

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

January 6, 2015

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair, Chris Bajdek, Shaw Lively, Jim McGrath, David Schroder, Commissioners

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

Absent: Rebecca Weissman, Commissioner; Emily Kingston, Associate Commissioner

Allen Rutberg, Chair, opened the meeting at 7:35 PM.

General Business

Informal Discussion: 47 Cold Spring Road - Proposed Garage Addition - Jason Stanley

Mr. Stanley presented a sketch plan for the location of his proposed garage along with a video of the location of the garage. He would like to add a 16 x 24 single car garage to his property. The 50 foot no-disturb line from the bordering vegetated wetlands passes through his house. The Commission suggested that Mr. Stanley try to move the garage as far as possible toward the street, so that it will be further from the wetlands and the tree line. He will speak with the Building Inspector about set back distances from the street and side property line for both attached and detached garages in order to determine how close to the street (and far away from the 50 foot buffer zone) the garage can be located.

Informal Discussion: Holliston Agricultural Activities

The Commission reviewed Holliston Bylaw Article XXXIX regarding the Agricultural Commission and the statutes regarding farming. The Conservation Commission would like to develop a relationship with the Agricultural Commission in order to determine how the wetlands regulations and the right-to-farm regulations interact with each other.

Public Meetings & Hearings

Continued Public Hearing – Notice of Intent for DEP File #185-781: Hopping Brook Road Extension (Assessors Map 1, Block 1, Lot 43 and Map 4 , Block 6, Lots 15.1, 18, 32, 32.3, 33, and 52) proposed extension of the existing commercial roadway . Brian Butler/Oxbow Associates, Inc. representing Jon Deli-Priscolli/New Hopping Brook Trust.

The applicant made a written request to continue this hearing until to January 27, 2015.

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Mr. McGrath made a motion to continue the hearing for DEP File #185-781: Hopping Brook Road Extension to January 27, 2015. Mr. Lively seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Notice of Intent for DEP File # 185-785: 58 Hopping Brook Road (Assessors Map 4, Block 6, Lot 10, 12.1 & 35.1, Solect solar project driveway & commercial building, Robert Truax, GLM Engineering Consultants, Inc. representing Ken Driscoll, 2016 Washington Street LLC

Mr. Truax (GLM), Eric Dickinson (GLM), Miguel Linera (Solect Engineer), and Attorney Barbieri were in attendance representing their client, Mr. Driscoll. A letter dated January 5, 2015 from AP Associates regarding the stormwater management, erosion and sedimentation control plan, and construction phase maintenance was reviewed. Plan 7 of 9, Draft Sediment & Erosion Control Plan, Proposed Commercial Building, dated December 30, 2015, was reviewed.

A snow storage area between the curb and the woods (on the west side of the parking lot) was added to the plan. Mr. Truax explained that the addition of a grass swale (as discussed at the last meeting) was not feasible, because they could not meet the required TSS removal rate of 80%. There will be a Cape Cod berm that will be driven over to access the gravel access driveway to the solar project.

This project will need a Site Plan Review application by the Planning Board and this application has not yet been submitted to the Planning Board. Per the Wetlands Protection Act, all permits need to be submitted prior to the issuance of an Order of Conditions. Mr. Barbieri explained that a Site Plan Review will be submitted to the Planning Board.

Erosion Control concerns have been a repeated issue on the adjacent solar project property that has an Order of Conditions, DEP File #185-774. Some efforts to correct issues, such as a temporary swale, have worked. On a site walk on December 31, 2014, it was noted that some erosion control fabric has been added to the slope of the southern detention basin along with haybales and straw wattles. In the spring when the ground thaws, it is likely that the same issue will occur without remedial repairs now. Therefore, Mr. Truax suggested that a mini-basin be made out of stump grindings in the location where the water is going around the haybales. The stump grindings filter the water as it seeps through. Mr. Truax also suggested that small check dams made out of the stump grindings be added along the ruts on the hill to help slow the water down. The basin is full of silt and is not infiltrating anything right now. The basin needs to be scraped out, so while they are doing that work they plan to rebuild the basin for the solar project (so that it will also be consistent with the drainage plans for this commercial building project). Mr. Truax felt that May/June would be the best time to rebuild the basin after mud season is over. He said that he would review the plans for the mini-basin and check dams (made out of stump grindings) with the Agent before they did that work.

