

HOLLISTON TRAILS COMMITTEE

MEETING MINUTES

MEETING DATE: September 2, 2014 at 7:00 PM, Holliston Town Hall

ISSUE DATE: September 17, 2014

PRESENT

VOTING MEMBERS: Herb Brockert, Marc Connelly, Martha Ellis, Ken Henderson, Mark Kaplan, Matt Varrell and Robert Weidknecht

ABSENT

VOTING MEMBERS: None

GUESTS:

Bobby Blair
Kevin Conley, Selectman
Ed Daniels
Bill Dowd
Jim Dumas, Solect Energy
John Hollywood, Concord Land Design and Engineering
Barbara Keene Briggs, Tree Specialists
Jay Leary, Selectman
Paul LeBeau, Town Administrator
Miguel Linera, Solect Energy
Carol Moyles, Concord Land Design and Engineering

PREPARED BY: Mark Kaplan

COPIES TO: Jay Marsden, Board of Selectmen
Beth Liberty, Finance Committee
Paul LeBeau, Town Administrator
Elizabeth Greendale, Town Clerk
Karen Sherman, Town Planner

DISCUSSION ITEMS:

- 1. Surface Maintenance - July 28, 2014 Microburst.** A path leading to the trail at the southeast corner of Arch Street has eroded into Arch Street. The Trails Committee discussed repair options, including laying down crushed asphalt and extending a guard rail to keep users from accessing the Trail from that path.
- 2. Trail Construction - South Street to Milford Trail.** Herb Brockert reported that grading and rolling of this section of the Trail was tentatively scheduled for September 9 -11, 2014, with stone dust surface to be installed soon thereafter.

3. **Trail Cleanup - South Street to Milford Trail.** In anticipation of the trail construction from South Street to the Milford Trail, Robert Weidknecht reported that leaves need to be blown off of this section of the trail prior to installation of the stone dust surface. In addition, a guard rail needs to be reinstalled, which will require the use of a post hole digger.
4. **Keefe Tech—Handrails at Exchange Street.** Robert Weidknecht reported that John Pratt, a welder, has advised that there will be no problem with welding the handrails at the Exchange Street Bridge. Ken Henderson reported that he will notify Keefe Technical School when the design details have been finalized and determine what construction services they will be able to perform.
5. **Solect Solar Discussion.** Selectmen Kevin Conley and Jay Leary, and Town Administrator Paul LeBeau joined the meeting. Matt Varrell opened the discussion with an overview of Solect Energy Development's trespass and actions taken since then. Matt noted ongoing concern over Solect's apparent lack of control over the actions of its contractor. Matt explained that Solect wished to move forward with the bridge design and re-vegetation plan. Solect will be bringing their landscape architect to tonight's meeting to discuss the re-vegetation plan. Barbara Keene Briggs has volunteered to help review their proposal.

The Selectmen and the Trails Committee then discussed the need to determine the cost of damages to the Town, i.e., the value of the trees that were cut down, and the value of the increased solar exposure to Solect. Robert Weidknecht discussed various tree valuation methodologies and stated that he has received a quote of \$1500 to determine the value of the trees. Ken Henderson noted various methods of estimating the value of the increased solar exposure, and noted one rough estimate from an independent third party was as much as \$72,000 for each year of the twenty-year lease.

Mr. Conley noted several measurements of damages and asked whether it was preferable to litigate or negotiate with Solect. Mr. Varrell surveyed the Trails Committee members and the Committee was unanimous in its desire to negotiate an appropriate settlement.

Certain elements of any settlement with Solect were noted. These include: construction of ½ mile gravel & stone dust trail; re-orientation of the trail intersection at Hopping Brook

Road; retention of a clerk of the works by the Selectmen to oversee remediation and construction, at the expense of Solec; maintenance by Solec of this section of the Trail for 20 years; and a binding written memorandum of understanding and bond or equivalent to ensure performance.

