

DRAFT Meeting Minutes

Via Remote Participation

February 22, 2022

7:30 PM

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

Ryan Clapp, Conservation Agent

Absent:

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.

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

General Business

Review/Approve Minutes of 1/11/2022 & 2/8/2022

A. Pilch made a motion to approve the minutes of 1/11/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

C. Bajdek: Aye

- A. Pilch offered minor typographical revisions to the minutes of 2/8/2022.

A. Pilch made a motion to approve the minutes of 2/8/2022 as corrected. A. Rutberg seconded the motion. A roll call vote was taken.

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

Vote to authorize Christopher Bajdek to sign all documents issued by the Holliston Conservation Commission on 2/22/2022

R. Weissman made a motion to authorize Christopher Bajdek to sign all documents issued by the Holliston Conservation Commission on 2/22/2022. U. Nickel seconded the motion. A roll call vote was taken.

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

Issue Order of Conditions: DEP #185-910: #16 Timber Ledge Drive

- R. Clapp presented a draft Order of Conditions to the Commission. Specific conditions included conditions related to pool dewatering.

A. Rutberg made a motion to issue an Order of Conditions for DEP #185-910: #16 Timber Ledge Drive. U. Nickel seconded the motion. A roll call vote was taken.

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

Re-issue Order of Conditions: DEP #185-900: #280 & #150 Marshall Street

- R. Clapp noted that the applicant had misplaced their original Order of Conditions for this project for the proposed solar field on Marshall Street. There is no need to take a vote, as the Order has already been issued, but this agenda item and associated minutes are included for the record.

Review of Conservation Restriction: Triangle Farm (Mill Street)

- R. Clapp had circulated a draft of the Conservation Restriction last week with his edits provided.
- A. Rutberg noted a minor typographical edit.
- The Commission agreed to the Conservation Restriction as to form, and directed R. Clapp to send it to Town Counsel for review as well.

Review Correspondence

- R. Clapp presented an invoice from American Climbers for \$1,800 for removal of a tree on the Daniels Property adjacent to #10 Trailside Court.

R. Weissman made a motion to authorize R. Clapp to pay the invoice from American Climbers in the amount of \$1,800. A. Pilch seconded the motion. A roll call vote was taken.

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

- R. Clapp presented a letter from Angela Conforti, attorney for Fafard. She noted that the Order of Conditions for the construction of Pout Lane affected other lots in the subdivision. One such lot, closing at the end of the month, is Lot 67A Minuteman Circle. This lot has no wetlands, and she is requesting that the Commission sign the letter acknowledging that the Order does not relate to this lot.

A. Rutberg made a motion to authorize R. Clapp to sign the letter acknowledging Lot 67A Minuteman Circle is not related to the Order of Conditions under DEP #185-849. U. Nickel seconded the motion. A roll call vote was taken.

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

- R. Clapp noted that registration for the MACC Spring Conference is still open. Any Commissioners interested in taking any of the webinars offered should coordinate with R. Clapp.
- A. Rutberg noted he walked along the site adjacent to Weston Pond discussed at the last meeting. He does not believe the fencing situation was accurately portrayed, as the existing fencing is not secure enough to keep dogs onsite.
- C. Bajdek inquired regarding the status of the Article XXXI Regulations. R. Clapp will confirm with Town Counsel.
- R. Shansky noted that the Planning Board met last week and closed the hearing on the ADESA project. They Planning Board will tentatively be voting on March 3rd.

Public Hearings/Public Meetings

Request for Determination of Applicability for #D-714: #60 Lake Shore Drive (Assessors Map 5A-1-163) for proposed tree removal – *McIntyre Engineering & Septic Services, Inc.*, representing *Leonardo Rodriques*

Documents: WPA Form 1; Plan of Land entitled Septic System Design Plan, 60 Lake Shore Drive” dated 2/3/2022

- R. Clapp read the legal advertisement into the record.
- D. McIntyre presented the project to the Commission. The applicant has purchased this property, and is proposing an addition and a new septic system. Both of those items are outside the Commission’s jurisdiction, but the applicant is also looking to remove several trees, which are outside the buffer zone but within the 100-year floodplain. The applicant is proposing the removal of 8 trees, plus 2 that have already fallen, and converting the area to lawn. No grade changes are proposed.
- R. Weissman would like to see a write-up on the performance standards under the Wetlands Protection Act. Even though no grade changes are proposed, and therefore no flood storage impacts are proposed, there are other performance standards to meet, including for wildlife habitat. E. Corey agreed, further noting that even shallowly rooted trees provide stabilization during a flood.
- A. Pilch noted lawns are ecologically poor, and expressed concerns on this project.
- R. Shansky requested a write-up on the health of the trees. He inquired if they were already in poor health, or if they were healthy.
- D. McIntyre suggested the Commission do a site walk. R. Clapp will coordinate with the Commission.

