

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

September 25, 2018  
7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice-chair, Allen Rutberg, Ann Marie Pilch, Utah Nickel, and Jennifer Buttarro, Commissioners

Ryan Clapp, Conservation Agent; Kristin Stearley, Conservation Assistant

Absent: Shaw Lively, Commissioner, Sean Fay, Associate Commissioner

**Christopher Bajdek, Chair, opened the meeting at 7:30 PM.**

**General Business**

**Public Comment**

- No comments

**Vote on Draft Meeting Minutes of August 21, 2018**

- Ms. Pilch noted an issue with language in regards to the Open Space Residential Development discussion at 289 Hollis Street. Requested changing the word %dispatches+to %protects.+

**Ms. Pilch made a motion to accept the draft August 21, 2018 meeting minutes as amended. Ms. Buttarro seconded the motion. Vote passes, with Ms. Weissman and Dr. Rutberg abstaining. (4-0-2)**

**Vote on Draft Meeting Minutes of September 5, 2018**

- Not enough Commissioners currently present to vote on the minutes of September 5<sup>th</sup>, 2018. This item will be continued to the next meeting on October 2, 2018.

**Request for Extension: #194 Lowland Street (#D-576 and #D-577)**

- Mr. Clapp received a request from George Connors, attorney for Michael Brumber, requesting an extension to the two determinations issued in January 2017 for the property located at 194 Lowland Street. These two determinations were in response to a violation and required the removal of unauthorized fill within the buffer zone.
- However, Mr. Brumber also required a Special Permit from the Planning Board in order to complete this action. He is currently in litigation with the Planning Board to receive this permit, and as such, does not know when he will be able to begin work.
- Ms. Weissman asked the length of time the extension would be for. Mr. Clapp responded that one year was standard for an Order of Conditions, and that the same should apply for a Determination of Applicability.
- Mr. Bajdek noted that it was unusual for a request for extension to be submitted this far in advance, but did not see an issue with extending the Determination.

- The Commission expressed their appreciation that Mr. Brumber was planning ahead and submitted this request in a timely fashion.

**Ms. Pilch made a motion to extend the expiration date on #D-576 to January 17, 2021. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Ms. Pilch made a motion to extend the expiration date on #D-577 to January 17, 2021. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

#### **Tree Removal Request: #657 Concord Street**

- Mr. Clapp reported that the property owner located at 657 Concord Street had noted two damaged trees off the property, which were located in a restriction held by the Commission.
- Mr. Clapp inspected the trees. He noted that one tree was completely uprooted and was leaning away from the property, but on a healthy tree, and the other was clearly dead, but the damage was superficial. Bark was falling off, but the underlying wood was sturdy. He noted that if the tree were to fall, it was not tall enough that it would damage the house.
- Mr. Clapp's primary concern was for the healthy tree that was supporting the fallen tree.
- Ms. Buttaro asked what the species of tree was.
- Mr. Clapp was unsure, as the tree was stripped of bark and had no leaves or branches. It seems that the tree had been down for a while.
- Ms. Weismann asked as to whether the Commission owned the property, or if it was merely protected by the Commission. Mr. Clapp responded that he had asked Karen Sherman, Town Planner, as to the history and ownership of the abutting parcel to 657 Concord Street, and that it was owned by the Commission.
- Ms. Pilch asked if the tree presented any danger. Mr. Clapp noted that the tree was nearly fallen to the ground and leaned away from the property. If it should fall, there would be no danger.
- Dr. Rutberg asked to confirm that the tree was leaning on a healthy tree. He noted that in a wooded area, falling trees are a natural process, and sometimes they fall on healthy trees.
- The Commission was in agreement that no action was needed for either tree.
- Mr. Clapp will inform the homeowner.