Mr. Leary warned of settling with Solec for too little, given his belief that Solec's trespass was intentional. He further noted that Solec has tagged certain trees on the other side of the Trail with the intention of topping or removing them. Mr. Leary emphasized the Town needs to make clear to Solec that it can take no further actions without the Town's approval of a remediation plan.

The Selectmen and the Trails Committee agreed that the Town should move forward as soon as possible to obtain the following valuations: the value of the trees that were lost; the solar energy gained by Solec as a result of cutting down the trees; cost of stonework to rebuild a stone wall destroyed by Solec's contractor; cost of building a new bridge; and cost of the ½ mile of anticipated trail construction.

Matt Varrell moved that the chair of the Trails Committee may co-sign with the Chair of the Board of Directors contracts to retain experts to determine cost evaluations on damages to the Trail and the value of elements of any remediation plan. Ken Henderson seconded the motion, and the vote in favor was unanimous.

Mr. Leary and Mr. Conley made a similar motion on behalf of the Board of Selectmen, which carried.

Jim Dumas and Miguel Linera of Solec joined the meeting, along with their landscape architects John Hollywood and Carol Moyles of Concord Land Design and Engineering, LLC. Ms. Moyles presented an initial landscaping plan to re-vegetate the area and create buffer zones between the Trail and the solar farm. The plan covered three separate areas of the portion of the trail that requires remediation. Members of the Trails Committee and Barbara Keene Briggs provided detailed feedback and suggestions during the presentation, which will be incorporated into the next draft of the landscaping plan.

Mr. Dumas of Solec requested approval of the plan. Mr. Leary explained that approval would not be granted at this meeting. Solec was informed that the Town was retaining consultants to determine valuations, after which it expected to come to agreement with Solec on a formal remediation plan which would be memorialized in a binding memorandum of understanding. It was also made clear to Solec that they should take no action to implement any landscaping or other remediation until so directed by the Town pursuant to the memorandum of understanding.

A discussion on moving forward with development and enhancement of the landscape architect's re-vegetation plan ensued. Robert Weidknecht moved that Matt Varrell be appointed as the Trails Committee's liaison with the landscape architects and Barbara Keene Briggs. Ken Henderson seconded the motion, and the vote in favor was unanimous.

During the discussion of the third portion of the landscape proposal, Mr. Varrell noted that the Solec contractor had destroyed a stone wall that needed to be rebuilt. Mr. Dumas disputed this assertion and claimed that the stone wall was on the property line and in any event may not have been a stone wall. Mr. Weidknecht stated that upon investigation Solec will find there was in fact a stone wall on town property and Solec will rebuild it.

6. **"Friends of" Group Coordination.** Ed Daniels reported that the Masons have established a fundraising event to benefit multiple charitable organizations, including the Upper Charles Trail. The event, "Hit the Trail for Charity", includes walk/runs of various distances and will be held on October 12, 2014. The Friends of group has formed a team and Mr. Daniels requested the Trails Committee to form a team as well. Mr. Daniels reported that the Friend of group has formed an advisory board to assist with its overall fundraising efforts. In addition, a fundraising activity is planned for Celebrate Holliston--a bike powered blender will be used to blend smoothies. Other fund activities being planned include a 5K run fundraiser, installation of doggie waste bags on the Trail as part of a National Honor Society project, and installation of a crossing light at the Summer Street intersection.

7. **Celebrate Holliston -September 20, 2014.** Robert Weidknecht noted that the Committee will have a booth at Celebrate Holliston and asked members to provide coverage.
8. **Set Next Meeting Date:** The next meeting will be held on September 17, 2014 at 7 p.m.
9. **Meeting Adjournment.** Matt Varrell moved to adjourn the meeting. Herb Brockert seconded the motion, and the vote for adjournment was unanimous. The meeting was adjourned at 10:10 pm.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be 'R. Weidknecht', with a stylized, cursive script.

Robert Weidknecht, Chairman