The Agent is still very concerned that the owner and contractors have not maintained adequate erosion controls all along and the basin has blown out twice. It is not okay that it will just be a mess in the spring. If this situation is a mess in the spring, fines will be seriously considered for Solect's Solar Project at 58 Hopping Brook Road (DEP File #185-774).

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Additional materials need to be submitted by GLM in response to AP Associates letter dated January 5, 2015 (Comments #3). Therefore, the applicant's representatives agreed to a continuation until January 27th.

Ms. Pilch made a motion to continue the hearing for DEP File # 185-785: 58 Hopping Brook Road to January 27, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

Continued Public Hearing – Notice of Intent for DEP File #185-786: Lot A, Forest Park Road (Assessors Map 7, Block 3, Lots 30 & 66.2) construction of a single-family house - Joyce Hastings, GLM Engineering Consultants, Inc. representing Peter & Nancy O'Neill

The applicant's representative, Joyce Hastings, made a request to continue this hearing until January 27, 2015 while they wait for this lot to be created/approved by the Planning Board.

Mr. Bajdek made a motion to continue the hearing for DEP File #185-786: Lot A, Forest Park Road to January 27, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

The following 6 hearings were considered simultaneously:

Continued Public Hearing - Notice of Intent for DEP File #185-787: Lot 69 Minuteman Circle (Assessors Map 14, Block 5, Portion of Lot 4.8) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Continued Public Hearing - Notice of Intent for DEP File #185-788: Lot 70 Minuteman Circle (Assessors Map 14, Block 5, Portions of Lots 4.8 & 4.9) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Continued Public Hearing - Notice of Intent for DEP File #185-789: Lot 71 Minuteman Circle (Assessors Map 14, Block 5, Portions of Lots 4.9 & 5.A) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Continued Public Hearing - Notice of Intent for DEP File #185-790: Lot 72 Minuteman Circle (Assessors Map 14, Block 5, Portions of Lots 5.A & 5.1) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Continued Public Hearing - Notice of Intent for DEP File #185-791: Lot 73 Minuteman Circle (Assessors Map 14, Block 5, Portions of Lots 5.1 & 5.2) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Continued Public Hearing - Notice of Intent for DEP File #185-792: Lot 74 Minuteman Circle (Assessors Map 14, Block 5, Portion of Lot 5.2) construction of a single-family house - Peter Lavoie/Guerriere and Halnon, Inc. representing Constitution Village LLC

Mr. Lavoie presented a revised plan Resource Area Plan dated January 6, 2015 for Lots 69, 70, 71, 72, 73, and 74 Minuteman Circle. He also submitted individual plans for each lot dated January 6, 2015.

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Lot 74 . The house is smaller with a 25-30 distance between the house and the 50no-disturb line, which runs along the 50buffer zone.

Lot 73 . The septic system was moved further away from the 50buffer zone. The deck is 23 from the 50no-disturb zone. No other changes were made.

Lot 72 . The house style was changed and reduced in size. The septic system was moved further away from the 50buffer zone and a retaining wall was added around the system. The deck is about 25to the silt fence, which isn exactly on the 50no-disturb line. The silt fence is about 2-3farther away from the wetlands than the 50no-disturb line.

Lot 71 - The house size was reduced and the septic system was moved further away from the 50buffer zone. There are about 14between the deck and the 50buffer zone. The grading was revised on the side and in the back. Now, there is a large useable area on the side of the house even though it isn directly in the back.

Lot 70 . The house size was reduced and moved further away from the 50buffer zone. The grading on the side was changed and a large flat area was created in the back of the house. The deck is about 21from the 50buffer zone.

Lot 69 - The house size was reduced. Previously, the house was right on the silt fence line. Some of the grading for the septic was reduced and a walk out on the side was created. The corner of the house is about 7from the 50no-disturb line.

There will be concrete bounds delineating the 50no-disturbance line on all lots. The Commission agreed that there should be a condition in each of the house's Order of Conditions that the deeds for these houses include a provision regarding the concrete boundary markers. Mr. Lavoie pointed out that the footprints of the houses may change, but they understand that the each footprint must stay inside the footprint indicated on the plan.

