

Holliston Conservation Commission

APPROVED Meeting Minutes

20244/3/2024

Via Remote Participation

January 2,

7:30 PM

Present: Ann Marie Pilch, Chair; Eilish Corey, Vice Chair; Eilish Corey, Utah Nickel, Allen Rutberg, Nicole Smith, Commissioners
Ryan Clapp, Conservation Agent

Absent: Matthew Clark, Sneha Narayanan, Commissioners.

Ann Marie Pilch, Chair, opened the meeting at 7:30 PM.

A. Pilch read the following into the record:

Pursuant to the Governor's July 16, 2022 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 as soon as possible 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.

M. Clark:	Absent
E. Corey:	Present
U. Nickel:	Present
N. Smith:	Present
S. Narayanan:	Absent
A. Rutberg:	Present
A. Pilch:	Present

General Business

Review/Approve Minutes of 8/22/2023, 9/5/2023, 10/3/2023, 11/14/2023, 11/28/2023, 12/14/2023

- **A. Rutberg made a motion to approve the minutes of 11/28/2023. E. Corey seconded the motion. A roll call vote was taken.**

E. Corey:	Aye
U. Nickel:	Abstain
N. Smith:	Aye

A. Rutberg: **Aye**

A. Pilch: **Aye**

- The minutes of 8/22/2023, 9/5/2023, 10/3/2023, 11/14/2023, and 12/14/2023 were tabled until the next meeting on 1/16/2023.

Enforcement Order: #369 Concord Street

- R. Clapp provided background on this Enforcement Order, noting that the Order of Conditions stemmed from unauthorized tree removal in 2021. The property owner is required to replant the area and has been authorized to install horse paddocks. Said paddocks are installed, but no replanting work has been done. Furthermore, horse manure has been improperly stored, and the Order of Conditions has not been recorded at the Registry of Deeds.
- Rayane Lima, property owner, indicated that she had sent the check to Goddard Consulting for the filing of the Order of Conditions. R. Clapp checked the Registry of Deeds, and saw that the Order had been recorded today. She also noted that she has engaged a landscape consultant who has recommended replanting begin in September. The dumpsters containing horse manure have been entirely removed from the property, and so have the horses.
- A. Pilch recommended that replanting begin prior to September 2024, so that the project can be phased and not a large responsibility all at once.
- R. Lima indicated that she will be meeting with the landscaper in the next few weeks to review strategy and scope of work. R. Clapp requested that she contact him once she has discussed with the landscaper.

Request for Certificate of Compliance: DEP #185-880: Lot 83E Pout Lane

- R. Clapp reported that he and J. Federico performed a site visit a week ago. Previously, the only outstanding item was grass growth, which has since been stabilized. He noted that a patio and fence have been installed, but as the fence does not impede wildlife movement and the patio was conversion from existing lawn, these are exempt activities.
- **E. Corey made a motion to issue a Certificate of Compliance for DEP #185-880: Lot 83E Pout Lane. A. Rutberg seconded the motion. A roll call vote was taken.**

E. Corey: **Aye**

U. Nickel: **Aye**

N. Smith: **Aye**

A. Rutberg: **Aye**

A. Pilch: **Aye**

Request for Certificate of Compliance: DEP #185-881: Lot 31B Old Cart Path

- R. Clapp reported that previously, this site was waiting for final lawn stabilization. The grass has grown in, and he recommends the issuance of a Certificate of Compliance.
- **A. Rutberg made a motion to issue a Certificate of Compliance for DEP #185-881: Lot 31B Old Cart Path. U. Nickel seconded the motion. A roll call vote was taken.**

E. Corey: **Aye**

U. Nickel: **Aye**

N. Smith: Aye
A. Rutberg: Aye
A. Pilch: Aye

Request for Certificate of Compliance: DEP #185-883: Lot 32B Old Cart Path

- R. Clapp reported that the stairs off the deck had rotated 90°, resulting in a structure closer to the wetlands. However, the limit of work remained the same, and he recommended the issuance of a Certificate of Compliance.
- **A. Rutberg made a motion to issue a Certificate of Compliance for DEP #185-881: Lot 32B Old Cart Path. U. Nickel seconded the motion. A roll call vote was taken.**
E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
A. Rutberg: Aye
A. Pilch: Aye

