

Holliston Conservation Commission

APPROVED Meeting Minutes
Town Hall . Meeting Room #014

July 8, 2014
7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Jim McGrath, David Schroder (Arrived at 7:40 PM), Rebecca Weissman, Commissioners

Charles Katuska, Conservation Agent
Sheri O'Brien, Conservation Assistant

Absent: Shaw Lively, Commissioner

Allen Rutberg, Chair, opened the meeting at 7:32 PM.

General Business

Request for Certificates of Compliance for DEP File #185-717 & 185-759: 157-165 Lowland Street/Aggregate Industries, NE Region

Remedial action clean-up procedures were completed under these two Orders of Conditions at the property at 157-165 Lowland Street (currently leased by Michael Brumber from Aggregate Industries). During the clean-up under the Order issued for DEP File @185-717, it was found that further clean-up was necessary. Therefore, a second Notice of Intent was submitted and another Order of Conditions was issued under DEP File #185-759 for additional remedial action. A final Remedial Action Measure (RAM) close-out report was submitted to DEP and a copy was given to the Conservation Commission.

Ms. Weissman made a motion to approve the Certificates of Compliance for DEP File #185-717 and #185-759, 157-165 Lowland Street. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Newfound Farm - 1201 Washington Street

Justin Brown, owner of Newfound Farm, attended the meeting to present the draft plan/map for his property. He will review and finalize the plan with Mr. Katuska tomorrow and begin to draft a Request for Determination of Applicability.

Mr. Schroder arrived at 7:40 PM.

148 Winthrop Street – Proposed Pool Discussion

James Proctor attended the meeting to discuss his plans to install a pool in his backyard. He presented an engineering plan showing that the pool will not be in the flood plain. The proposed pool will be about a little over 50' from the wetlands. The 100' buffer zone line goes through the middle of his house. Mr. Proctor asked if the patio around the pool needed to be outside the 50' no-disturb line. The Commission explained that would be preferable, but that an alternative would be to use permeable pavers. Mr. Proctor is

planning on using a salt water pool. The Commission requested that he plan to install a dry well for any back flushing of the pool filter and drainage that may be necessary for the operation and maintenance of his pool.

The Commission agreed that the pool application could be reviewed under a Request for Determination of Applicability.

Violation – DEP File #185-736 – 2016 Washington Street

A Notice of Violation letter was issued to Lawrence Hill, the previous owner of this property, for beginning construction without getting approval from the Conservation Commission and DEP sign was put up for the wrong project (i.e., the SOLECT solar project). However, the property has since been sold to SOLECT Energy. SOLECT has removed the DEP sign and posted the proper DEP number (185-736) for 2016 Washington Street.

Bylaw (Article XXX) Review

Mr. Katuska will finish the Definitions section for the Bylaw and incorporate them into the draft that he received from Nathaniel Stevens on July 3, 2014, so that a complete draft can be reviewed by the Commission.

Public Meetings & Hearings

****New Public Meeting - Request for Determination of Applicability - #D-524:**

60 Dodd Drive (Assessors Map 11, Block 8, Lot 384) . proposed excavation and the installation of a foundation under a section of an existing single-family home, *George & Joan McAdams*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on July 1, 2014.

Mr. and Mrs. McAdams presented plans for their proposed addition to their home. They will need to construct a foundation underneath this addition, which will be under the existing deck and an existing room. There is a small stream/drainage ditch to the west of their house. They will install erosion controls prior to construction. Access will be on the west side of the house inside the erosion controls. All work will be within existing lawn area and no trees will be removed.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-524, 60 Dodd Drive:

Positive #2B Determination: the boundaries of the riverfront area are NOT confirmed as accurate;

Positive #5 Determination: the work is subject to review by the Holliston Conservation Commission pursuant to the Holliston Wetlands Administration ByLaw (Article XXX); and

Negative #3 Determination: the work is within the Buffer Zone, but will not alter an Area subject to protection under the Act, therefore, the work does not require a Notice of Intent.

Conditions:

A) Erosion control barriers, as shown on the record plan, must be installed prior to any work. Conservation Commission office must be notified (508-429-0607) following

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- installation of the erosion control barrier. Erosion controls are to be maintained onsite in functional condition until all areas disturbed are fully restabilized with vegetation (when the new lawn has been mowed two times).
- B) No storage of construction materials or disposal of construction debris beyond the limit of the proposed erosion control barrier is allowed.
 - C) All excess excavation spoils must be removed from the site with no stockpiling on site.
 - D) Access will be from the driveway and stay inside the erosion control barriers along the west side of the house.

