

Holliston Conservation Commission

APPROVED Meeting Minutes
Town Hall . Meeting Room #014

October 1, 2013
7:30 PM

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

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

Absent: None

Allen Rutberg, Chair, opened the meeting at 7:30 PM.

General Business

Notice of Wetlands Violation - 109 Woodland Street – Faith Ann Williams

A notice of wetlands violation was served to Ms. Williamsq the owner of 109 Woodland Street. Ms. Williamsqson, Peter Hurd, explained that the septic sewage had overflowed the septic tank because their tenants had flushed diapers down the toilet. The sewage puddled about 15-20 feet from Factory Pond. Mr. Hurd explained that he had tried to dilute the overflowing sewage with water from a garden hose. Then, Harry Kampersal came out to pump the tank and found 35 disposable diapers in the tank. The Commission asked that in the future if they have any issues within 100 feet of the pond that they contact the Commission right away.

Mr. Lively made a motion that the Notice of Wetlands Violation be rescinded. Mr. Bajdek seconded the motion. Mr. McGrath abstained as Mr. Hurd is a neighbor. Ms. Pilch abstained. The motion passed. (5-0-2)

Prioritization of Open Space & Recreation Plan Goals (Continued)

The Commission continued to discuss the OSRP goals.

Trail Connectivity Goal

Mr. McGrath and Ms. O'Brien reported on their meeting on September 29th with Robert Weidknecht, the Chair of the Holliston Trails Committee. They met regarding Goal 5, Trail Connectivity, of the OSRP, and discussed prioritization of property linkages to the Rail Trail and then throughout Holliston. At this time, this is a %working group+of the Conservation Commission, since there is only one Commissioner participating. The Commission agreed that it would be prudent to add another Commissioner to the group/committee.

Lake Winthrop

A meeting is scheduled on October 9th to meet with the Parks Commission to discuss the creation of a new Lake Winthrop Management Plan Steering Committee and its goals.

Public Meetings & Hearings

****New Public Hearing – Notice of Intent for DEP File # 185-764: Lots 17 & 18 Kingsbury Drive - identified as Holliston Assessors Map 5, Block 3, Lots 54.3 & 54.4,** proposed construction of a common driveway to serve two single family dwellings, *Joyce Hastings/GLM Engineering Consultants, Inc.* representing *Lou Petrozzi/Wall Street Development Corporation*

The Agent read the legal notice that was published in the *MetroWest Daily News* on September 24, 2013. The Commission opened the hearing under the Massachusetts Wetlands Protection Act, because the project cannot be permitted under the Holliston Wetlands Protection Bylaw at this time. The Town Treasurer has notified the Commission that Wall Street Development owes outstanding taxes, and therefore, a permit cannot be issued under the Holliston Wetlands Bylaw until all of the back taxes are paid in full.

The Planning Board has notified the Commission that this common driveway requires a Special Permit. Mr. Truax provided the abutter notification cards for these properties.

Robert Truax presented plans for the driveway and explained that he does not believe that this driveway is a common driveway, but will be two driveways that happen to run right alongside each other at the narrowest point (18qwide). There will be a 36+reinforced concrete pipe (RCP) under the driveway at the wetlands crossing. Mr. Truax will speak with Karen Sherman (Town Planner) about the definition of a common driveway and the need for a Special Permit, since he does not believe it qualifies as a common driveway.

There are two certified vernal pools with their associated 200qbuffer zone areas, which are directly protected by the Holliston Wetlands Protection Bylaw. One of the vernal pools is almost 2 acres. However, since the taxes are not paid at this time, no decisions can be made about the vernal pool areas.

Mr. Truax will add flags down the centerline of the driveway, so that the Commissioners can find the wetland crossing. He will also e-mail a PDF of the plan so that the Commissioners can use it to visit the site.

Mr. Bajdek made a motion to continue the hearing for DEP File # 185-764: Lots 17 & 18 Kingsbury Drive until October 15, 2013. Mr. McGrath seconded the motion. Ms. Pilch abstained. The motion passed. (6-0-1)

****New Public Hearing – Notice of Intent for DEP File # 185-763: Lot 18 Kingsbury Drive - identified as Holliston Assessors Map 5, Block 3, Lot 54.4,** proposed construction of a single family home, *Joyce Hastings/GLM Engineering Consultants, Inc.* representing *Lou Petrozzi/Wall Street Development Corporation*

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The Agent read the legal notice that was published in the *MetroWest Daily News* on September 24, 2013. The Commission opened the hearing under the Massachusetts Wetlands Protection Act, because the project cannot be permitted under the Holliston Wetlands Protection Bylaw. The Town Treasurer has notified the Commission that Wall Street Development owes outstanding taxes, and therefore, a permit cannot be issued under the Holliston Wetlands Bylaw until all of the back taxes are paid in full.

The abutter notification receipts for Lot 18 were included in the mailing for the driveway for Lots 17 and 18 Kingsbury Driveway.

Mr. Truax presented plans for the house on Lot 18 Kingsbury Drive. (The house on Lot 17 is not within the Commission's jurisdiction.) The corner of the house is 103' from the vernal pool. Ms. Weissman will research what the Mass Wetlands Protection Act requires as a buffer zone for a vernal pool, because the crossing is very close to the vernal pool.

