

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

April 7, 2015

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Jim McGrath, Rebecca Weissman, Commissioners; Emily Kingston, Associate Commissioner

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

Absent: Shaw Lively, David Schroder, Commissioners

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

General Business

Sign Automatic Extension via the Permit Extension Act: Order of Conditions for DEP File #185-702: 667 Highland Street - Daniel Rutowicz

As required by the Massachusetts Permit Extension Act, a two year extension to the Order of Conditions was signed by the Commission for DEP File #185-702, Lot A, 667 Highland Street.

Sign Automatic Extension via the Permit Extension Act: Amended Order of Conditions for DEP File #185-719: 2016 Washington Street, Common Driveway - Solect

As required by the Massachusetts Permit Extension Act, a two year extension to the Amended Order of Conditions was signed by the Commission for DEP File #185-719, 2016 Washington Street. The Agent noted that the applicant will add a row of boulders across the old cart path to block access to the section of the cart path that crosses the wetlands.

Project Updates:

- **Roadway Acceptances:**

There will be a hearing with the Board of Selectmen to vote on the acceptance of Connolly Way, Rocky Woods Trail, and Courtland Pines Drive at their meeting on April 15, 2015. Rocky Woods Trail has received a Certificate of Compliance. Courtland Pines has received an ANRAD and the road was not in the Commission's jurisdiction. Connolly Way is not in the Commission's jurisdiction and there is no Order of Conditions; however, the Open Space in this development is in the care and custody of the Conservation Commission. There is a tree on the Open Space

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property that is leaning into the neighboring property towards Brian Ahronian's home at 1525 Highland Street. It is hoped that Themeli Brothers will remove the tree. If absolutely necessary, the Commission agreed that the Conservation Fund can be used to remove the tree.

- **Discussion RE: Constitution Village - Certificate of Compliance Request for DEP File #185-530**

A request for a Certificate of Compliance for DEP file # 185-530, Constitution Village was received from Jeffrey Roloefs (attorney representing Fafard). This project has a complex history and it will take some time to research the records prior to issuing a Certificate of Compliance.

Open Space Updates:

- **Conservation Restriction - Rogers Road Farm**

The Conservation Restriction (CR) that was drafted by the Mass Farm Bureau was discussed. (The CR is not dated, but is saved on the ConCom Server as the %Apr2015 COMMENT DRAFT.+ The CR has been forwarded to the ConCom and the Agricultural Commission for their review. It was noted that the CR needs to apply to the entire property, but different restrictions could apply to different areas, e.g., there could be designated Areas A and B.

- **Town Meeting Article - Rogers Road Farm**

The Commission discussed voting on a May Town Meeting Article to change the deed to put the Rogers Road property in the care and custody of the Conservation Commission. Currently, it is specifically owned by the Town of Holliston. Per Town Counsel, the existing house can stay on the property if it is incidental to farming or open space; however, the Commission is concerned about what responsibility the Commission will have for the house if the property is put in the %care and custody of the Conservation Commission.+ The upkeep of the house could be quite costly and the Commission is does not have a specific budget for the management of the house and farm. The Commission agreed that they were not yet prepared to agree to putting the property in the %care and custody of the Conservation Commission+until more is learned about how the house and farm will be taken care of; therefore, they would like to leave the Deed with the Selectmen for the time being. The %place holder+Article for the May Town Meeting will be withdrawn. A new Article may be submitted for a future town meeting.

- **Conservation Restriction - Highlands at Holliston/Constitution Village**

A request has been received from Jim McLaughlin at Fafard to review and finalize the Conservation Restriction for Highlands at Holliston and Constitution Village. The CR will be marked up by the Agent and sent to the Commission for their review.

Vote on Meeting Minutes from 2/24/15, 3/10/15 & 3/24/15

Mr. Bajdek made a motion to approve the meeting minutes from February 24, 2015. Ms. Pilch seconded the motion. Mr. McGrath, and Ms. Weissman abstained. The motion passed. (3-0-2)

Mr. McGrath made a motion to approve the meeting minutes from March 10, 2015. Ms. Weissman seconded the motion. Mr. Bajdek abstained. The motion passed. (4-0-1)

The draft meeting minutes from March 24, 2015 were tabled, because there wasn't a quorum from that meeting present tonight to vote.

Warren Woods Connector Conservation Restriction

Ms. Pilch inquired if Commissioners had reviewed this CR. As no one has had the opportunity to review it, the Agent will send the CR to the Commissioners for review again.

