

APPROVED Meeting Minutes

Via Remote Participation

August 24, 2021

7:30 PM

Present: Rebecca Weissman, Vice Chair; Utah Nickel, Ann Marie Pilch, Allen Rutberg, Commissioners; Rick Shansky, Alternate Commissioner

Ryan Clapp, Conservation Agent

Absent: Christopher Bajdek, Chair; Jennifer Buttaro, Eilish Corey, Commissioners

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

Ms. Weissman read the following into the record:

Pursuant to the Governor's June 16, 2021 Act relative to extending certain COVID-19 measures adopted during the state of emergency suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, the Holliston Conservation Commission will be using remote participation for this meeting. The audio of this meeting is being recorded and will be posted to the Town's webpage within 24 hours in accordance with keeping the public informed of actions during this meeting. I would ask that all participants remotely attending this meeting please state your name for identification purposes each time you speak throughout the meeting.

At this time, a roll call attendance vote will be taken.

Mr. Bajdek:	Absent
Ms. Weissman:	Present
Ms. Buttaro:	Absent
Ms. Corey:	Absent
Mr. Nickel:	Present
Ms. Pilch:	Present
Dr. Rutberg:	Present
Mr. Shansky:	Present

General Business

Review/Approve Minutes of 8/10/2021

Ms. Pilch made a motion to approve the minutes of 8/10/2021. Mr. Nickel seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Vote to Authorize Rebecca Weissman to sign all documents issued by the Conservation Commission on 8/24/2021

Mr. Nickel made a motion to authorize Rebecca Weissman to sign all documents issued by the Conservation Commission on 8/24/2021. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Enforcement Discussion: #137 Concord Street

- Neither the owner nor a representative were present.
- Mr. Clapp noted that this enforcement issue has been long outstanding. He has attempted to get in contact with the property owners to no success to re-access the site. No restoration plan, as required by the Enforcement Order, has yet been received. Mr. Clapp recommends the Commission consider issuing fines to the property owners.
- The Commission decided to have Mr. Clapp issue a notice to the property owners that if a restoration plan has not been received by 9/7/2021 and if the property owners are not present at the meeting on 9/21/2021 that the Commission will begin issuing fines.

Dr. Rutberg made a motion to begin issuing fines to #137 Concord Street, beginning on 9/8/2021 if a restoration plan has not been received and beginning on 9/22/2021 if the property owners of #137 Concord Street are not present. Ms. Pilch seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Request for a Certificate of Compliance: DEP #185-808: #16 Fruit Street

- The applicant requested this item be tabled until the meeting on 9/21/2021.

Request for a Certificate of Compliance: DEP #185-731: #90-100 Central Street

- The applicant requested this item be tabled until the meeting on 9/21/2021.

Request for a Certificate of Compliance: DEP #185-657: #144 Fairview Street

- Mr. Clapp reported that this request was in regards to an Order of Conditions issued for the building of a single family house. At the time of construction completion, a Partial Certificate of Compliance was issued pending grass growth. The grass and lawn have since grown in and stabilized the area.

Ms. Pilch made a motion to issue a Certificate of Compliance for DEP #185-657: #144 Fairview Street. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Discussion: NSTAR Parcel Trail Use Issues

- Mr. Clapp provided background on the issue to the Commission. During the annual Conservation Restriction monitoring visit from the Trustees of Reservations, Mr. Tom Dodd had noted several issues, including new trails, excavation and buildup of banked curves, and relocation of stone walls.
- Ms. Pilch noted that Mr. Dodd recommended closing certain trails on this parcel, to which the Commission agreed this would be a start to address the issues. Mr. Shansky recommends additional signage in the area as well. Mr. Clapp recommends the use of caution tape and laminated signs as a visual barrier, as well as brush cover to prevent people from using the trail, allowing the new trails to be revegetated over time.
- Ms. Pilch noted she had spoken to Ms. Elissa Landry at MassAudubon for guidance on restoration of the disturbed areas. Ms. Landry suggested filling in the excavated areas and using nearby leaf litter from the forest floor to cover the area.
- Mr. Clapp will contact the local Boy Scouts for assistance with these issues. The Commission believes these remediation measures must be done with supervision.

Discussion: Fairbanks Property Trail Use Issues

- Mr. Clapp noted that he, Ms. Pilch, Mr. Dodd and Ms. Sasha Auer had met regarding the annual Conservation Restriction monitoring visit at the Fairbanks Property.
- Ms. Pilch noted that Ms. Auer had three issues: old abutter dumping beyond the property line, a required forest management plan, and knotweed at the beginning of the trail. Ms. Auer recommends sending letters to abutters reminding them of the terms of the Conservation Restriction. She also has provided a draft management plan, which Ms. Pilch is willing to work on. Ms. Pilch also noted that she had been speaking with Ms. Kristin O'Brien about the invasive species. She believes that the knotweed can be manually controlled, but will be labor intensive.
- Ms. Pilch also noted that because many trails are created by mountain bikers, the Commission may want to apply for a Mass Trails grant for a trail inventory. The Commission was

supportive of this application, with Ms. Weissman offering to research which companies may be willing to help the Commission.

