

**Meeting Minutes**

Town Hall- Meeting Room #014

June 26, 2018

7:30 PM

Present: Rebecca Weissman, Vice Chair, Ann Marie Pilch, Jennifer Buttaro, Allen Rutberg, Shaw Lively, and Blake Mensing, Commissioners

Ryan Clapp, Conservation Agent; Kristin Stearley, Conservation Assistant

Absent: Christopher Bajdek, Chair; Utah Nickel, Associate Commissioner

**Christopher Bajdek, Chair, opened the meeting at 7:35 PM.**

**General Business**

**7:00 PM: Interviews – Conservation Commissioner**

- The Commission interviewed Ian Schmidt and Sean Fay for the open Commissioner position. Utah Nickel was not available to interview and will be interviewed at the beginning of the July 10, 2018 meeting.

**Vote on Draft Meeting Minutes of 6/12/18**

- The Commission continued this to the next meeting on July 10, 2018

**Enforcement - #157-165 Lowland Street**

**Documents:** WPA Form 9, Violation Notice from Ryan Clapp dated June 27, 2018,

- Mr. Clapp reported that the DEP has granted a RCC permit to run the operation. The permit considers the berm to be suitable for noise reduction but the applicant never received ConCom approvals for its construction in the wetlands and DEP notes that it is still subject to wetland review. Mr. Clapp also reported that under DEP #185-720, the owner was supposed to have reconstructed the storm water management structure on the property but has failed to do so. Mr. Clapp worked with town counsel to draft an Enforcement Order and a Notification Letter. In it he requests that the owner attend the next meeting of the Conservation Commission to be held on July 10, 2018 and to report at that time on work performed or to be performed on the property with a schedule for completion. Failure to comply by that date may incur fines.
- The Commission reviewed the letter and the Enforcement Order.

**Ms. Pilch made a motion to issue the Notification Letter and Enforcement Order for; #157-165 Lowland Street as drafted. Dr. Rutberg seconded the motion. Motion passes unanimously (6-0-0)**

**Warren Woods Survey**

- Mr. Clapp reported that Nick Rossi of Mass Audubon has been waiting for Joyce Hastings of GLM Engineering to provide him with an updated plan. Ms. Hastings has promised to send it to him by June 27, 2018. This conservation restriction will ultimately grant the town a donation of \$150,000.

- Ms. Pilch stated she would like the money to be put into the Open Space Fund if possible.

### **Question Regarding Monumentation at R1, R2, R3 of the Highlands Subdivision**

- Dale MacKinnon of Guerriere and Halnon supplied maps of each section with the boulders shown at each location along the property lines.
- The Commission reviewed each location and requested that boulders be in place to mark all the property boundaries and that posts be installed every 200q with Holliston Conservation Commission Open Space plaques.

### **Discussion: Special Meeting the Week of July 2, 2018**

- Mr. Clapp reported that there had been some discussion of scheduling a special meeting next week to accommodate the interviewing of commissioner candidates. The final applicant can be interviewed just prior to the next regularly scheduled meeting on July 10, 2018. Therefore, there will be no need to schedule a special meeting for the week of July 2, 2018.

### **Tree Removal Request: #46 Westfield Drive**

- Mr. Clapp reported that he performed a site visit and the four (4) white pine trees the homeowner would like to remove are within the 100q buffer zone but not the 50q. They are not in poor health but extremely close to the house and are dropping branches.
- The homeowners, Deenka and Puneet Khetarpal stated that they would like to replace the trees with apple trees.
- Ms. Pilch questioned their proximity to the house.
- Mr. Clapp reported that two (2) are within 10q of the house and are 60q tall. The others are also close.
- Ms. Pilch mentioned that apple trees are not a suitable replacement for the white pines. She will provide Mr. Clapp with a list of wildlife friendly trees.
- Mr. Lively stated there should be no stump grinding.
- Ms. Pilch stated she was uncomfortable granting permission for the two (2) trees that were further from the house but the rest of the Commission was comfortable with all four (4) trees being removed provided no stump grinding occurs.
- Mr. Clapp will issue a letter giving permission for the four (4) trees to be removed with no stump grinding. He will also provide the homeowners with the list Ms. Pilch is forwarding.