#### **Request for Complete Certificate of Compliance on Expired Order of Conditions: #187 Mohawk Path, Lot #86A (DEP #B-002)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/11/18, Plot Plan titled Final As-Built Plan, Lot #86A+, dated 10/23/15

- Mr. Clapp reported that the Commission had received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2015, with the outstanding issue being lawn stabilization. He inspected the site, and noted that while the lawn was stabilized, one of the required wetland bounds was not in place. He contacted Mark Mooney at Guerriere & Halnon, Inc., and Mr. Mooney requested discussion to be continued to the next meeting on October 2, 2018.

#### **Request for Complete Certificate of Compliance on Expired Order of Conditions: #183 Mohawk Path, Lot #87A (DEP #B-003)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/11/18, Plot Plan titled Final As-Built Plan, Lot #87A+, dated 9/17/15

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2015, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Ms. Pilch made a motion to issue a Complete Certificate of Compliance for DEP #B-003: #183 Mohawk Path, Lot #87A as drafted. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #175 Mohawk Path, Lot #89A (DEP #B-005)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/11/18, Plot Plan titled %final As-Built Plan, Lot #89A+, dated 11/16/15

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2015, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Ms. Pilch made a motion to issue a Complete Certificate of Compliance for DEP #B-005: #175 Mohawk Path, Lot #89A as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #169 Mohawk Path, Lot #90A (DEP #B-006)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/11/18, Plot Plan titled %final As-Built Plan, Lot #90A+, dated 1/27/16

- Mr. Clapp reported that the Commission had received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2015, with the outstanding issue being lawn stabilization. He inspected the site, and noted that while the lawn was stabilized, one of the required wetland bounds did not have a plaque affixed to it. He contacted Mark Mooney at Guerriere & Halnon, Inc., and Mr. Mooney requested discussion to be continued to the next meeting on October 2, 2018.

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #204 Mohawk Path, Lot #80A (DEP #195-769)**

**Documents:** WPA Form 8A, Plot Plan titled %final As-Built Plan, Lot #80A+, dated 9/21/15

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2015, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Dr. Rutberg made a motion to issue a Complete Certificate of Compliance for DEP #185-769: #204 Mohawk Path, Lot #80A as drafted. Mr. Nickel seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #3 Minuteman Circle, Lot #74 (DEP #185-792)**

**Documents:** WPA Form 8A, Plot Plan titled ~~As~~-Built Plan, Lot #74+, dated 4/7/17

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2017, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Ms. Buttaro made a motion to issue a Complete Certificate of Compliance for DEP #185-792: #3 Minuteman Circle, Lot #74 as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #7 Minuteman Circle, Lot #73 (DEP #185-791)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/5/18, Plot Plan titled ~~As~~-Built Plan, Lot #73+, dated 10/17/16

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2017, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Ms. Weissman made a motion to issue a Complete Certificate of Compliance for DEP #185-791: #7 Minuteman Circle, Lot #73 as drafted. Ms. Pilch seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #11 Minuteman Circle, Lot #72 (DEP #185-790)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/4/18, Plot Plan titled ~~As~~-Built Plan, 11 Minuteman Circle, Lot #72+, dated 9/4/18

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2017, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Mr. Nickel made a motion to issue a Complete Certificate of Compliance for DEP #185-790: #11 Minuteman Circle, Lot #72 as drafted. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order of Conditions: #15 Minuteman Circle, Lot #71 (DEP #185-789)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 8/7/18, Plot Plan titled ~~As~~-Built Plan, Lot #71+, dated 6/15/17

- Mr. Clapp reported that the Commission received a Request for a Certificate of Compliance for the affected property. He noted that they had received a Partial Certificate in 2017, with the outstanding issue being lawn stabilization. He inspected the site, and noted that the lawn has since been stabilized, and recommends a full Certificate of Compliance.