Request for Partial Certificate of Compliance: DEP #185-895: #84 Chamberlain Street

- R. Clapp reported that this request was for only one of the three lots associated with this Order of Conditions. He has inspected the site, and noted that a cabana proposed for removal still exists on the back of the property within the buffer zone, and that the wetland placards have been installed on wooden posts. He noted that the cabana is low-impact, and recommends attaching a memorandum to the Certificate of Compliance that the cabana not be rebuilt once it reaches the end of its usable life, nor shall any trees be removed to protect the cabana. This memorandum will be included in closing documents so the homeowner is aware of this restriction.
- C. Nation, developer, noted that the plans allowed for the placards to be installed on wooden posts. The Commission agreed with this assessment.
- **E. Corey made a motion to issue a Partial Certificate of Compliance for DEP #185-895: # 84 Chamberlain Street. U. Nickel seconded the motion. A roll call vote was taken.**
E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
A. Rutberg: Aye
A. Pilch: Aye

Review Correspondence

- R. Clapp reported that there are new regulations proposed for the Wetlands Protection Act. There will be upcoming information sessions and public hearings.

- R. Clapp reported that he had received an email from a hiker about a cut tree on the Fairbanks Conservation Land. He will reach out him for additional information
- R. Clapp noted that #600 Central Street needs a new original for a signature sheet which will be available tomorrow for Commissioners signatures.
- R. Clapp described issues at Scooby's Trucks at 1569 Washington Street. He and A. Pilch visited the site and noted that work had been done within the buffer zone, including the construction of a berm and expansion of a parking area. He recommends issuing a violation notice, requiring that an after-the-fact permit application be filed for the berm and that a restoration plan be submitted within 30 days for the expanded parking area. The Commission agreed with this approach.
- U. Nickel suggested certified mail welcome packet any time a property is sold near wetlands. E. Corey will produce a list and map of all properties currently near wetlands and U. Nickel and N. Smith will see if there is a way to cross reference this to recently sold properties.

Public Hearings/Public Meetings

CONTINUED Public Meeting – Request for Determination of Applicability for #D-745: #157-165 Lowland Street (Assessors Map 9-3-16.1) for proposed grading and removal of concrete debris – *Connorstone Engineering*, representing *Enrique Oliveira, Master Paving Corp. & Middlesex Asphalt Services, Inc.*

Documents: WPA Form 1; Plan of Land entitled “Proposed Materials Removal (RCC Clean-Up) Plan for 157-165 Lowland Street, dated 8/28/2023

- R. Clapp reported that the applicant has requested a continuance until the next meeting on 1/16/2024.
- **U. Nickel made a motion to continue the public hearing for #D-745: #157-165 Lowland Street until the next meeting on 1/16/2024. A. Rutberg seconded the motion. A roll call vote was taken.**

E. Corey: Aye

U. Nickel: Aye

N. Smith: Aye

A. Rutberg: Aye

A. Pilch: Aye

CONTINUED Public Hearing – Notice of Intent for DEP #185-XXX: #157-165 Lowland Street (Assessors Map 9-3-16.1) for proposed removal of existing structure, construction of a new building, including parking aprons, septic system, and stormwater management, and alteration of noise berm – *Connorstone Engineering*, representing *Enrique Oliveira, Master Paving Corp. & Middlesex Asphalt Services, Inc.*

Documents: WPA Form 3; Plan Set entitled “Proposed Site Plan of 157-165 Lowland Street in Holliston, MA”, revision date 11/23/2022; Stormwater Report, 157-165 Lowland Street, Holliston, MA, dated 10/14/2022