Mr. Lavoie agreed to allow the Orders of Conditions to be issued in 22 days (not 21 days) after the close of the hearings.

Mr. McGrath made a motion to close the hearings for DEP File Nos. 185-787, -788, -789, -790, -791, and -792, Lots 69, 70, 71,72, 73, and 74 Minuteman Circle, respectively. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

****New Public Hearing - Notice of Intent for DEP File #185-793: 186 Locust Street (Assessors Map 11 Block 5, Lot 46) installation of a replacement septic system - Mark Farrell/Green Hill Engineering representing Paul Gustavson/Gustavson Development LLC**

Mr. Katuska read the legal notice that was posted in the *MetroWest Daily News* on December 30, 2014.

Mr. Farrell submitted the green cards for the abutter notifications and presented the plan for the septic system. He explained that the owner had hired a contractor to repair the garage floor; however, the repair needed to be more extensive than anticipated and the foundation needed to be repaired with helical piles. Since the foundation was not part of this application, a Notice of Violation was filed because it was located in the Commission's jurisdiction. However, the contractor complied with the request to stop work, put tarps over the fill, and then extended the silt fence so that it was between the garage and the wetlands.

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Mr. Farrell indicated the locations of the stockpile and access from the road. The applicant also would like to repair the walkways and steps; siding, windows, roofing, and chimney; and the rock wall along the road. Since these activities will not remove, fill, dredge, or alter the land, the Commission agreed that they could proceed without another submission.

The applicant agreed to allow 22 days for the issuance of the Order of Conditions.

Mr. Lively made a motion to close the hearing for DEP File #185-793: 186 Locust Street until January 27, 2015. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

****New Public Hearing - Amendment to Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street (Assessors Map 4, Block 6, Lots 2 & 39 and Map 5, Block 4, Lot 44) construction of a 66-unit senior (55+) residential community - Matthew Leidner/Civil Design Group representing Pulte Homes of New England LLC**

Ms. O'Brien read the legal notice that was posted in the *MetroWest Daily News* on December 30, 2014.

Reid Blute (Pulte Homes), Matt Leidner (Civil Design Group) and Mickey Marcus (New England Environmental) were present to discuss the Amendment to the Order of Conditions for DEP File #185-658.

Mr. Leidner submitted the green cards for the abutter notifications and a \$2,000 escrow check for the consultant peer review. He then gave an overview of the project, which originally received an Order of Conditions in 2007. The Amendment is being submitted for two primary reasons:

- 1) The project site has changed and one of the five parcels has been removed from the project. Part of the leach field was on the parcel that is no longer part of the project; therefore, the septic system needed to be reconfigured.
- 2) The residential unit architecture has been modified so that the units are now either single units or double units versus the previous 3-4-5 unit buildings.

One of the stormwater basins was broken up into 3 smaller basins. No work is proposed in the 50-foot no-disturb zone. An additional ½ acre of land disturbance will occur in the 100-foot buffer zone for grading purposes. New England Environmental has designed a vegetation plan to re-plant this area.

Mr. Leidner requested a meeting with the peer review consultant, which can be facilitated with the ConCom Agent here at town hall. He will e-mail all of the plan sets to the ConCom office.

The construction will be completed in 3 phases. The rail trail crossing will be at grade and approximately 600 feet of the trail will be completed by Pulte Homes. The lawn area behind the homes will be approximately 20 feet to the woodlands.

The applicant agreed to a continuation to January 27, 2015 in order to have time to meet with the peer review consultant, AP Associates (Barbara Thissell).

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Ms. Pilch made a motion to continue the hearing for the Amendment to the Order of Conditions for DEP File #185-658: Washington Hills at "0" Washington Street until January 27, 2015. Mr. Schroder seconded the motion. Unanimous. (6-0-0)

General Business Continued

Project Updates

There is an All Boards Meeting on January 14, 2015 at 7:30 PM.

Review Draft ConCom Section of FY14 Annual Report

The Commission suggested that more examples be added concerning what types of projects were completed with the issued permits. The staff will update the Annual Report and submit it to the Town Administrator.

At 10:10 PM, Ms. Pilch made a motion to adjourn the meeting. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be on Tuesday, January 27, 2015.