**Dr. Rutberg made a motion to issue a Complete Certificate of Compliance for DEP #185-789: #15 Minuteman Circle, Lot #71 as drafted. Ms. Weissman seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Complete Certificate of Compliance on Expired Order: #58 Hopping Brook Road (DEP # 185-774)**

**Documents:** WPA Form 8A,

- Mr. Clapp reported that as per the Order of Conditions issued to Solect at 58 Hopping Brook Road (DEP #185-839), they were required to file for a Certificate of Compliance for the solar field regulated under DEP #185-839.
- Mr. Clapp met on site with Evan Mazzaglia, who has taken over the project, to inspect the site.
- Mr. Clapp noted two minor issues on the property. The detention basins located on the north and north east side of the solar field were blocked with sediment, and the northeast one had to be completely dug out by hand. With the conditions the way they were currently, Mr. Clapp informed Mr. Mazzaglia that he would only feel comfortable recommending a Partial Certificate of Compliance.
- Mr. Mazzaglia requested that Mr. Clapp reinspect the site the following day. He would have employees at Solect dig out the detention basin outlets to be in compliance.
- Mr. Clapp inspected the detention basins the following day, and was satisfied with the result.
- Ms. Buttaro asked why these basins were blocked in the first place, and Mr. Clapp responded that it was due to a lack of maintenance.
- Dr. Rutberg asked if there was a maintenance plan for these detention basins. Mr. Clapp referenced the file and responded that there was. Mr. Clapp was directed to inform Mr. Mazzaglia at Solect regarding this maintenance plan.
- Given the status of the site, the Commission supported the issuance of a full Certificate of Compliance. As per the Order of Conditions, Mr. Clapp will issue a memo to file commuting the responsibility of the southernmost detention basin repairs to the new filing.
- Mr. Clapp noted that there was an issue with the filing fee. As per Town Bylaw, the fee for an expired Order of Conditions is equal to 100% of the initial filing fee. The original filing fee was \$5,750.
- Mr. Peter Barbieri, present, represented his client, Solect, noting that in Massachusetts, filing fees are only allowed to cover the expenses of the Town in reviewing the Request and issuing a Certificate of Compliance. He noted that this certainly did not amount to the cost of \$5,750.
- Mr. Barbieri suggested issuing a memorandum to Mr. Clapp, stating his legal objections to the filing fee. Mr. Clapp will then forward Mr. Barbieri's memorandum to Town Counsel for review, and Solect will pay what is decided.
- The Commission found this suggestion agreeable, but will hold off on issuing a Certificate of Compliance until this matter is resolved.

**Ms. Pilch made a motion to issue a Complete Certificate of Compliance for DEP #185-774: #58 Hopping Brook Road as drafted, pending resolution of the filing fees. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Complete Certificate of Compliance: #657 Concord Street (DEP #185-816)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/19/18, Plot Plan titled %Certificate of Compliance Plot Plan of Land 657 Concord Street+dated 7/5/18

- Mr. Clapp reported that the Commission had recently issued an Amended Order of Conditions to this property.

- This Request for a Certificate of Compliance was spurred by the new homeowner's request for the removal of the silt fences.
- Mr. Clapp inspected the site, and noted that the lawn was not established yet, except for strips of grass bordering cement surfaces. He also noted that some of the mitigation plantings were unhealthy, either drying up or being uprooted by gravity, as they were on a slope.
- Mr. John Russ of Village Green Landscaping, present, interjected that he agreed that the lawn was not stabilized, but will be working with Fafard and Guerriere & Halnon on this project.
- Mr. Dale MacKinnon, representative for the applicant, noted that Fafard will be tending to the unhealthy plants to bring them up to compliance.
- Ms. Weissman stated that because the ground was not stabilized, the Commission could not authorize the removal of the silt fences in good conscience.
- Mr. Clapp recommended the issuance of a Partial Certificate of Compliance. However, Mr. MacKinnon stated that because the reason for this Request was in order to remove the silt fence, there was no need to issue any decision.
- Based on Mr. MacKinnon's recommendation, no further action will be taken until the lawn is stabilized, and no Partial Certificate of Compliance will be issued.

