

APPROVED Meeting Minutes

Town Hall- Room #014

September 17, 2019

7:30 PM

Present: Christopher Bajdek, Chair, Jennifer Buttaro, Shaw Lively, Utah Nickel, Allen Rutberg, Commissioners, Sean Fay, Associate Commissioner

Ryan Clapp, Conservation Agent

Absent: Ann Marie Pilch, Commissioner

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

General Business

Public Comment

- No comments.

Review/Approve Minutes of 8/6/19, 8/20/19, & 9/3/19

- Not enough Commissioners were present at the meeting on 8/6/19 to vote on these minutes. Left open until the next meeting on 10/1/19.

Mr. Lively made a motion to approve the minutes of 8/20/19. Ms. Buttaro seconded the motion. Vote passes (5-0-1) with Dr. Rutberg abstaining.

- Not enough Commissioners were present at the meeting on 9/3/19 to vote on these minutes. Left open until the next meeting on 10/1/19.

Eagle Scout Project: Fairbanks Boardwalk – Ian Shaw

- Mr. Ian Shaw reintroduced himself to the Conservation Commission. Several months earlier, he had obtained permission from the Commission to build a boardwalk in the Fairbanks Property as his Eagle Scout project. Initially, he planned on building two boardwalks, 24q and 48q in size, but since decided there would be a greater benefit in building one 84q boardwalk. He reviewed this with Mr. Clapp prior to construction.
- Mr. Lively inquired about the lifespan of the boardwalk. Mr. Shaw noted that the wood is pressure treated, and therefore he projects the boardwalk to survive for 20 years.
- Mr. Bajdek signed off on the completion of Mr. Shaw's project. The Commission thanked Mr. Shaw for his efforts.

Ratify Enforcement Order: Constitution Village

Documents: WPA Form 9; Letter from Mr. Clapp dated 9/4/19

- Mr. Clapp noted at the previous meeting, the Commission had decided to issue an Enforcement Order for the maintenance of detention basins along Old Cart Path. To begin enforcement proceedings, the Order must be ratified.

Dr. Rutberg made a motion to ratify the Enforcement Order dated 9/4/19 to Constitution Village, LLC. Mr. Lively seconded the motion. Vote passes unanimously (6-0-0).

Enforcement: Constitution Village (detention basins and stockpiles)

Documents: WPA Form 9; Letter from Mr. Clapp dated 9/4/19; Violation Notice dated 9/4/19; %Constitution Village Storm Water Management System Operation and Maintenance Plan+dated 3/31/15
Project narrative from Mr. MacKinnon (rev. 9/17/19); email from Mr. Clapp dated 9/17/19
Plan set entitled %Construction Management Plan £Constitution VillageqHolliston, Mass.+Dated 10/11/18 (rev. 10/17/18).

- Mr. Clapp noted enforcement activities this evening were twofold: maintenance of detention basins along Old Cart Path and removal of stockpiles within wetland jurisdiction along Old Cart Path. Mr. MacKinnon submitted a proposed narrative on 9/17/19, to which Mr. Clapp had responded with comments and concerns.
- Mr. Clapp noted that he and Mr. MacKinnon had performed a site walk on 9/13/19 to determine jurisdiction on the stockpiles along Old Cart Path.
- Mr. MacKinnon submitted a revised narrative based upon Mr. Clapp's comments.
- Mr. Lively noted there was a proposal to redesign the basins. This was not in the original scope of the Enforcement Order.
- Mr. MacKinnon responded that he is proposing an alternate design to minimize erosion. While it is not consistent with the original design, he believes this to be a better design than what is currently existing.
- Mr. Clapp noted that all work is proposed to be done by 9/26/19. However, he noted vague language on the timeframe for stockpile removal.
- Mr. MacKinnon responded that they anticipate to start work on 9/18/19. They are limited by their ability to hydroseed the stockpiles and basins after working on them. They would like to have all work completed by 9/26/19, but since some stockpiles are vegetated and stable, those will not be the priority, instead focusing on rocky piles with bare slopes. Those they are unable to address by 9/26/19 will resume maintenance on or around 4/1/20, weather permitting.
- Mr. Lively inquired as to the expected end result of this enforcement. Mr. MacKinnon responded that there will be hydroseeded piles if they are unable to address them by 9/26, functioning detention basins, and proper erosion control.
- Mr. Clapp noted Mr. MacKinnon's comments indicated a third party erosion control inspector as part of the SWPPP. Mr. MacKinnon will inform Mr. Clapp of the company name.
- Mr. Lively inquired as to who is ultimately the responsible party for compliance. Mr. MacKinnon responded that until the roads are accepted, Fafard is responsible under the company Constitution Village, LLC>
- Mr. Bajdek noted the Enforcement Order will stand until all work is completed. If work is not completed by 9/26/19, the Order will continue to stand until work is completed in Spring 2020.