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

Mr. Bajdek submitted an Affidavit regarding his review of the public hearing evidence for the hearing on March 10, 2015. A request was received from the applicant's representative, Brian Butler, to continue the meeting to April 21, 2015.

Mr. McGrath made a motion to continue the hearing for DEP File #185-781: Hopping Brook Road Extension to April 21, 2015. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

****New Public Meeting - Request for Determination of Applicability #D-541: 1201 Washington Street (Assessors Map 8, Block 4, Lot 16) review and consideration of agricultural activities . *Justin & Pamela Brown/Newfound Farm***

Applicant: Justin and Pamela Brown, Newfound Farm

Present for the Applicant: Justin and Pamela Brown

Supporters of the Applicant: Rob Stucchi, Daniel Fowler, and Julie Fowler, Holliston; Jen Solari, Framingham

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Supporting Documents:

- Request for Determination of Applicability for 1201 Washington Street - undated and received March 26, 2015.
- Applicant's Sketch Plan of Property, 1201 Washington Street, Holliston, Massachusetts, prepared by Justin Brown, Owner, dated January 2015 and received March 26, 2015.

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on March 31, 2015. Mr. Brown presented his plan (as listed above) for the agricultural activities at Newfound Farm at 1201 Washington Street. The Browns plan to keep their farm small. They do not plan to add more buildings or an indoor riding facility. They would like to improve/maintain some of the existing structures, e.g., dog houses, rabbit hutches, small horse barns/run-in sheds, etc.

The Commission's main concern is the nutrients (from manure, etc.) that will potentially flow into the intermittent stream. Mr. Brown has contacted the USDA's Natural Resource Conservation Services (NRCS) and is waiting to hear back from them. An erosion control barrier (such as a silt fence, compost sock, or straw wattle) was recommended between the riding ring/paddock area and the stream. In addition, a constructed wetland was recommended within the intermittent stream area just south of the riding ring. Condition #3 below outlines the parameters for the constructed wetlands; however, it is hoped that the NRCS can assist the Browns with the best design for run-off management.

As indicated on the plan, the manure is stored and composted as far from the stream and wetlands as possible and is outside the 100-foot buffer zone. It is then removed about 3 times per year. Mr. Brown asked if they would be allowed to maintain the grassy area on the sides of the intermittent stream. The Commission discussed it and will allow mowing, but asked that they not mow past the wooded area downstream of the proposed constructed wetland.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-541: 1201 Washington Street/Newfound Farm:

Positive #2B Determination: the boundaries of the wetlands resource areas 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:

1. **ANIMAL WASTES.** All animal wastes (droppings) will continue to be collected from the fenced riding ring area and transferred to an on-site composting system located outside of the 100-foot buffer zone to Bordering Vegetated Wetlands. Said waste storage system and any off-site disposal protocols to comply with the requirements of the Holliston Planning Board and/or Holliston Board of Health, as applicable. No raw (un-composted) animal wastes are permitted to be used or disposed of at the project site. As discussed during the public meeting, this condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.

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2. **EROSION CONTROL:** As discussed during the public meeting, an erosion control barrier (staked geotextile fabric silt fence; staked row of hay bales; tubular, net- or mesh-bound erosion control product (straw wattle, compost sock) capable of intercepting surface runoff and filtering sediment will be installed, in accordance with the manufacturer's recommendations, along the southerly limits of the riding ring fencing to filter and reduce run-off into the resource area. The erosion control barrier will be replaced yearly, at a minimum, or more frequently as necessary to maintain its functionality. This condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.
3. **AGRICULTURAL RUNOFF MANAGEMENT:** Within 1 year of this Determination, the Applicant will excavate & plant a shallow marsh (~~constructed wetland~~) within the intermittent stream system located south of the existing riding ring. Said constructed wetland to be a narrow, linear basin not less than 15' wide by 50 feet long, a minimum of 1 foot deep, and shall be planted with native herbaceous wetland plant species. Said constructed wetland to include an outlet control structure at its western end capable of detaining runoff from the tributary watershed for a period of not less than 48 hours. With the express permission of the Conservation Commission, a constructed wetland or other runoff management measure designed by the USDA Natural Resource Conservation Service as part of a Farm Conservation Plan may be substituted for this requirement.
4. **GRASSLAND MANAGEMENT:** Recently disturbed land (south of the intermittent stream to the property line and from Applicant's existing barn to the east to the closest limit of the existing woodland to the west) may be maintained in grassland, subject to the maintenance of all included channel flows. Land surface may be raked smooth, but no filling or grading is authorized under this Determination. No new ~~lawn area~~ is to be created.
5. **FERTILIZERS/PESTICIDES/HERBICIDES:** Fertilizers utilized for landscaping and lawn care shall be low phosphate content, slow-release variety, and shall be used in moderation. Pesticides and herbicides shall not be used within 100 feet of the wetland resource area. As discussed during the public meeting, this condition is intended to apply in perpetuity and will outlive the expiration of this Determination of Applicability.
6. **LIMIT OF AUTHORIZATION:** As discussed during the public meeting, this Determination of Applicability is intended to apply only to those existing conditions depicted on the Applicant's sketch plan dated January 2015. Any new activity subject to the statute or the bylaw (dredge, fill, alter, remove . including removal of vegetation) in areas subject to regulation under the statute or the bylaw (within 100 feet of the intermittent stream south of the riding ring or within 100 feet of the existing stone wall roughly 130 feet west of the existing pathway shown on the applicant's sketch plan) will require further review and approval by the Holliston Conservation Commission.

