

APPROVED Meeting Minutes

Town Hall- Room #014

February 4, 2020

7:30 PM

Present: Christopher Bajdek, Chair, Rebecca Weissman, Vice Chair, Jennifer Buttarro, Shaw Lively (*left 10:05*), Utah Nickel, Ann Marie Pilch, Allen Rutberg (*left 8:55*), Commissioners

Ryan Clapp, Conservation Agent (*Arrived 8:00*)

Absent: Sean Fay, Associate Commissioner

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

General Business

Mr. Clapp was delayed at the Finance Committee meeting and so was not present for the start of the meeting.

Public Comment

- No comment

Review/Approve Minutes of 1/7/20 & 1/21/20

Mr. Lively made a motion to approve the minutes of 1/7/20. Mr. Rutberg seconded the motion. Vote passes (5-0-2) with Mr. Bajdek and Ms. Buttarro abstaining.

Ms. Pilch made a motion to approve the minutes of 1/21/20. Mr. Rutberg seconded the motion. Vote passes (6-0-1) with Ms. Buttarro abstaining.

Stoddard Park Beach and Erosion Project – Holliston Parks & Recreation

Documents: Plan of Land entitled "Drainage Improvements, 880 Stoddard Park Drive, Holliston, Massachusetts," dated 1/15/2020

- Mr. Lively stepped out of his role as a Commissioner to present the Stoddard Park Beach and Erosion Project on behalf of the Parks & Recreation Department. Mr. Eric Dickinson of *CIVILized Solutions* also was in attendance and presented on behalf of Parks & Recreation.
- The proposed project includes the replacement of existing beach sand at Stoddard Park with new clean sand and drainage improvements to stop surface water from washing sand off the beach into Lake Winthrop.
- Mr. Lively presented a Plan of the proposed drainage improvements that was prepared by *CIVILized Solutions*. The drainage improvements include a small berm and a shallow swale that will divert surface water originating from the grassed areas of Stoddard Park (east of the beach) to the north and south ends of the beach. After the drainage improvements are installed, washed sand will be installed on the beach.

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Drafted for the Commission by: Ryan Clapp & Christopher Bajdek

Approved by the Commission: 2-18-20

- The Commission asked questions about vegetation/plantings for the berm/swale.
- The Commission advised Parks & Recreation to complete a Request for Determination of Applicability and submit it to the office.

Article XXX Regulations Working Session: Part 2

- Having reviewed the Article XXX Regulations personally, each member of the Commission presented their questions, concerns, and needs for clarification in the draft document.
- The Commission continued their review of Part 2 in a round-table discussion.
- Mr. Clapp will contact Mr. Katuska, their consultant, with additional concerns and schedule a time for Mr. Katuska to attend a future meeting.

Review Correspondence / Other

- A notice from Eversource was circulated notifying in regards to planned vegetation maintenance on the electric transmission rights-of-way that may encroach into the Commission's jurisdiction.
- The latest issue of *The Wren* was circulated.

Public Hearings/Public Meetings

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

"Vernal Pool Habitat Impact Evaluation" dated 10/9/19.

Plans entitled "NOI Subdivision Modification Grading & Drainage Plan Constitution Village in Holliston, Mass." Dated 11/15/18 (rev. 11-12-19).

Riverfront Performance Standards Analysis prepared by Dan Wells, Goddard Consulting, LLC, dated 11/26/19.

Plan of Land Entitled "Subdivision Modification Erosion Control Plan Constitution Village in Holliston, Mass," dated 11/18/18 (rev. 11/25/19)

Plan of Land Entitled "Subdivision Modification Index Sheet Constitution Village in Holliston, Mass." Dated 11/18/18 (rev. 11/25/19)

- Mr. Clapp reported that Mr. MacKinnon requested an additional continuance to the meeting on 2/18/2020.

Ms. Pilch 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 2/18/2020. Dr. Rutberg seconded the motion. Vote passes unanimously (7-0-0).

Notice of Intent for DEP #185-XXX: #1014 Highland Street (Assessors Map 8E-1-8) for proposed single family house – *Michael Brumber*, representing *Allen Stone*

Documents: WPA Form 3; Plan entitled “Septic System Construction, 1014 Highland Street, Holliston,” dated 12/9/15 (rev. 9/19/18)

- Mr. Clapp reported that Mr. Brumber requested a continuance to the meeting on 2/18/2020.

Dr. Rutberg made a motion to continue the Public Hearing for DEP #185-XXX: #1014 Highland Street to the next meeting on 2/18/2020. Mr. Nickel seconded the motion. Vote passes unanimously (7-0-0).