Mr. Bajdek made a motion to continue the hearing for DEP File # 185-763: Lot 18 Kingsbury Drive. Mr. Lively seconded the motion. Ms. Pilch abstained. The motion passed. (6-0-1)

****New Public Hearing – Notice of Intent for DEP File # 185-765: Lot 3.4A Old Cart Path - identified as Holliston Assessors Map 14, Block 5, Lot 3.4 (portion A),** proposed installation of a natural gas utility connection to Sherborn, *Mark Beaudry/Meridian Associates, Inc.* representing *Edward Moore/Whitney Farm LLC*

The Agent read the legal notice that was published in the *MetroWest Daily News* on September 24, 2013.

Mark Beaudry from Meridian Associates presented plans for a gas line that will tie into Holliston's gas line off of Old Cart Path into Sherborn. It will cross Lot 3.4 Old Cart Path and then cross Dopping Brook into Sherborn's Whitney Farm subdivision. Bob Dragano, the construction manager, was also present.

The Sherborn Conservation Commission has already issued an Order of Conditions for the section of gas line in Sherborn. The center line of Dopping Brook is the town line between Sherborn and Holliston.

There is Bordering Land Subject to Flooding associated with the Brook and it is in the FEMA Floodplain zone A. The gas line will go under Dopping Brook and no filling of the flood plain will occur.

The land above the gas line will be kept clear so that they can access the gas line. Portions of the 24" diameter gas line will be in the 50' no-disturbance zone. However, the disturbance of the area is temporary. They will trench down 40' using a 12" wide mini-excavator. An 8' wide area will be disturbed to install the pipeline. The permanent easement will be 15' wide, but the actual area that is kept clear for access purposes will be less than 15' wide.

There is a Natural Heritage Rare Species Habitat area; therefore, NHESP will need to send Whitney Farms a letter of no finding. Therefore, the hearing cannot be closed tonight.

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The Commission agreed that a consultant engineer should be hired to peer review the section of the project where the gas line trench will be at the base of the 1:1 rip rap slope. They would like the area evaluated for stability. Mr. Gregano recommended that an engineer be on site when the trench is dug.

Mr. Ali Parand of AP Associates should be able to review this section of the gas line project by the next meeting on October 15, 2013. The detail for the rip rap slope will be provided to Mr. Parand.

The original Order of Conditions, DEP File #185-744, for Lot 3.4A Old Cart Path will need to be amended to reflect the new configuration of the lot and the addition of the gas line to the lot.

In order to have time to receive a determination letter from Natural Heritage and to allow time for peer review, the representative agreed to continue the hearing.

Mr. Schroder made a motion to continue the hearing for DEP File # 185-765: Lot 3.4A Old Cart Path until October 15, 2013. Mr. Lively seconded the motion. Ms. Pilch abstained. The motion passed. (6-0-1)

General Business Continued

Notice of Wetlands Violation - Lot 78 Highland Street – Todd Kiley/Scott Mayo

Mr. Mayo used unclean fill to backfill the 50-100 foot buffer zone. The material contained big chunks of construction debris from a local high school. The Building Inspector told them that they needed to stop bringing material onto the site. An official violation letter was never issued, since the issue was resolved quickly.

Notice of Wetlands Violation - Highland Meadows/The Orchards – Ruping Builders

The Commission agreed that it is time to begin issue tickets to Ruping Builders for non-compliance. They have been issued several Notice of Wetlands Violation and are still in non-compliance with a detention basin that is in complete failure. The fine is \$300 per day.

CPC Grant Application for Conservation Land Signage

The Agent responded to the CPC's questions regarding the signage. The CPC met last night and discussed this project but did not finalize its vote on this grant application. Chris Bajdek, the CPC Liaison, updated the Commission on the other grant applications received by the CPC.

Planning Board Project Referral – “Deer Run” Open Space Residential Development - 379 Underwood Street – ConnorStone Engineering, Inc. representing Paul Croft

This project does not have any work proposed in the Conservation Commission's jurisdiction.

Conservation Plaques for Wetland Buffer Zone Bounds

Ms. O'Brien received a proof of the plaque from NEC Trophies today. The Commission reviewed the plaque proof and agreed that we should move ahead with ordering 50 green (with white lettering) and 50 yellow plaques (with black lettering).

Wetlands Resource Area

**NO Dumping, Cutting, or Disturbance
Beyond this Point**

Town of Holliston
Conservation Commission

Collaborative Services Initiative (CSI) Application – Proposal to for Antioch New England Students to Assist with Open Space Management Plans

Ms. Pilch researched how to set up a Management Plan. She felt that an inventory of the Upper Charles Conservation Land off of Adams Street would be difficult for a team of students to take on from the outside. The Commission agreed that this project application is something that would not be pursued at this time.

Lake Winthrop Management Plan Steering Committee

The Agent will follow up with Mr. LeBeau, Town Administrator, on how a Steering Committee needs to be set up.

Review Mail

The mail was reviewed.

Joanne Hulbert brought in literature regarding the Asian Long-Horned Beetle and the Emerald Ash Borer. The Staff will investigate obtaining additional literature for Holliston residents.

At 10:25 PM, Mr. McGrath made a motion to adjourn the meeting. Mr. Lively seconded the motion. Ms. Pilch abstained. The motion passed. (6-0-1)

The next Conservation Commission meeting will be on October 15, 2013 at 8:00 PM due to the Special Election.