

APPROVED Meeting Minutes

Town Hall- Room #014

June 25, 2019

7:30 PM

Present: Christopher Bajdek, Chair (*arrived 7:33 PM*), Rebecca Weissman, Vice Chair, Jennifer Buttaro, Utah Nickel, Allen Rutberg, Ann Marie Pilch, Commissioners, Sean Fay, Associate Commissioner

Ryan Clapp, Conservation Agent

Absent: Shaw Lively, Commissioner

Rebecca Weissman, Vice Chair, opened the meeting at 7:30 PM.

General Business

Public Comment

- No comment

Mr. Bajdek arrived and assumed his role as Chair

Eagle Scout Project Proposal - Fairbanks Conservation Land: Ian Shaw

- Mr. Shaw introduced himself to the Commission. He is a Boy Scout with Troop 14, and is working towards achieving Eagle Scout. For his service project, he is proposing the construction of two boardwalks within the Fairbanks Conservation Land. The location is along the trail, and involves a stream crossing. The boardwalk will be in like kind with other such boardwalks within the property and will allow hikers and others to pass more easily.
- Mr. Clapp noted that he had visited the site with Mr. Shaw. The boardwalk will not disrupt streamflow and is outside of any floodplain. He further noted that the Trustees of Reservations, who jointly hold the Conservation Restriction with the Department of Conservation and Recreation, fully support the construction of boardwalks to facilitate passive recreation.
- Mr. Shaw noted that he plans to build in August, and is seeking funding from NEMBA. All equipment will be brought in by hand.
- The Commission supported Mr. Shaw's project, and Mr. Bajdek signed off on it. Mr. Shaw was directed to contact Mr. Clapp before beginning construction.

Review/Approve Minutes of 5/14/19, 5/28/19, & 6/11/19

Dr. Rutberg made a motion to approve the minutes of 5/14/19. Ms. Buttaro seconded the motion. Vote passes (4-0-2) with Ms. Weissman and Mr. Nickel abstaining.

Ms. Pilch made a motion to approve the minutes of 5/28/19. Dr. Rutberg seconded the motion. Vote passes (4-0-2) with Mr. Nickel and Ms. Buttaro abstaining.

Dr. Rutberg made a motion to approve the minutes of 6/11/19. Ms. Pilch seconded the motion. Vote passes (4-0-2) with Mr. Nickel and Ms. Buttaro abstaining.

Request for Extension Permit for Order of Conditions: DEP #185-781: Extension of Hopping Brook Road

Documents: WPA Form 7A

- Mr. Clapp reported that as per discussions during the previous meeting on 6/11/19, the Commission stated they would support a retroactive Extension to the Order of Conditions #185-781, provided the appropriate fees and paperwork were submitted. Mr. Clapp has received these items from Mr. Peter Bemis, and the project is ready for an extension.

Ms. Pilch made a motion to extend the Order of Conditions DEP #185-781: Extension of Hopping Brook Road to 4/29/2020. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).

Review Correspondence / Other

- An invoice for the annual dues for MACC membership have been received. Mr. Clapp recommends holding off on paying these dues until the beginning of the next fiscal year.
- Mr. Clapp circulated the CR Monitoring Report from the Trustees of Reservations for the Fairbanks Property. He walked the property with the Trustees the week before. Overall, there were no issues requiring immediate action, but there was note of unauthorized trail marking. Mr. Clapp will contact NEMBA to see what they know about the issue.

Public Hearings/Public Meetings

Notice of Intent for DEP #185-855: #43 Karen Circle (Assessors Map 4-4-262) for proposed septic system replacement - Karon Skinner Catrone, representing Jody Medveczky.

Documents: WPA Form 3; Plans entitled %Septic System Construction, 43 Karen Circle, Holliston,+dated 6/4/19.