**Request for Complete Certificate of Compliance: #682, 692, 702 Concord Street (DEP #185-840)**

**Documents:** WPA Form 8A, Letter from Guerriere & Halnon, Inc. dated 9/19/18, Plot Plan titled "As-Built Special Permit Plan for Common Driveway Lot #3A, 4B & 5A Concord Street" dated 9/19/18

- Mr. Clapp reported that the Commission received this Request for a Certificate of Compliance for an Order of Conditions recently issued by the Commission. This project intention was to repave the existing common driveway for 682, 692, and 702 Concord Street.
- Mr. Clapp made a site inspection, and found the project in substantial compliance.

**Dr. Rutberg made a motion to issue a Complete Certificate of Compliance for DEP #185-840: #682, 692, 702 Concord Street as drafted. Mr. Nickel seconded the motion. Vote passes unanimously (6-0-0)**

**Discussion: Staffing Changes**

- Ms. Stearley informed the Commission that she had submitted her Notice to Mr. Clapp the previous week. She has accepted a full-time position with the Town of Medway, working for their Conservation, Zoning, Planning, and Economic Development Boards. Her last day will be September 26, 2018.
- Ms. Stearley thanked the Commission for the opportunity to serve with them and learn about the Conservation Commission.
- The Commission in turn thanked Ms. Stearley for her service and wished her the best with her new position in Medway.
- Mr. Clapp noted that this left the Commission in a position where they were currently understaffed. Rather than hire another part-time employee, Mr. Clapp suggested taking over the responsibilities of the Conservation Commission, increasing his hours to 35/ week in order to compensate for the additional workload.
- Mr. Bajdek supported this idea, though it was noted that with only one person on staff, should a situation arise where Mr. Clapp cannot attend a meeting, they may be left without direction during the meeting. Mr. Clapp responded that should he not be able to attend a meeting, he would write and circulate a Staff Memorandum offering his comments on each of the agenda items.
- Mr. Bajdek also noted that Mr. Clapp may need help with note taking during meetings, as leading a meeting while taking detailed notes can become overwhelming. A possibility of hiring

a recording secretary was suggested, to be paid out of the Bylaw revolving account. However, for the time being the Commission will see how Mr. Clapp is able to handle both.

**Dr. Rutberg made a motion to create a full time (35hr/week) Conservation Agent position and to allot the funds from the Conservation Assistant position to this newly created full time position. Ms. Pilch seconded the motion. Vote passes unanimously. (6-0-0)**

### **Review Correspondence**

- The September/October 2018 edition of *Erosion Control* was distributed among the members.
- Ms. Weissman was issued her MACC membership card for the current year.
- Mr. Clapp noted that Nick Rossi from MassAudubon informed him that the Conservation Restriction for Warren Woods had closed, and the Commission would be receiving a check soon. However, he noted that MassAudubon is requesting to withhold \$10,000 for monitoring fees and to support the program. He apologized for not informing the Commission earlier, this was an oversight.
- Ms. Pilch was under the impression that MassAudubon had agreed to waive the withholding of the \$10,000, and in the staff turnover in both MassAudubon and the Conservation Commission, this was forgotten. She will search for a written record of this agreement for Mr. Clapp to send to Mr. Rossi.

