

APPROVED Meeting Minutes

Town Hall- Room #014

July 9, 2019

7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair, Jennifer Buttarro, Shaw Lively, Utah Nickel, Allen Rutberg, Ann Marie Pilch, Commissioners

Ryan Clapp, Conservation Agent

Absent: Sean Fay, Associate Commissioner

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

General Business

Public Comment

- No comment

Review/Approve Minutes of 6/25/19

- Mr. Clapp noted there had been an error with the email containing the draft minutes of 6/25/19. This item was left open until the next meeting on 7/23/19.

Request for a Certificate of Compliance - DEP #185-752: 9 Governor Prence Way

Documents: WPA Form 8A; As-Built Plan of Land titled %As-Built Plan of Land, 14 Governor Prence Way in Holliston, MA,+dated 6/24/19.

- Mr. Clapp reported that this property had received a Partial Certificate of Compliance on 3/9/16, pending establishment of lawn. The lawn has since established and Mr. Clapp recommends the issuance of a Certificate of Compliance.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-752: 9 Governor Prence Way. Dr. Rutberg seconded the motion. Vote passes unanimously (7-0-0).

Request for a Certificate of Compliance - DEP #185-749: 14 Governor Prence Way

Documents: WPA Form 8A; As-Built Plan of Land titled %As-Built Plan of Land, 9 Governor Prence Way in Holliston, MA,+dated 6/13/19.

- Mr. Clapp reported that he had inspected the site and found no issues. He recommends issuing a Certificate of Compliance.

Dr. Rutberg made a motion to issue a Certificate of Compliance for DEP #185-749: 14 Governor Prence Way. Ms. Pilch seconded the motion. Vote passes unanimously (7-0-0).

Request for a Certificate of Compliance - DEP #185-844: 660 Mayflower Landing

Documents: WPA Form 8A; Letter from Guerriere & Halnon, Inc., dated 7/2/19; Plan of Land titled ~~W~~Restoration Plan for 660 Mayflower Landing, Holliston, Mass.,+dated 6/7/18 (rev. 7/1/19).

- Mr. Clapp reported that the Commission had issued this Order of Conditions on 9/25/2018, in response to a violation notice the applicant had received from MassDEP regarding their Superseding Order of Conditions.
- The floodplain restoration area required under this Order of Conditions has been planted, but Mr. Clapp noted that the area had not been established/stabilized yet. He recommends the Commission not issue a Certificate of Compliance, and recommend to the applicant to refile this request in spring/summer 2020.
- The Commission agreed with this assessment. No Certificate of Compliance was issued for this project.

Re-issue Certificate of Compliance - #B-006: 169 Mohawk Path

- Mr. Clapp reported that the Commission had issued this Certificate of Compliance to Toll Brothers on 10/9/18. However, the applicant had misplaced the original and was unable to record the Certificate at the registry of Deeds.
- The Commission signed a new original Certificate of Compliance for the project.

Review Correspondence / Other

- An invoice from the Massachusetts Association of Conservation Commissions for annual dues in the amount of \$694.00 was signed.
- A letter from Nick Rossi from MassAudubon was circulated. He will be inspecting the Conservation Restrictions off of Mellen Street and Warren Woods the week of July 29th. Several Commissioners expressed interest in attending.
- The Middlesex Conservation District 2019 Fall Bulb and Perennial Sale Catalog was circulated.
- The Massachusetts Association of Conservation CommissionsqWetlands Buffer Zone Guidebook was circulated. It will be included with the MACC Handbook.

Public Hearings/Public Meetings

Request for Determination of Applicability for D-654: #10 Greenview Drive (Assessors Map 8E-1-64) for proposed replacement septic system - *GLM Engineering Consultants, Inc.*, representing *Alice & John McCallum*.

Documents: WPA Form 1; Plan of Land entitled ~~W~~Proposed Sewage Disposal System, 10 Greenview Drive, Holliston, Massachusetts,+dated 6/7/19 (rev. 7/9/19)

- Mr. Christopher Gaboriault, representative for the applicant, waived the reading of the legal notice.
- Mr. Gaboriault presented revised plans to the Commission, dated 7/9/19. The plans reflect as little as possible encroachment into the 100' buffer zone, with minimal grading within the 50' No Disturbance Buffer. The leaching field for the septic system was rotated a few degrees in order to eliminate the need to remove a significant number of trees when installing the system. Mr. Clapp noted that the original plans called for 9 tree removals, two of which were greater than 30" DBH. Mr. Gaboriault noted that 1-2 trees would be required to be removed to allow for construction access.
- Mr. Nickel inquired if the tree removal and mitigation policy should be applied. Mr. Bajdek stated that the policy was just for hazard tree removal outside of a formal filing. Ms. Buttaro suggested that replanting should be at the homeowner's discretion.
- Mr. Clapp has prepared a draft Determination of Applicability. He noted that the conditions were standard for other septic system replacements.

