

Holliston Conservation Commission

Meeting Minutes

Town Hall . Meeting Room #014

April 28, 2015

7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek (Arrived at 7:38 PM), Jim McGrath, David Schroder, Rebecca Weissman, Commissioners; Emily Kingston, Associate Commissioner

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

Absent: Shaw Lively, Commissioner

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

NOTE: This meeting was originally scheduled for April 21, 2015, but had to be rescheduled to April 28, 2015.

General Business

Administrative Review of Order of Conditions Plan Changes for DEP File #185-707: 944 Washington Street- Peter Barbieri, Esq. representing John Curran

Supporting Document:

- Site Plan for Lot 2, 944 Washington Street, prepared by Goldsmith, Prest & Ringwall, Inc., Rev. dated 10/19/10 and hand edited with new footprint of 66qx 28q

The revised plan listed above for Lot 2 at 944 Washington Street was reviewed by the Commission (as required by their Order of Conditions). The applicant would like to put a slightly smaller house (66qx 28q) in the same footprint as the previous house (78qx 34q). Everything else will remain the same.

Ms. Pilch made a motion to approve the changes to the plan for DEP File #185-707: 944 Washington Street as Administrative Updates to the File not requiring an Amended Order of Conditions or new Notice of Intent. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Chris Bajdek arrived at 7:38 PM.

Update: 194 Lowland Street – M. Brumber

Jay Leary, Selectman, asked to speak with the Commission about the Composting Facility at 194 Lowland Street. The Cease and Desist Order implemented by the Building

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Inspector is still in place other than allowing the compost piles to be turned over once per month. Mr. Leary said that Mr. Brumber still needs to get approval from the Planning Board for the Composting facility.

Administrative Review of Order of Conditions Plan Changes for DEP File #185-767: 1419 Washington Street- Paul Saulnier, P.E. representing 1419 Washington Street Realty Trust

Supporting Document:

- Septic System Construction, 1419 Washington Street, Holliston, prepared by P. Saulnier, CIVILized Solutions, Rev. dated 4/14/15.

The revised plan listed above for 1419 Washington Street was reviewed by the Commission (as required by their Orders of Conditions). An existing storage building/garage will be removed. The soil absorption system (SAS) will be relocated slightly farther from the wetlands to allow a rubble stone wall. These changes will not negatively impact the wetland resource areas.

Mr. McGrath made a motion to approve the changes to the plan for DEP File #185-767: 1419 Washington Street as Administrative Updates to the File not requiring an Amended Order of Conditions or new Notice of Intent. Ms. Weissman seconded the motion. Unanimous. (6-0-0)

Request for Extension of Order of Conditions for DEP File #185-734: Lot 6, (#255) Prentice Street – Joyce Hastings, GLM Engineering Consultants representing F&D Central Realty, Inc.

Applicant: F & D Central Realty, Inc.

Supporting Document:

- Letter To: Board Members, From: Joyce Hastings, PLS/GLM Engineering Consultants; RE: Request to Extend Order of Conditions, DEP File No. 185-734, Lot #6, 255 Prentice Street+dated April 7, 2015.

A request was received from Joyce Hastings to extend the Order of Conditions for DEP File #185-734 for one year.

Ms. Pilch made a motion to extend the Order of Conditions for DEP File #185-734: Lot 6, (#255) Prentice Street for 1 year. Mr. McGrath seconded the motion. Unanimous. (6-0-0)

Automatic Extension via the Permit Extension Act for DEP file # 185-731: 90-100 Central Street - Daniel Nissi/MetroWest Realty Group LLC

Applicant: Daniel Nissi/MetroWest Realty Group, LLC

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Supporting Document: To: Mr. Katuska, From: Peter R. Barbieri, Esq./FletcherTilton Attorneys at Law, RE: DEP File No. 185-731, Order of Conditions, 90-100 Central Street, dated April 24, 2015.

The landscaping plan for the invasive species along the Winthrop Canal has not been completed as required by the Order of Conditions. The landscape consultant believes that this should be completed during the upcoming Fall. Therefore, the applicant would like to extend the Order of Conditions at this time. 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 #185-731, 90-100 Washington Street.

Project Updates:

Roadway Acceptances: Connolly Way

There was an oak tree in the Open Space area that looked like it was dying and it was leaning over property adjacent to the Open Space. The Agent got an estimate from Stumpy's Tree Service to take the tree down. In the meantime, the developer hired a different tree service (at the developer's expense) that decided not to have the tree taken out and just took off the leader leaning over the adjacent property. It still needs to be determined if it would be better to take the entire tree down or to leave it in place.

