

**APPROVED Meeting Minutes**

Via Remote Participation

December 14, 2021

7:30 PM

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

Ryan Clapp, Conservation Agent

Absent: Jennifer Buttaro, Commissioner

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

**C. Bajdek 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.

C. Bajdek:	Present
R. Weissman:	Present
J. Buttaro:	Absent
E. Corey:	Present
U. Nickel:	Present
A. Pilch:	Present
A. Rutberg:	Present
R. Shansky:	Present

**General Business**

**Review/Approve Minutes of 11/16/2021 & 11/30/2021**

- R. Shansky and C. Bajdek offered typo corrections on the minutes of 11/16/2021.

**A. Pilch made a motion to approve the minutes of 11/16/2021 as corrected. A Rutberg seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye

A. Pilch: Aye  
A. Rutberg: Aye  
R. Shansky: Aye

- Mr. Clapp has not finished drafting the minutes of 11/30/2021. Item continued until 12/28/2021.

**Vote to authorize Christopher Bajdek to sign all documents issued by the Holliston Conservation Commission on 12/14/2021**

**A. Pilch made a motion to authorize Christopher Bajdek to sign all documents issued by the Holliston Conservation Commission on 12/14/2021. A. Rutberg seconded. A roll call vote was taken.**

C. Bajdek: Aye  
R. Weissman: Aye  
E. Corey: Aye  
U. Nickel: Aye  
A. Pilch: Aye  
A. Rutberg: Aye  
R. Shansky: Aye

**Discussion: Lake Winthrop Initiatives – Shaw Lively**

- S. Lively, Chair of the Parks Commission, gave an overview of issues facing the Parks Department. The summer of 2021 was difficult, as there were many beach closures on the lake due to high bacteria counts as a result of goose activity. He also noted that the swimming areas were shrinking due to the prevalence of invasive milfoil, posing a safety hazard. He has found a vendor who can use a harvester to clear vegetation a couple of feet down, with no disturbance to the lakebed, and inquired the Commission's opinion on this.
- R. Clapp noted that the two options available would be a Notice of Intent or a Request for Determination of Applicability. If the proposal is to make the argument that the project would be nonjurisdictional as it does not disturb the lakebed, an RDA may be appropriate.
- R. Weissman noted that lake management activities typically require NOIs, but they also usually involve chemical treatments, which is not proposed, potentially changing permitting requirements.
- S. Lively will report back to the Parks Commission with the Commission's input and develop a plan moving forward.

**Enforcement Order: DEP #185-849: Pout Lane/Constitution Village**

- R. Clapp reviewed the terms of the Enforcement Order, including documents required to be submitted and action items, including a downstream impact evaluation.
- Mark Arnold, Goddard Consulting, gave an overview of the downstream evaluation. His evaluation occurred on 12/7/21 and confirmed the sediment source was the paving of Old Cart Path. This has since been loamed and seeded, and installed with an erosion control blanket. He noted that the inlet pipe to Basin C had sediment buildup and needed to be cleared, and the outlet had significant erosion control to prevent contaminated runoff from reaching the

wetlands. He noted in the buffer zone, there was a thin film of silt and sediment, but not an entire layer of deposition. He noted this is the purpose of the buffer zone, as it protected the wetlands from significant sedimentation. This thin film of sediment is a temporary impact, and therefore does not recommend remediation or raking out of sediment. He presented several action items, including the remediation of the basin, clearing out of trapped sediment, and stabilizing slopes.

- R. Weissman noted that the remediation efforts should be supervised. W. Pereira noted the plan is to have M. Arnold onsite at all times during remediation. M. Arnold will revise the plan to include his supervision.
- C. Bajdek noted an inconsistency with the cleaning of riprap vs. the replacement of it. M. Arnold will revise to be consistent with replacement.
- R. Clapp reviewed the construction schedule presented by M. Arnold, noting dates need revisions. W. Pereira would like to begin as soon as tomorrow morning with all work supervised. M. Arnold will provide R. Clapp with an updated schedule, and will provide weekly updates while onsite, as well as a final update at the end.

**Request for a Certificate of Compliance: DEP #185-863: #113 Mitchell Road**

- R. Clapp reported that this Request was in relation to the construction of an addition and a patio at #113 Mitchell Road. He has inspected the site and found it in compliance with the plans and Order of Conditions.

**R. Weissman made a motion to issue a Certificate of Compliance for DEP #185-863: #113 Mitchell Road. A. Rutberg seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
R. Shansky:	Aye

**Request for a Certificate of Compliance: DEP #185-846: #667 Highland Street**

- R. Clapp reported that this Request was in relation to the construction of a driveway and site work at Lot A Highland Street, adjacent to #667. Work never commenced on this project and the applicant is looking to clear the Order of Conditions.

**A. Pilch made a motion to issue a Certificate of Compliance for DEP #185-846: #667 Highland Street. R. Weissman seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye

A. Pilch:	Aye
A. Rutberg:	Aye
R. Shansky:	Aye

#### **Tree Removal Request: #85 Karen Circle**

- R. Clapp reported that this request was for the removal of three trees approximately 50' from the edge of wetlands. They are dead and damaged near the base of the trunk and within striking distance to the house. The homeowner plans to revegetate with highbush blueberries.
- The Commission approved this tree removal.

#### **Tree Removal Request: #306 Washington Street**

- R. Clapp reported that this request was for the removal of six trees approximately 50' from the edge of wetlands. They are dead due to Emerald Ash Borer infestation, and one has already fallen on a neighbor's car and shed. The applicant will either chip onsite or have the trees hauled away.
- The Commission approved this tree removal.

#### **Review Correspondence**

- R. Clapp presented an invoice to the Commission from Lucas Environmental for \$1,800 for work at 34 Rogers Street related to the Baseline Documentation Report.

**A. Pilch made a motion to authorize Ryan Clapp to sign the invoice from Lucas Environmental for \$1,800. A. Rutberg seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
R. Shansky:	Aye

- R. Clapp reported that he had received the final draft of the Article XXXI Regulations. These will be discussed at an upcoming meeting.
- A. Pilch reported that she and R. Clapp had received correspondence that DCR will be marking the boundaries of the Conservation Restriction for the Fairbanks Property in the next few months.
- The Commission scheduled a site walk on the NSTAR Property for December 18 at 1 PM.

#### **Public Hearings/Public Meetings**

**Notice of Intent for DEP #185-909: #599 Concord Street (Assessors Map 14-4-6) for proposed addition and detached garage – GLM Engineering, representing Tony Cruz, Cruz Solutions, Inc.**

**Conservation Commission Minutes 12-14-21**

**Drafted for the Commission by: Ryan Clapp**

**Approved by the Commission: 1-11-21**

**Documents:** WPA Form 3; Plan of Land entitled "Proposed Addition Plan, 599 Concord Street, Holliston, Massachusetts" dated 10/12/2021

- R. Clapp noted that the applicant had requested that this hearing be continued until 12/28/2021.

**A. Pilch made a motion to continue the public hearing for DEP #185-909: #599 Concord Street until the next meeting on 12/28/2021. A. Rutberg seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
R. Shansky:	Aye

**A. Pilch made a motion to adjourn at 9:10 PM. A. Rutberg seconded the motion. A roll call vote was taken.**

C. Bajdek:	Aye
R. Weissman:	Aye
E. Corey:	Aye
U. Nickel:	Aye
A. Pilch:	Aye
A. Rutberg:	Aye
R. Shansky:	Aye

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