- Mr. Clapp read the legal notice into the record.
- Ms. Skinner Catrone, representative for the applicant, presented proof of abutter notification.
- Ms. Skinner Catrone presented the project to the Commission. The applicant is proposing to build a replacement septic system, as the existing on has failed. Due to the nature and size of the property, the only possible location for the system is entirely within the 50qNo Disturbance Buffer Zone.
- Dr. Rutberg inquired about the construction sequence. Ms. Skinner Catrone responded that silt fences and silt socks will be installed, the hole will be dug, the system will be installed and buried, sedimentation controls will be removed, and the disturbed area will be loamed and seeded. There will be no stockpiling onsite other than as noted.

- Mr. Clapp noted that the site does not lend itself to any sort of mitigation planting. There is a steep drop off towards the rear down to the wetlands, and disturbance in that area is unlikely as it is inaccessible.

Ms. Pilch made a motion to close the public hearing for DEP #185-855: #43 Karen Circle. Ms. Weissman seconded the motion. Vote passes unanimously (6-0-0).

- Mr. Clapp has prepared a draft Order of Conditions. The Order is standard with other septic system replacement projects.

Ms. Pilch made a motion to issue an Order of Conditions for DEP #185-855: #43 Karen Circle. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0).

Notice of Intent for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prentice Way (Assessors Map 14) for proposed construction of a roadway and drainage alteration - Guerriere & Halnon, Inc., representing Constitution Village, LLC.

Documents: WPA Form 3; Plan Set entitled "Constitution Village Subdivision Modification in Holliston, MA," dated 11/15/18; email from Mr. Clapp dated 12/26/18; Response Memorandum from Mr. George Mihov dated 12/31/18.
Memorandum from Dan Wells, Goddard Consulting, Inc., dated 5/30/19.

- Mr. Clapp recorded the audio of this session of the public hearing.
- Mr. Dale MacKinnon was present for the applicant. He is the new engineer for the project, as Mr. Mihov has left Guerriere & Halnon. Mr. MacKinnon noted that he had anticipated a response from Oxbow Associates on behalf of the Commission, but Mr. Clapp noted that they wanted to answer specific questions or issues that arise from tonight's public hearing session.
- Mr. Dan Wells of Goddard Consulting, Inc., addressed the Oxbow report as it related to the Potential Vernal Pools. None of the vernal pools are certifiable under the state guidelines. However, in Mr. Wells's opinion, two of the five meet the bylaw definition of a vernal pool.
- Mr. Clapp noted that the Holliston Wetlands Protection Bylaw (Article XXX), creates a 100' No Disturbance Buffer Zone to upland vernal pools, and, in the case of vernal pools within a larger wetland, a 100' No Disturbance Buffer Zone to the larger wetland. Therefore, the buffer zones shown on the plans should be considered No Disturbance Buffer Zones. However, a biological/habitat assessment can eliminate the No Disturbance aspect and reduce it to a standard buffer zone.
- Mr. Wells suggested the possibility of excluding pre-developed areas. He further noted that vernal pool season was nearly over, so an assessment would likely have to happen in Spring 2020.
- Mr. Clapp noted the purpose of such an assessment would be to isolate areas of high importance, such as migration corridors.
- Mr. Wells noted that an evaluation such as this could be addressed at any time.
- Mr. MacKinnon noted that they were not prepared to move forward at this time. Mr. Wells will be in contact. Mr. MacKinnon requested that the hearing be continued to July 23, 2019.
- Mr. Clapp noted that there were other sections to the Notice of Intent that needed to be addressed, and MassDEP had a list of stormwater concerns.
- Mr. Brian Merson, an abutter from Ashland, voiced concerns regarding wildlife habitat and forest cover. He noted that in the past several years, frog populations have declined as the

area becomes more and more developed. Mr. Merson stated that he did not believe that existing disturbance is justification for continued or expanding disturbance.

Ms. Weissman made a motion to continue the public hearing for DEP #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence Way to the meeting on 7/23/19. Ms. Buttaro seconded the motion. Vote passes unanimously (6-0-0).

- Mr. Clapp ended the audio recording of this session of the public hearing.

Dr. Rutberg made a motion to adjourn at 8:45 PM. Ms. Weissman seconded the motion. Vote passes unanimously (6-0-0).

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