A. Pilch made a motion to continue the public meeting for #D-714: #60 Lake Shore Drive. A. Rutberg seconded the motion. A roll call vote was taken.

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

C. Bajdek:

Aye

Notice of Intent for DEP #185-912: “0” Norfolk Street (Lot A) (Assessors Map 8F-9-32.1) for proposed single family dwelling and driveway crossing – *GLM Engineering*, representing *Christine Chabot*

Documents: WPA Form 3; Plan of Land entitled “Proposed Sewage Disposal System, 0 Norfolk Street (Lot A), Holliston, Massachusetts” dated 12/31/21

- R. Clapp read the legal advertisement into the record.
- J. Hastings presented the project to the Commission. The applicant is proposing to build a single family house on the 60 acre property for herself to live in. The driveway access is from Norfolk Street and is proposed to have a wetland crossing, which would result in the removal of one tree. The crossing would result in the fill of 1,630 square feet of wetlands, with replication of 2,020 square feet, and would contain two culverts. The house itself is outside of the 100’ buffer zone, and the septic system is proposed out front. She noted that the septic system is subject to change and will likely be closer to the house, outside the 100’ buffer zone, but groundwater has been so high this year that they were unable to perform soil testing.
- C. Bajdek inquired if the septic design had been reviewed by the Board of Health. R. Clapp noted that Scott Moles is currently reviewing the design. J. Hastings reiterated that there is no intention to build the system as currently proposed.
- A. Rutberg inquired if there was a hydraulic connection between the two sides of the wetlands where the crossing is proposed. J. Hastings noted there was, so she is proposing the two culverts.
- R. Weissman inquired how J. Hastings determined the appropriate size culvert. J. Hastings responded that it was engineered to meet a similar flow volume as currently exists. R. Clapp expressed concerns about a small culvert getting clogged and backing up, and noted there would need to be maintenance conditions in the Order of Conditions.
- E. Corey does not believe that the crossing meets the Massachusetts Stream Crossing Standards, and that a 12” culvert is not suitable for wildlife passage. J. Hastings noted wildlife can go around the culvert, as there are no retaining walls or physical barriers, to which E. Corey noted that is not something considered when reviewing Stream Crossing Standards compliance. R. Weissman further noted that if more than 50’ of bank is to be altered, a habitat evaluation is required, and requested that calculation.
- R. Weissman inquired if there was any alternatives analysis provided. J. Hastings responded that the only other location for a wetland crossing would result in larger wetland impacts. A. Pilch inquired why the house could not be relocated to the front, near where the septic system is proposed. J. Hastings responded that this is where the market and growing fields are located, and is less private. Additionally, the parcel is being divided so property lines were a factor.
- C. Bajdek inquired why the driveway was proposed in the 50’ No Disturbance Zone, as opposed to extending further and therefore being outside that area. J. Hastings noted there is an existing farm road they are proposing to use, as opposed to constructing a completely new driveway, in order to minimize impacts. A. Pilch inquired what the driveway would be composed of, to which J. Hastings responded it would be gravel.
- E. Corey noted that the sewer service line would likely need significant clearing as it is proposed near the wetlands for maintenance access. J. Hastings noted it would be installed and trenched with a machine, and is currently only sparsely vegetated. She noted the pipe is

very sturdy and would only break due to it being actively damaged. E. Corey noted that this is an active farm, so these kinds of accidents may happen.

- J. Hastings noted that DEP had requested she show that the project is outside of the NHESP area. She has revised the plans, showing that area is far in the rear of the property, away from the limit of work.
- Michael and Kathleen Sullivan expressed concerns about the impact on wildlife, and suggested there be some kind of evaluation for the crossing. R. Weissman noted there are performance standards for wildlife and buffer zones, and the wetland replication area is intended to address those standards.
- Joseph Mozdiez noted the rear of the property was surveyed, and inquired if work was to be performed there. J. Hastings noted there was not, the survey was just to determine property lines. J. Mozdiez also inquired about the squared-off part of the rear of the property, bisecting two conservation areas, and if those areas had been sought by the Commission to acquire. J. Hastings noted this was not a topic for this evening, but could be a good item to discuss in the future.
- Paul Robbins inquired as to where the project was in relation to his property. His property was located, and J. Hastings noted it was far away. He received the notification because all abutters within 100 feet of the 60-acre parcel had to be notified.

A. Rutberg made a motion to continue the public hearing for DEP #185-912: “0” Norfolk Street until 3/8/2022. A. Pilch seconded the motion. A roll call vote was taken.