### **Review Correspondence**

- An invoice from Oxbow Associates, Inc. dated June 7, 2018 in the amount of \$1236.30 was approved for payment.
- An invoice from Amazon for office supplies dated June 26, 2018 in the amount of \$335.41 was approved for payment.
- An e-mail request was received soliciting a letter to be written to Sen. Spilka regarding the Public Lands Preservation Act.
- A listing of FEMA workshops was circulated.
- A memorandum to municipal clients from Kopelman and Paige dated April 23, 2003 was received from Town Administrator Jeff Ritter and circulated.
- Mr. Clapp reported a CoC for 657 Concord Street may be received soon.
- Mr. Mensing thanked the Commission for the opportunity to serve as a Commissioner for the last year. The Commission also commended Mr. Mensing for his service.

## PUBLIC HEARINGS/PUBLIC MEETINGS

**Request for Determination of Applicability File #D-629: #8 Adam Wheeler Lane (Assessors Map 6-3-40)** for proposed construction of a retaining wall with backfill and a privacy fence, *Davood Ansari Oghol Beig*

**Documents:** WPA Form 1, Plan submitted by the property owner, %Adam Wheeler Lane+dated 5/1/18

- Mr. Clapp reported that he received notification from the owner requesting the hearing be continued to the next meeting. He has met with landscapers but has not formalized plans with them as of yet.

**Ms. Pilch made a motion to continue the meeting for #D-629: #8 Adam Wheeler Lane to the July 10, 2018 meeting. Mr. Mensing seconded the motion. Vote passes unanimously (6-0-0)**

**Notice of Intent DEP #185-835: Open Space "J" Highlands Village Subdivision (Assessors Map 14-5-32.1)** to install new erosion control measures for an existing swale, *Dale MacKinnon of Guerriere and Halnon, Inc.* representing *Rick Terrill of Holliston Residential Realty LLC*

**Documents:** WPA Form 3, Letter from Guerriere and Halnon dated 4/12/18, Plot Plan %Watershed Plan of Swale Open Space Area J in Holliston MA+dated 4/3/18, email from Brian Butler of Oxbow Associates dated 5/25/18, untitled response from Dale MacKinnon received at the meeting 5/29/18, Formal Peer Review Letter from Brian Butler of Oxbow Associates dated 6/8/18, Letter from Dale MacKinnon dated 5/20/18

- Mr. Clapp reported that there is a process issue with the public hearing on this application. There is no longer a quorum of Commissioners who have been present at every meeting to hear this application. If an OoC was issued it could be invalidated.
- It has been recommended by the Town Clerk to re-start the application.
- The legal notice will need to be republished in the newspaper and abutters notified. Mr. Clapp stated this expense will fall to the Commission.
- Mr. MacKinnon stated Guerriere and Halnon will produce the mailing and pass along the expenses to the Commission.
- The legal notice will be paid for by the Conservation Commission as well as the abutter notification mailing.
- Mr. Clapp stated that at the next meeting on July 10, 2018 the Commission should close the current hearing on this application and then open the new hearing. Until then, this should be continued to the next meeting.
- Mr. Clapp reported that Oxbow Associates had no further comments on the NOI review.
- Mr. MacKinnon requested a bond reduction for the property based on work completed.
- Mr. Mensing stated that bond documents should be reviewed before releasing any portion of the bond.

**Ms. Pilch made a motion to continue the hearing for DEP#185-835; Open Space "J" Highlands Village Subdivision to the July 10, 2018 meeting. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Determination of Applicability for #D-631: #1380 Washington Street (Assessors Map 5-1-15)** for proposed removal of a stand of cedar trees, saplings and scrub overgrowth to clear and restore a pasture, *Samuel Hiser, owner*

**Documents:** WPA Form 1, Map of #1380 Washington Street

- The applicant did not attend the meeting.
- Mr. Clapp reported that the decision should be made based on what the owner ultimately decides to present to the Commission. The scope of the project could result in a positive or negative determination.

**Ms. Pilch made a motion to continue the meeting for #D-631: #1380 Washington Street to the July 10, 2018 meeting. Mr. Mensing seconded the motion. Vote passes unanimously (6-0-0)**

**Notice of Intent DEP File #185-839: #58 Hopping Brook Road (Assessors Map 4-6-11.1, 11.2, 12.1)** to construct a 5400 sq. ft. commercial building, parking, septic system, access driveway, utilities and related grading. *Robert Truax of GLM Engineering Consultants, Inc.* representing *Ken Driscoll of 2016 Washington Street, LLC*

**Documents:** WPA Form 3, Storm Water Management Report for #58 Hopping Brook Road dated 9/18/14 and revised on 11/20/14, 12/17/14 and 4/30/18, Set of Plans %Site Development Plan; Proposed Commercial Building; 58 Hopping Brook Road+dated 1/19/15 and revised on 3/20/15 and 4/18/18, Formal Peer Review from Charles Katuska dated 6/10/18

- Mr. Clapp reported he received written notification from Peter Barbieri to continue this hearing until the next meeting on July 10, 2018, as they had no further information at this time.