Mr. McGrath seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Abbreviated Notice of Resource Area Delineation

(DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” (Assessors Map 4, Block 4, Lot 56.8, Map 4, Block 4, 57.2, and Map 5, Block 3 Lot 31, respectively), verification of the limits of the areas subject to wetlands protection jurisdictions, *Scott Goddard/Goddard Consulting LLC* representing *Steve O’Leary/O’Leary Builders Inc.*

A request was received from Scott Goddard to continue this hearing until July 22, 2014.

Ms. Pilch made motion to continue the hearing for Abbreviated Notice of Resource Area Delineation (DEP File # 185-771): 65 Kim Place, Underwood Street, and Walnut Road – aka “Katie’s Way” to July 22, 2014. Mr. Schroder seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Amendment to Order of Conditions for DEP File #185-677:

1014 Highland Street (Assessors Map 8.E, Block 1, Lot 8) proposal to revise the boundaries of the areas onsite subject to the Massachusetts Wetlands Protection Act and the Holliston Wetland Bylaw (Article XXX) . *Christopher Malcolm, Esq.* representing *Alan Stone*

A request was received from Christopher Malcolm to continue this hearing until August 5, 2014.

Ms. Pilch made a motion to continue the hearing for the Amendment to Order of Conditions for DEP File #185-677: 1014 Highland Street to August 5, 2014. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

General Business Continued

Review Mail

An invoice for \$915.75 was signed for legal counsel regarding Washington Hills.
An invoice for \$519.00 was signed for the annual MACC membership dues.

FY15 Budget

The Commission agreed to pay 25% of the staff's salaries from the Bylaw account. However, it appears that the Finance Committee did not calculate this into the final funding and the staff's salaries were funded 100% by the Omnibus budget. Therefore, the Agent will notify the Finance Committee about this discrepancy and inquire about how they would like to rectify the situation.

Northeast Energy Direct Gas Pipeline (in Massachusetts) Tennessee Gas Pipeline Company

MACC has asked the state's Conservation Commissions if they would be willing to send a letter to the Governor regarding the gas pipeline that will extend across northern Massachusetts and go through several protected open space properties. MACC sent a letter to Governor Patrick with their opinion about the gas pipeline in May 2014.

Ms. Weissman explained that the MACC letter was not quite accurate. The letter states that the project is proceeding without formal public process or input. She permits gas pipelines for a living (but not specifically for this project), so she understands the permitting process. She explained that the Federal Energy Regulatory Commission (FERC) requires that the gas pipeline go through a specific pre-filing process. The applicant invites the public to open houses and FERC invites the public to scoping meetings. There is an open comment period and the applicant is required to respond to every issue that is presented. MACC stated that there have been no public hearings to determine the potential harm to natural resources and to identify alternative routes. Ms. Weissman explained that this is largely due to the fact that it is the very beginning of the process and the public review process has not even started yet. The timeline for the FERC pre-filing process has not been made public at this time. The project also has to go through MEPA (Massachusetts Environmental Policy Act) Office review and there is a chance to comment on their website. This is not a fracking project, but is a gas pipeline transmission project.

Action on the part of the Holliston Conservation Commission does not seem to be warranted at this time, since the pipeline does not go through or near Holliston. Input from MACC as a larger organization is more important.

Vote on Meeting Minutes from 11/5/13, 5/13/14, 6/10/14 & 6/24/14

The vote on the November 5, 2013 meeting minutes was postponed to give the Commissioners more time to review them

Ms. Pilch made a motion to approve the meeting minutes from May 13, 2014. Mr. McGrath seconded the motion. Ms. Weissman and Mr. Schroder abstained. The motion passed. (4-0-2)

Ms. Pilch made a motion to approve the meeting minutes from June 10, 2014. Mr. McGrath seconded the motion. Ms. Weissman and Mr. Schroder abstained. The motion passed. (4-0-2)

Ms. Pilch made a motion to approve the meeting minutes from June 24, 2014. Mr. McGrath seconded the motion. Ms. Weissman and Mr. Schroder abstained. The motion passed. (4-0-2)

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Project Updates: Lake Winthrop –

Ms. Hedrick, Director of the Parks Department, doesn't believe that benthic barriers are necessary for the beaches, because raking the beach underneath the water seems to be doing a good job of keeping the weeds at bay. Since the mussel survey was going to be performed at the beaches in preparation for laying down the benthic barriers, the Agent is not pursuing a contract for the mussel survey at this time.

Open Space Property at Summit Pointe (between Highland Street and Meadowbrook Lane along the Ashland/Holliston town line)

Ms. Pilch let the Commission know that a Purchase & Sales has been signed with Northeastern for the open space property associated with Summit Pointe.

At 8:52 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. Schroder seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be on Tuesday, July 22, 2014.