### **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. John Russ of Village Green Landscaping was present to represent the applicant. He presented a plan to the Commission. This plan involved raising the grade of the property and planting the slope with hemlock, spruce, and winterberry. Hay bales would be installed for erosion control, and wood chips would be put down around the plants.
- Ms. Pilch expressed concern over the choice of hemlock, as this plant is susceptible to disease and pests and may not last.
- Mr. Russ also noted that 60 yards of composted loam would be put down to recreate what was lost due to erosion.
- Ms. Buttaro suggested using a biodegradable sock (12+wattle) instead of the hay bales. Mr. Russ agreed that this was a reasonable suggestion.
- Ms. Pilch asked if the applicant was set on evergreens to be used as a visual barrier. Mr. Russ noted that the applicant was concerned about deer and Lyme disease, and hoped that evergreens could make a physical barrier to the deer as well.
- Ms. Pilch recommended that Mr. Clapp send Mr. Russ the list of wildlife friendly plants to update his plan. She would also like an updated plan, as the one presented still showed the retaining wall, which has been abandoned by the applicant. The wattles will also be marked on the updated plan.

**Ms. Pilch made a motion to continue the meeting for #D-629: #8 Adam Wheeler Lane to the October 9, 2018 meeting. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Notice of Intent DEP File #185-843: #289 Hollis Street for #D-638: (Assessors Map 8-5-4)** for proposed demolition of the existing house and the grading and site work associated with the construction of a new single family house . *Vito Colonna of Connorstone Engineering, Inc.* representing *Chetak Patel of RCVA, LLC*

**Documents:** WPA Form 3, Plot Plan titled %289 Hollis Street Proposed Sewage Disposal System+ dated 7/24/18, Letter from Connorstone Engineering, Inc. dated 8/6/18

- Mr. Clapp reported that when the Notice of Intent was previously discussed, the Commission was only unable to close the hearing because DEP had issued a file number. They have since issued a file number, so the hearing may be closed.

**Ms. Pilch made a motion to close the hearing for DEP #185-843: #289 Hollis Street. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0)**

- Mr. Clapp has prepared a draft Order of Conditions. He noted that the conditions were standard for the construction of a single family house.

**Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-843: #289 Hollis Street with conditions as drafted. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0)**

**Notice of Intent DEP File #185-844: #660 Mayflower Landing (Assessors Map 12-2-7)** for proposed restoration of a floodplain and to complete a restoration area . *Dale MacKinnon, Guerriere & Halnon* representing *Rick Terrill of Holliston Residential LLC*

**Documents:** WPA Form 3, Plot Plan titled %Restoration Plan for #660 Mayflower Landing, Holliston+ dated 6/7/18

- Mr. MacKinnon, representative for the applicant, waived the reading of the legal notice.
- Mr. MacKinnon explained that DEP had issued a Superseding Order of Conditions for the property. However, upon site inspection, it was noted that there was unauthorized filling of the floodplain, approximately 165 square feet of disturbance.
- To rectify this situation and the Notice of Noncompliance issued to the applicant, this project seeks to replicate the floodplain in another portion of the property closer to the road. They will alter the grade of the side slope and vegetate the area.
- Mr. Bajdek noted that the reconstruction project on this parcel was due to the original house having burned down, and though the Commission had denied the original project, DEP had issued a Superseding Order.
- Mr. Clapp had concerns with the species proposed for the restoration area. White pines, he noted, were an upland species. However, Mr. MacKinnon noted that this would not be wetland replication, and would remain an upland area.
- Based on this information, Ms. Pilch supported the plants as shown on the proposed plan.
- Mr. Clapp also noted that there was also a proposal for a concrete block landing, approximately 3x5 for the stairs.
- Ms. Weissman asked if this would be on existing lawn, to which Mr. MacKinnon confirmed that it was. No further comments were made.

**Ms. Pilch made a motion to close the hearing for DEP #185-844: 660 Mayflower Landing. Dr. Rutberg seconded the motion. Vote passes unanimously. (6-0-0)**

- Mr. Clapp presented a draft Order of Conditions. Specific conditions related to solidifying the species and number of individuals in the floodplain replication area, and to ensure this replication area would be treated with the same jurisdictional review as any other floodplain.

**Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-844: 660 Mayflower Landing with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0)**

**Request for Determination of Applicability for #D642: #58 Ruthellen Road (Assessors Map 11-8-210) for proposed construction of a 10x18 storage shed . *Filipe DeAroujo, owner***

**Documents:** WPA Form 1, Plot Plan titled %Septic As-Built & Final Grading #58 Ruthellen Road, Holliston+dated 8/4/17

- Mr. DeAroujo, representative for the applicant, waived the reading of the legal notice.
- Mr. Clapp reported that this Request was for a 10x18 shed. This construction would not be considered a minor exemption under the Wetlands Protection Act because of the nearby Jarr Brook, triggering the Rivers Protection Act, placing the shed in several resource areas.
- Mr. Clapp also noted that initially, the proposed shed would be within the 50' No Disturbance Area. However, after speaking with the Applicant, it was agreed that the shed could be moved out of the 50' Zone. Mr. Clapp noted that the neighbor behind the property had a shed outside of the 50' Zone, and suggested that the Applicant align the shed with his neighbor's.
- During a site inspection, Mr. Clapp noted that there were several propane tanks, construction materials, and fire pit residues bordering the brook. He has included their removal and the prevention of storage of such materials within 50' of the wetland in the draft conditions.
- Ms. Buttaro asked about the base of the shed, and Mr. DeAroujo responded that the shed would have a base of crushed stone and 6x6 timbers.

**Ms. Pilch made a motion to issue a Negative #3 Determination with conditions as drafted for #D642: #58 Ruthellen Road. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Determination of Applicability for #D643: #56 Paul Road (Assessors Map 4-4-12) for proposed construction of a 24x12 storage shed . *Stephen Rogers, owner***

**Documents:** WPA Form 1, Plot Plan titled %Septic System Construction #56 Paul Road, Holliston+dated 8/4/17

- Mr. Rogers, applicant, waived the reading of the legal notice.
- Mr. Clapp reported that this filing was after-the-fact. The 24x12 shed was already in place, approximately 22' away from the wetland line. This project was brought to his attention by Peter Tartakoff, Building Inspector, when Mr. Rogers requested a building permit.
- Mr. Tartakoff noted to Mr. Clapp and the applicant that the current shed was not up to building code and was in zoning violation. The shed would need to be moved away from the property line to comply with zoning and be built upon piers to comply with building code.
- Mr. Bajdek had made a site visit prior to the meeting, and noted to the Commission that the entire yard was within the 50' No Disturbance Zone. There was no other location for Mr. Rogers to place the shed.

- Ms. Weissman asked if the shed was placed upon an area that was currently lawn. Mr. Clapp responded that it was.

**Ms. Pilch made a motion to issue a Negative #3 Determination with conditions as drafted for #D643: #58 Ruthellen Road. Dr. Rutberg seconded the motion. Vote passes unanimously. (6-0-0)**

**Request for Determination of Applicability for #D644: #109 Winthrop Street (Assessors Map 8F-4-20.1) for proposed installation of a 300 sq. ft. paver patio . *Gene and Martha Madden, owners***

**Documents:** WPA Form 1,

- Mr. and Mrs. Madden, applicants, waived the reading of the legal notice.
- Mr. Clapp reported that this patio is not considered a minor exemption, as the 100-year floodplain extends over the project area, and therefore the patio is in more than one resource area.
- Mr. Clapp reported that upon a site visit, he noticed that the entire lot was flat and existing lawn. No vegetation removal was proposed, nor would any portion of the proposed patio extend into the 50qNo Disturbance Zone.
- Ms. Weissman asked if there was any proposed fill. The applicants responded that they will be bringing in a gravel base and pave cement over the top.

**Dr. Rutberg made a motion to issue a Negative #3 Determination with conditions as drafted for #D644: #109 Winthrop Street. Ms. Buttaro seconded the motion. Vote passes unanimously. (6-0-0)**

**Dr. Rutberg made a motion to adjourn the meeting at 9:05 PM. Ms. Weissman seconded the motion. The vote passes unanimously. (6-0-0)**

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