**Mr. Lively made a motion to continue the hearing for DEP#185-839: #58 Hopping Brook Road to the July 10, 2018 meeting. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Determination of Applicability for #D-633: #777 Washington Street (Assessors Map 8E-3-74)** for proposed replacement septic system installation. *Paul Saulnier, CIVILized Solutions* representing *TOPH Realty Trust*

**Documents:** WPA Form 1, Plot Plan titled %Septic System Replacement; 777 Washington Street, Holliston+dated 10/0/01; revised 11/15/01, 4/3/17, and 4/28/17

- Paul Saulnier waived the reading of the legal notice.
- Mr. Saulnier reported that the property currently has a cesspool. He would like to replace it with a Title V compliant system. The current system is under the paved lot and the new system will be placed in the same location. The new system will require re-grading the parking with a portion 2qhigher. The area will be impacted as follows: 2200 sq. ft. of disturbance in the 50qbuffer zone, 4600 sq. ft. of disturbance in the 100qbuffer zone and 350 sq. ft. of disturbance outside of the 100qbuffer zone.
- Mr. Lively questioned what impact this would have.
- Mr. Saulnier responded that it will have very little new impact on the area and he will have erosion control measures in place for the stream.
- Mr. Clapp recommended the issuance of a Negative 3 Determination.

**Ms. Pilch made a motion to issue a negative 3 Determination of Applicability for #D-633; #777 Washington Street with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Determination of Applicability for #D-634: #368 Hanlon Road (Assessors Map 7-2-8) for proposed replacement septic system installation . Daniel McIntyre, McIntyre Engineering & Septic Service representing Kristin and Edney DeOliveira**

**Documents:** WPA Form 1, Plot Plan titled %Septic System Design Plan; 368 Hanlon Road+ dated 6/4/2018

- Daniel McIntyre waived the reading of the legal notice.
- Mr. McIntyre reported that the house was constructed in 1964. The current septic system did not pass Title V inspection. They would like to install a Title V compliant system. He stated there is a 4-1 slope. The grading for the system will come close to the 50qno disturb zone.
- Mr. Lively asked what was currently in that area of the yard and Mr. McIntyre responded that it is all lawn.
- Ms. Pilch questioned what the erosion control would consist of and Mr. McIntyre responded that they would use straw wattles.
- Mr. Clapp reported that when he conducted his site inspection he discovered a couple of burning piles that were within the 100qbuffer zone. He has emphasized in the determination that they keep all burning piles outside of the 50qno disturb zone. He recommended the issuance of a Negative 3 Determination.

**Mr. Mensing made a motion to issue a negative 3 Determination of Applicability for #D-634; #368 Hanlon Road with conditions as drafted. Ms. Pilch seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Determination of Applicability for #D-635: #13 Karen Circle (Assessors Map 7-6-258) for proposed replacement septic system installation . Joyce Hastings, GLM Engineering Consultants, Inc. representing George Shire**

**Documents:** WPA Form 1, Plot Plan titled %Proposed Sewage Disposal System; #13 Karen Circle+dated 5/31/2018

- Chris Gaboriault of GLM Engineering appeared to represent the application and waived the reading of the legal notice.
- Mr. Gaboriault reported that this is a septic system upgrade. The current system is a cesspool. They will be using a stone trench system with a DBox and leaching fields. This will be placed in an area of existing lawn and the stockpile will consist of loam. They will use straw wattles for erosion control. One tree will need to be removed just inside the 5qover-dig area.
- Dr. Rutberg asked about the grading and was informed there is very little grading work.
- Ms. Buttaro questioned where the tree was located and Mr. Gaboriault was unsure.
- Mr. Lively asked if Mr. Clapp had visited the site. Mr. Clapp reported that he did perform a site inspection but was unaware a tree needed to be removed.
- Mr. Clapp stated he does not have a signature from the applicant on page 4 of the application and has made it a condition on the determination that it cannot be released until a signature page has been supplied. He recommended the issuance of a Negative 3 Determination.

**Dr. Rutberg made a motion to issue a negative 3 Determination of Applicability for #D-635; #13 Karen Circle with conditions as drafted. Ms. Pilch seconded the motion. Vote passes unanimously (6-0-0)**

Ms. Pilch made a motion to adjourn the meeting at 9:10 PM. Mr. Mensing seconded the motion. The motion passes unanimously (6-0-0)

***\*\*All documents shall be kept in the Conservation Commission Office files\*\****