Request for Determination of Applicability for #D-660: #69 Wingate Road (Assessors Map 11-8-281) for proposed replacement septic system – *CIVILized Solutions*, representing *John Beck & Tracy Alexander*

Documents: WPA Form 1; Plan entitled “Septic System Construction, 69 Wingate Road, Holliston” dated 1/3/2020

- Mr. Eric Dickenson, representative for the applicant, presented the project to the Commission. Due to lot size constraints, the proposed replacement septic system required encroachment into the 100’ buffer zone, but not the 50’ no disturbance buffer zone. Erosion controls are proposed to the side of the system, but not towards the wetland, as there is an existing retaining wall that he believes is sufficient enough to prevent erosion.
- Dr. Rutberg suggested adding erosion controls along the retaining wall. After discussion, it was decided that this would be unnecessary, as the retaining wall is several inches taller than the surrounding area. Mr. Clapp noted that the presumption would be that the wall would be sufficient, but it is the applicant’s responsibility to address erosion issues immediately and install silt fences or wattles if necessary.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-660: #69 Wingate Road, with conditions as stated. Ms. Buttaro seconded the motion vote passes unanimously (7-0-0).

Request for Determination of Applicability for #D-661: #368 Hanlon Road (Assessors Map 7-2-8) for proposed replacement septic system – *CIVILized Solutions*, representing *Andrew Kurzontkowski*

Documents: WPA Form 1; Plan entitled “Septic System Construction, 368 Hanlon Road, dated 1/8/2020

- Mr. Dickenson, representative, waived the reading of the legal notice.
- Mr. Dickenson presented the project to the Commission. This was a refiling of a replacement septic system. The previous system had been approved, but the new homeowner did not want a septic pump. He noted that the new system was closer to the 50’ no disturbance buffer zone than the previous, but still did not encroach on the buffer.

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- Mr. Bajdek noted that while the new plan was closer to the 50' no disturbance buffer zone, overall there was less grading than the previous plan, making this a lower-impact project. He noted that he preferred this plan to the previous. Dr. Rutberg agreed with Mr. Bajdek's assessment.
- Mr. Dickenson inquired about erosion controls required on the project. Mr. Clapp noted that the project plan shows specifications, and since they are on the plan of record that is what is required. Ms. Weissman suggested going forward, Mr. Dickenson avoid such specifications and install what is deemed appropriate, subject to the standard inspection prior to the start of work.
- Mr. Clapp noted that a site visit disclosed that there were various materials and debris dumped near the property line, very close to the wetlands. These materials included rusted metal scraps, roofing materials, and various containers and buckets. Mr. Clapp has spoken to Mr. Kurzontkowski about the issue, and Mr. Kurzontkowski is willing to comply with site cleanup required by the Commission. Mr. Clapp inquired if the Commission would prefer adding it as a condition to the Determination or proceed with a violation notice. The Commission decided adding a condition would be appropriate enough.

Ms. Pilch made a motion to issue a Negative #3 Determination with conditions as discussed. Dr. Rutberg seconded the motion. Vote passes unanimously (7-0-0).

Notice of Intent for DEP #185-XXX: "0" Marshall Street (Assessors Map 7-3-19.2) for proposed site remediation and solar field – *Weston & Sampson*, representing *Marshall Street Solar, LLC*

Documents: WPA Form 3; Stormwater Report dated 12/18/19; Plan Set entitled "Marshall Street Solar Project," dated 12/19/19; Letter from Weston & Sampson dated 1/7/2020

- Ms. Weissman recused herself citing a conflict of interest.
- Mr. Clapp reported that the applicant had requested a continuance until the next meeting on 2/18/20.
- The Commission reviewed the site visit that occurred on 2/1/20, as they were now in open session and could discuss. They requested Mr. Clapp relay concerns and questions to the applicant.
- Dr. Rutberg and Ms. Pilch expressed concerns about the two potential vernal pools on site. The applicant will need a habitat evaluation in order to try to waive the 100' no disturbance buffer.
- Mr. Bajdek noted that the open water onsite has expanded greatly since 1995 based on aerial imagery. Mr. Clapp noted that this was likely due to beaver activity, as mentioned by the applicant during the site visit on 2/1/20.
- Dr. Rutberg wanted to ensure property lines are maintained, as they are not clearly marked. Mr. Clapp noted that the abutters have a vested interest in this project and are likely to be vigilant.
- Mr. Clapp will request a list of all attendees on 2/1/20 to ensure Ms. Buttaro has no conflicts of interest.

Ms. Pilch made a motion to continue the public hearing for DEP #185-XXX: "0" Marshall Street to the next meeting on 2/18/2020. Dr. Rutberg seconded the motion. Vote passes unanimously (6-0-0).

- Ms. Weissman returned to the meeting

Ms. Pilch made a motion to adjourn at 10:18 PM. Mr. Nickel seconded the motion. Vote passes unanimously (5-0-0).

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