- R. Clapp reported that the applicant has requested a continuance until the next meeting on 1/16/2024.
- **U. Nickel made a motion to continue the public hearing for DEP #185-XXX: #157-165 Lowland Street (Assessors Map 9-3-16.1) until the next meeting on 12/16/2024. A. Rutberg seconded the motion. A roll call vote was taken.**
 - E. Corey:** Aye
 - U. Nickel:** Aye
 - N. Smith:** Aye
 - A. Rutberg:** Aye
 - A. Pilch:** Aye

CONTINUED Public Hearing – Notice of Intent for DEP #185-955: off Bonney Drive (Assessors Map 7-4-55.D) for proposed construction of a stormwater drainage system associated with a roadway for a 3-lot residential subdivision – *GLM Engineering*, representing *Thomas Murch, Murch Prentice Realty Trust*

Documents: WPA Form 3; Plan Set entitled “Definitive Open Space Subdivision, ‘Bonney Drive Extension’, a 3 Lot Single Family Residential Subdivision, Holliston, Massachusetts” dated 8/29/2023; Stormwater Management Report, Bonney Drive Extension, Holliston, Massachusetts, dated 9/7/2023

- R. Clapp noted that this item has already been continued to another meeting.

CONTINUED Public Meeting – Request for Determination of Applicability for #D-746: #51 Charles Street (Assessors Map 8F-3-20) for proposed driveway – Ahronian Landscaping, representing *Blas Zurita Rodriguez*

Documents: WPA Form 1; Plan of Land entitled “Zurita Residence, 51 Charles Street, Holliston” dated 12/23; “Cross Section of Permeable Driveway”

- R. Clapp reviewed the additional documentation provided by the applicant.
- E. Corey noted that the DPW may not allow permeable pavers within the right of way. R. Clapp will add a condition that if this is not permitted, asphalt paving may be used in that area.
- **E. Corey made a motion issue a Negative #3 Determination for #D-746: #51 Charles Street. U. Nickel seconded the motion. A roll call vote was taken.**
 - E. Corey:** Aye
 - U. Nickel:** Aye
 - N. Smith:** Aye
 - A. Rutberg:** Aye
 - A. Pilch:** Aye

CONTINUED Public Hearing – Notice of Intent for DEP #185-954: “0” Prentice Street (Assessors Map 8-2-48) for proposed golf course improvements – *Epsilon Associates*, representing *Bob Smith, Pinecrest Golf Course Advisory Committee*

Documents: WPA Form 3; Plan of Land entitled “Pinecrest Golf Club, Capital Improvements to Golf Course – Holes #2 - #8” revision date 12/12/2023; “Notice of Intent Revisions, MassDEP File Number 185-954 – Capital Improvements to Golf Course – Holes #2-#8, Pinecrest Golf Club, Prentice Street, Holliston” dated 12/21/2023; Letter from Devin Howe, dated 10/16/2023

- R. Clapp reviewed the site visit that occurred in September 2023.
- G. Hochmuth noted that he had a file number issued. DEP had noted issues with the drainage improvements, which have since been removed from the project, which now solely focuses on path improvements. He also noted that there are a proposed three paths to the 8th tee on the course. He responded to a letter provided from an abutter, D. Howe, expressing concerns about potential impacts to nearby vernal pools, noting that no work is being done outside of the existing limit of work, so there will be no impacts.
- N. Smith asked how foot and cart paths are distinguished from each other. G. Hochmuth noted that foot paths are generally impassible for carts without straying off the path, and that there is curbing as well.
- U. Nickel asked if the curbing is effective to keep carts off foot paths. If not, he asked if there has been consideration for removal of golf carts from the course altogether. G. Hochmuth responded that the curbing does well to limit carts on footpaths, but carts are needed to navigate the course.
- **E. Corey made a motion to close the hearing for Notice of Intent for DEP #185-954: “0” Prentice Street. A. Rutberg seconded the motion. A roll call vote was taken.**

E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
A. Rutberg: Aye
A. Pilch: Aye

A. Rutberg a motion to adjourn at 9:24 PM. U. Nickel seconded the motion. A roll call vote was taken.

E. Corey: Aye
U. Nickel: Aye
N. Smith: Aye
A. Rutberg: Aye
A. Pilch: Aye