Ms. Pilch made a motion to issue a Negative #3 Determination for D-654: #10 Greenvew Drive, with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously (7-0-0).

Request for Determination of Applicability for D-655: #212 Mill Street (Assessors Map 10-2-35) for proposed replacement septic system - M.J. DiModica Exc., representing Brian Radcliffe.

Documents: WPA Form 1; Plan of Land entitled "Subsurface Sewage Disposal System - Repair, 212 Mill Street, Holliston, MA, dated 6/18/19.

- Mr. Michael DiModica, representative for the applicant, waived the reading of the legal notice.
- Mr. DiModica presented the project to the Commission. There was minimal encroachment into the 100' Buffer Zone, and no tree removal is proposed. All work would be within existing lawn, and all stockpiling would be temporary.
- Mr. Clapp noted that on site inspection, he noticed a large yard waste pile within the 50' No Disturbance Buffer Zone. He preemptively requested that the homeowner remove it. Mr. DiModica noted that it had already been removed.
- Mr. Bajdek expressed concerns regarding erosion and sedimentation onto North Mill Street as a result of the project. Mr. DiModica noted the topography is flat, so there is no need to extend the silt fences to protect the road.
- Mr. Clapp has prepared a draft Determination of Applicability. He noted that the conditions were standard for other septic system replacements, with the stipulation of removing the yard waste pile

Mr. Lively made a motion to issue a Negative #3 Determination for D-655: #212 Mill Street, with conditions as drafted. Dr. Rutberg seconded the motion. Vote passes unanimously (7-0-0).

Notice of Intent for DEP #185-856: Lot 1 Liberty Lane (Assessors Map 8-5-4) for proposed construction of a single family house - Ted Gowdy, representing Chetak Patel.

**Conservation Commission Minutes 7-9-19
Drafted for the Commission by: Ryan Clapp
Approved by the Commission: 7-23-19**

Documents: WPA Form 3; Plan of Land entitled ~~%~~Proposed Sewage Disposal System+dated 7/24/18 (rev. 6/26/19).

- Mr. Gowdy, representative for the applicant, waived the reading of the legal notice.
- Mr. Gowdy presented the project to the Commission. This is the second house in the subdivision proposed. There is approximately 4,000 square feet of disturbance within the buffer zone, but noted there was a vernal pool offsite, making the 100qBuffer Zone a 100qNo Disturbance Buffer Zone.
- Ms. Mary Ann DiPinto, wetland scientist on behalf of the applicant, noted that she had found wood frog and spotted salamander larvae in the vernal pool, indicating that it was a viable pool. However, she noted that the land had been cleared approximately 30 years ago, and as such, is already disturbed, as late succession has not taken over. It is currently an %open+ forest, and also a previous waste-dump site from a preexisting project. She noted vernal pool species prefer forested habitats as opposed to grassy ones like the site currently is, and that cleaning up the dumped materials could constitute some mitigation to alleviate the vernal pool restriction. She also noted that the topography of the land pitches away from the vernal pool, so sedimentation would be unlikely.
- Ms. Weissman inquired if there was any opportunity to move the house outside of the buffer zone. Mr. Gowdy responded there was some room to move the house a little, but would lead to awkwardness with the driveway.
- Ms. Weissman noted this would be a large variance from the Commission. She would like to see some effort to limit encroachment, and expressed reservations about any encroachment at all.
- Mr. Lively suggested removing the driveway turnaround. Mr. Clapp confirmed with the Building Inspector that a turnaround was not a necessity, but a feature to increase marketability. The Commission also suggested changing the garage from a 3-car to a smaller garage.
- Ms. Buttaro would like to see an alternative analysis for the project.
- Mr. Bajdek would like wetland bounds in place for the future homeowner.
- Ms. Weissman stated the applicant must either limit wetland disturbance or show compelling mitigation for the Commission to further consider this project.

Dr. Rutberg made a motion to continue the public hearing for DEP #185-856: Lot 1 Liberty Lane, to the next meeting on July 23, 2019. Ms. Buttaro seconded the motion. Vote passes unanimously (7-0-0).

Notice of Intent for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence 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 noted this item was on the agenda only for consistency. At the previous meeting, the Commission and applicant had agreed to continue to the meeting on July 23, 2019. A vote to continue as such was taken at the previous meeting and was thus not required this meeting.

Dr. Rutberg made a motion to adjourn at 8:45 PM. Ms. Weissman seconded the motion. Vote passes unanimously (7-0-0).

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