land. The Commission asked that it be clarified as to whether there is hunting allowed on other Town Land.

#### **Discussion RE: Holliston Beaver Management Policy**

Joe Banish from 1929 Washington Street reported a beaver dam behind 56 Paul Road that has impounded a significant "lake." There are less than 6 inches of free board underneath Route 16. The flood storage in the Army Corps of Engineers land has been significantly flooded by the beavers. Merle Bassett of the ACOE has agreed in writing that the flood storage is almost full.

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The Winthrop Canal is also flooded all the way from Lake Winthrop down to Exchange Street. There could be one or multiple beaver dams.

Several other culverts that have been blocked by beavers are being maintained by the Highway Department. Tom Smith has unblocked a culvert on Brook Street for Dopping Brook.

Someone reported to the Town Administrator that there are also a couple of dams on Chicken Brook that are flooding the Golf Course. The Agent will go out to take a look at these.

**Discussion RE: DEP File No. 185-729, Lot 6 Concord Street (Revised Fencing Proposal) - 126 Residential ANR Realty**

No information has been received from the attorneys on how to accept the 3 monuments along the 50' buffer zone line.

**Executive Session: Potential Land Acquisitions**

**At 9:45 PM, Ms. Pilch made a motion to enter Executive Session for the purpose of discussing potential land acquisitions and stated that the public meeting would not reconvene at the end of the Executive Session. Mr. Lively seconded the motion. Dr. Rutberg proceeded with a roll call vote to go into Executive Session.**

**Mr. Lively: yes**

**Mr. Maccagnano: yes**

**Mr. McGrath: yes**

**Dr. Rutberg: yes**

**Ms. Pilch: yes**

**Mr. Bajdek: yes**

**Ms. Weissman: absent**

**Motion Passed.**

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