Acceptance of Open Space: Liberty Estates (off Hollis Street)

- Mr. Clapp reported that since this is an Open Space Residential Development, the subdivision owner is deeding a portion of the property to the Conservation Commission. This area is slightly larger than 1.5 acres and abuts the Daniels Conservation Area.

Dr. Rutberg made a motion to accept the Open Space, designated as the land being shown as “Open Space, Area = 70,436 S. F. (1.62 +/- Acres)” on the plan of land entitled: “Definitive Plan of Land, Open Space Development, Liberty Estates in Holliston, Ma”, which plan is prepared by Connorstone Engineering, Inc. and is dated August 27, 2018 and revised through October 17, 2018, and recorded at the Middlesex South Registry of Deeds as Plan 1021 of 2018. Mr. Nickel seconded the motion. Vote passes unanimously (6-0-0).

Review Correspondence / Other

- The latest issue of *Stormwater* magazine was circulated.
- Handouts from the Board of Health regarding EEE were circulated.
- Mr. Lively expressed concerns about a development in Mudville. He is unsure of the specific address but will follow up with Mr. Clapp.

Public Hearings/Public Meetings

Request for Determination of Applicability for D-656: 310R Washington Street (East Holliston Fire Station) (Assessors Map 11G-2-30) for proposed drainage structure improvements . Holliston Highway Department.

Documents: WPA Form 1; Sketch Plan of Proposed Work 310R Washington Street

- Mr. Clapp read the legal notice into the record.
- Mr. Clapp noted that Mr. Smith, Highway Superintendent, could not be present this evening.
- Mr. Clapp circulated site photos of the proposed area of work. Mr. Smith intends to install a new 120qdrainage pipe behind the fire station, connecting to the existing catch basin in the DunkingqDonuts parking lot. He intends to construct a detention basin with a headwall.
- Mr. Bajdek expressed concerns about the detention basin. The sketch plan shows no details on the design, and it is close to the 50qNo Disturbance Buffer. Mr. Clapp suggested a possible condition for submittal of specifications prior to the commencement of work.
- Mr. Lively expressed concerns about the functionality of this drainage pipe. He is unsure if the drainage issue is due to groundwater or runoff. Mr. Clapp is unsure, but believes the structure will improve drainage, even if it does not completely resolve the issue.

- The Commission was uncomfortable issuing a determination on this project. Prior to the next meeting, concerns to be addressed are: property boundary locations/permissions, detention basin specifications, and location of buffer zones surrounding the property lines.

Dr. Rutberg made a motion to continue the public meeting for D-656: 310R Washington Street, until the next meeting on 10/1/19. 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 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.

%Habitat Evaluation, Constitution Village, Holliston, MA DEP File #185-0849+dated 8/27/19

- Mr. MacKinnon requested a continuance to the next meeting on 10/1/19.

Mr. Lively made a motion to continue the Public Hearing for DEP File #185-849: Old Cart Path, Paul Revere Lane, Minuteman Circle, Hiawatha Trail, Governor Prence Way until the next meeting on 10/1/19. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).

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

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