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

****The following 5 public hearings were held simultaneously****

Notice of Intent for DEP #185-913: Lot 13 Geoffrey Park (Assessors Map 14-3-1) for proposed single family dwelling – *GLM Engineering*, representing *Iqbal Ali, Holliston Ridge, LLC*

Documents: WPA Form 3; Plan of Land entitled “Conservation Permit Plan (Lots 13, 14, 15, 16 & 17) A 40B Comprehensive Permit Project, Geoffrey Park, Holliston, Massachusetts” dated 1/13/22

Notice of Intent for DEP #185-914: Lot 14 Geoffrey Park (Assessors Map 14-3-1) for proposed two family dwelling – *GLM Engineering*, representing *Iqbal Ali, Holliston Ridge, LLC*

Documents: WPA Form 3; Plan of Land entitled “Conservation Permit Plan (Lots 13, 14, 15, 16 & 17) A 40B Comprehensive Permit Project, Geoffrey Park, Holliston, Massachusetts” dated 1/13/22

Notice of Intent for DEP #185-915: Lot 15 Geoffrey Park (Assessors Map 14-3-1) for proposed two family dwelling – *GLM Engineering*, representing *Iqbal Ali, Holliston Ridge, LLC*

Documents: WPA Form 3; Plan of Land entitled “Conservation Permit Plan (Lots 13, 14, 15, 16 & 17) A 40B Comprehensive Permit Project, Geoffrey Park, Holliston, Massachusetts” dated 1/13/22

Notice of Intent for DEP #185-916: Lot 16 Geoffrey Park (Assessors Map 14-3-1) for proposed single family dwelling – *GLM Engineering*, representing *Iqbal Ali, Holliston Ridge, LLC*

Documents: WPA Form 3; Plan of Land entitled “Conservation Permit Plan (Lots 13, 14, 15, 16 & 17) A 40B Comprehensive Permit Project, Geoffrey Park, Holliston, Massachusetts” dated 1/13/22

Notice of Intent for DEP #185-917: Lot 17 Geoffrey Park (Assessors Map 14-3-1) for proposed single family dwelling – *GLM Engineering*, representing *Iqbal Ali, Holliston Ridge, LLC*

Documents: WPA Form 3; Plan of Land entitled “Conservation Permit Plan (Lots 13, 14, 15, 16 & 17) A 40B Comprehensive Permit Project, Geoffrey Park, Holliston, Massachusetts” dated 1/13/22

- R. Clapp read 5 legal advertisements into the record.
- J. Hastings noted that Geoffrey Park is a 40B subdivision that was approved for stormwater, roads, and wetland crossing in 2020 and is now returning for approvals for the individual lots. Each house has the same relative configuration as shown on the concept plans in 2020. She noted that as a 40B project, the Bylaw is not applicable, but she has maintained a 50’ No Disturbance buffer to the best of her ability in developing the plans. Individual septic systems are not proposed on the lots, as there is a shared system outside of the buffer zone.
- C. Bajdek requested there be concrete wetland markers added to the plan. J. Hastings suggested using the erosion control barrier as shown as the limits of where the markers should be placed. C. Bajdek requested using the 50’ No Disturbance Zone as the limit. These are relatively similar positions for the markers, except on Lot 17, where the barrier cuts closer to the wetlands than 50’. J. Hastings will revise the plans with 2 bounds on each lot.
- R. Weissman inquired if the area was proposed as lawn. J. Hastings confirmed, noting that the vegetation cover provided by lawns will aid in site stabilization. R. Clapp suggested using conservation seed mix and perhaps shrubs, but J. Hastings noted that conservation seed mix is not efficient for site stabilization, just for diversity. E. Corey suggested using a detention basin seed mix, which J. Hastings will consider.

A. Pilch made a motion to continue the public hearing for DEP #185-913: Lot 13 Geoffrey Park until 3/8/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

A. Pilch made a motion to continue the public hearing for DEP #185-914: Lot 14 Geoffrey Park until 3/8/2022. U. Nickel seconded the motion. A roll call vote was taken.

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

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

A. Pilch made a motion to continue the public hearing for DEP #185-915: Lot 15 Geoffrey Park until 3/8/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

A. Pilch made a motion to continue the public hearing for DEP #185-916: Lot 16 Geoffrey Park until 3/8/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

A. Pilch made a motion to continue the public hearing for DEP #185-917: Lot 17 Geoffrey Park until 3/8/2022. A. Rutberg seconded the motion. A roll call vote was taken.

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

A. Pilch made a motion to adjourn at 9:42 PM. A. Rutberg seconded the motion. A roll call vote was taken.

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

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