Review Correspondence/ Other

- Mr. Clapp reported that he has received a proposal for the Baseline Documentation Report for the Community Farm on Rogers Street.
- Mr. Clapp reported that the culvert on Turner Road near Indian Ridge Road has collapsed, and the Department of Public Works will be looking into replacing it.

Public Hearings/Public Meetings

Request for Determination of Applicability for #D-705: #9 Green Street (Assessors Map 8E-3-6) for proposed building demolition – *Pare Corporation*, representing *Town of Holliston*

Documents: WPA Form 1; Plan of Land entitled “Town of Holliston, 9 Green Street, Holliston, Massachusetts” dated 2/19/2021

- Mr. Clapp read the legal advertisement into the record.
- Mr. Al Hanscom, Pare Corporation, gave an overview of the project to the Commission. The applicant proposes a two phase project, of which this would be the first phase. There is an existing building located at 9 Green Street proposed for demolition. Phase 2, which is not part of this application, would be to redevelop the area and will require the filing of a Notice of Intent. Mr. Hanscom noted there is an intermittent stream on the northern side of the property, and they will need to trench 25’ from the wetlands for the erosion control barriers. He also noted that there will be staging and stockpiling required within the 100’ buffer zone.
- Ms. Weissman inquired as to how long building material would be stockpiled. Mr. Hanscom noted that asbestos issues will be abated prior to demolition, as the building had a hazmat survey which separated hazmat from other materials, such as wood and other building debris.
- Mr. Hanscom suggested a stone berm atop the bank of the intermittent stream as a preemptive measure to avoid untreated runoff entering the stream. The Commission agreed and will condition the requirement of the berm being shown on a plan.
- Ms. Weissman noted that with the amount of invasives onsite, leaving the area disturbed in the event that funding for redevelopment is not secured is concerning. The Commission recommends that if funding is not secured, a restoration plan be developed for the site.

Ms. Pilch made a motion to issue a Negative #3 Determination for #D-705: #9 Green Street subject to receipt of a plan showing the stone berm. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Notice of Intent for DEP #185-903: #10 Laurel Glen Court (Assessors Map 11-8-347.2) for proposed single family house – *GLM Engineering*, representing *Minglewood Development*

Documents: WPA Form 3; Plan of Land entitled “Proposed Sewage Disposal System, Lot 2 Laurel Glen (Brooksmont Meadow), Holliston, MA, dated 10/28/2016 (rev. 8/20/2021)

Notice of Intent for DEP #185-904: #6 Laurel Glen Court (Assessors Map 11-8-347.1) for proposed single family house – *GLM Engineering*, representing *Minglewood Development*

Documents: WPA Form 3; Plan of Land entitled “Proposed Sewage Disposal System, Lot 1 Laurel Glen (Brooksmont Meadow), Holliston, MA dated 5/11/2021

- These two hearings were held simultaneously.
- Mr. Clapp read the legal advertisements for both hearings into the record.
- Ms. Joyce Hastings noted that these two Notices of Intent were refilings for Orders of Conditions that had lapsed. There were originally three permitted houses, and of these three, only one has yet been built. The developer was looking to start on the final two houses, but the Orders had expired. There are no changes proposed with this filing compared to the original filings.
- Ms. Hastings noted that DEP is requiring that the original Orders be issued a Certificate of Compliance before new Orders are issued. However, this requirement was imposed earlier today and as such, Requests for Certificates of Compliance could not be put on this evening’s agenda. Ms. Hastings noted that the Certificates would not note that the project is completed, but would address the administrative issue of several open Orders of Conditions on the same property.
- Ms. Hastings noted that for the subdivision as a whole, there was an Invasive Species Management Plan. The developer has hired a new contractor who will begin work later in September for this work.
- Mr. James Lane, an abutter, expressed concerns with the project. He does not believe that abutters were properly notified and is concerned about security and utility installation that has damaged his property.
- Mr. Clapp reviewed the abutter notifications and found them compliant with the requirements of the Wetlands Protection Act and Holliston Wetlands Protection Bylaw.
- Ms. Weissman noted that security concerns and utility issues are outside the scope of the Commission’s jurisdiction.

Ms. Pilch made a motion to continue the public hearing for DEP #185-903: #10 Laurel Glen Court until the next meeting on 9/21/2021. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Ms. Pilch made a motion to continue the public hearing for DEP #185-904: #6Laurel Glen Court until the next meeting on 9/21/2021. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

Ms. Pilch made a motion to adjourn at 9:43 PM. Dr. Rutberg seconded the motion. A roll call vote was taken.

Ms. Weissman:	Aye
Mr. Nickel:	Aye
Ms. Pilch:	Aye
Dr. Rutberg:	Aye
Mr. Shansky:	Aye

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