Mr. McGrath seconded the motion. Unanimous. (5-0-0)

****New Public Hearing - Notice of Intent for DEP file #185-795: 150 Goulding Street (Assessors Map 6, Block 2, Lot 17E)** proposed expansion of the Senior Center parking lot & construction of a stormwater infiltration basin . *Joyce E. Hastings/GLM Engineering, Inc.* representing *Mark Ahronian/Town of Holliston, Council on Aging*

Applicant: Town of Holliston/Council on Aging

Present for the Applicant: Eric Dickinson, GLM Engineering, K. Robert ~~Bob~~+Malone - Chair, Council on Aging

Supporting Documents:

- Notice of Intent to Expand the Existing Parking Area & Construct a Stormwater Infiltration Basin at 150 Goulding Street, Holliston, MA - dated March 9, 2015 and received March 17, 2015
- ~~Marking~~ Expansion Plan, Holliston Senior Center, 150 Goulding Street, Holliston, Massachusetts,+(5 sheets) prepared by GLM Engineering Consultants, Inc, stamped and signed by Joseph M. Nihill, P.E. (Civil) No. 445889, dated March 5, 2015.

Mr. Dickinson waived the reading of the legal notice published in the *MetroWest Daily News* on March 31, 2015. Mr. Dickinson presented Sheet 4 of 5 from the plans listed above to the Commission. They would like to expand the parking lot and add an infiltration basin for run-off. The temporary stockpile area will be outside the 100qbuffer zone. There is a grass swale along the edge of the parking lot that will flow into the stormwater basin. The basin will only discharge in the event of a 100qyear flood. This will be a much better option than the current situation where there is no treatment of run-off from the parking lot.

Mr. McGrath made a motion to close the hearing for DEP File #185-795: 150 Goulding Street/Holliston Senior Center. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Ms. Pilch made a motion to approve and issue the Order of Conditions for DEP File #185-795: 150 Goulding Street/Holliston Senior Center. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

General Business Continued

Administrative Review of Order of Conditions Plan Changes for DEP File #185-734: 255 Prentice Street (Lot 6) - Joyce Hastings/GLM representing F&D Realty

Supporting Documents

- Letter To: Commission Members, From: Joyce Hastings/GLM Engineering Consultants; ~~RE~~: Ownership Change and Minor Plan Modification, DEP File No. 185-734, Lot #6, 255 Prentice Street+dated April 7, 2015.
- ~~Proposed~~ Sewage Disposal System, Lot #6 Prentice Street, Holliston Massachusetts+prepared by GLM Engineering Consultants, Inc., stamped and signed by Joseph M. Nihill, P.E. (Civil) No. 445889, Rev. 3/25/15.

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The revised plan listed above for 255 (Lot #6) Prentice Street was reviewed by the Commission (as required by their Orders of Conditions). The plan changes were summarized in a letter from Ms. Hastings (dated April 7, 2015). The Commission reviewed the letter and discussed the changes to: 1) change the property ownership to F&D Realty, and 2) a modified house and deck, which are outside the 100qbuffer zone. The Commission agreed that the modifications to the plans and the change to the new owner could be administrative updates to the file not requiring an Amendment to the Order of Conditions or a new Notice of Intent. A letter will be sent to Ms. Hastings informing her of these approved administrative updates.

Ms. Pilch made a motion to approve the changes to the plan for DEP File #185-734: 255 (Lot #6) Prentice Street as Administrative Updates to the File. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

At 8:56 PM, Mr. Weissman made a motion to adjourn the meeting. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

The next Conservation Commission meeting will be on Tuesday, April 21, 2015.