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 is a large project and will take some time to issue the Certificate of Compliance. There are a few lots that will be released via Letters of Non-Applicability, i.e., the Order of Conditions does not apply to the home and lot, but only to the subdivision roadways.

Discussion RE: Newfound Farm (D-541), 1201 Washington Street

It has been learned that there are several riding/driving trails and other features on the site that were not on the plan as it was presented in D-541 by Mr. Brown. The trails were improved with a stone dust surface. There seems to have been a misunderstanding as to what was required on the previous plan. Mr. Brown will need to come back to the Commission with an updated plan.

Discussion RE: 194 Lowland Street Composting, Michael Brumber

A complaint was received about possible operations at night. Prior to the complaint, a Cease and Desist Order was issued by the Zoning Enforcement Officer. As discussed earlier in the meeting, Mr. Brumber will be allowed to turn the compost piles monthly until all approvals are received. A Notice of Intent will be submitted shortly by Russ Waldron for Mr. Brumber.

Article XXX - Bylaw Regulations

A draft outline has been submitted by Nathaniel Stevens. A copy of the outline was given to the Commissioners for their review.

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Town Meeting Warrant Articles

Three Conservation Commission Articles will be on the Warrant for the annual Town Meeting. Two of the articles are for town property (obtained through tax title foreclosure) to be transferred to the Conservation Commission and one Article for the establishment of a new Bylaw Fund Account (under Mass General Law Chapter 44, Section 53½) as required by the new Wetlands Bylaw (Article XXX). Even though we already have a Bylaw Fund Account, apparently the Attorney General requires that a new fund needs to be established under the new Bylaw.

Staffing

Our temporary staffing trial period of one month is over and Ann Adams has been working out very well with organizing the meeting minutes. The Commission agreed to fund an additional 3 months of temporary staffing in order to help with the ConCom's review of the records according to the state's Records Retention rules.

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

Applicant: New Hopping Brook Realty Trust

Present for the Applicant: Brian Butler and Erynn Dayhoff, Oxbow Associates, Inc., Arthur Borden, Arthur F. Borden and Associates, Inc., and Stan Gordon, New Hopping Brook Realty Trust.

Supporting Documents:

- Plan - Proposed Road Alignment, Hopping Brook Industrial Park, Holliston, MA, prepared by Oxbow Associates, Inc., dated February 2015.
- Plans - Modification Plans to the Amended Definitive Plan of Land for Hopping Brook Road & Utility Extension for the Hopping Brook Business Park, Holliston, MA, prepared by Arthur F. Borden and Associates, Inc., dated May 15, 2014 and revised through April 16, 2015

Mr. Butler reviewed the final plans listed above explaining how the stream going through the eastern culvert will be re-routed (to meet with the other westernmost stream) during construction of the eastern culvert. Organic jute will be used on the floor of the culverts. The non-stream surfaces will then be covered with native leaf litter and the stream bed will be covered with 2+ of rip rap.

Before the culverts and retaining walls are constructed, the structural requirements will be reviewed and approved by a structural engineer. There will be a special condition added to the

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Order of Conditions regarding this structural evaluation. The Storm Water Management requirements were approved by the Peer Review Consultant.

Mr. McGrath made a motion to close the hearing for DEP File #185-781: Hopping Brook Road Extension. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)

The conditions for the Order of Conditions were reviewed with the applicant's representatives and the Commission. The Conditions in Perpetuity were emphasized and Mr. Butler and Mr. Borden said that they understood them.

Ms. Pilch made a motion to approve and issue the Order of Conditions for DEP File #185-781: Hopping Brook Road Extension. Mr. McGrath seconded the motion. Ms. Pilch and Mr. Schroder abstained from voting because more than one hearing had been missed by each Commissioner. The motion passed. (4-0-2)

General Business Continued

Open Space Updates:

Conservation Restriction (CR) - Warren Woods

The Agent will forward his Comments regarding the Conservation Restriction (CR) to the Commissioners.

Conservation Restriction - Rogers Road Farm

The Agent will forward his Comments regarding the CR to the Commissioners.

Conservation Restriction - Highlands at Holliston/Constitution Village

This will be a more complex CR to review because some of the areas have been disturbed and those areas need to be restored. Several of the house lots have approved grading in the Open Space areas.

Conservation Restriction - Washington Hills

A CR for Washington Hills was received today. It will be e-mailed to the Commissioners for their review.

Linden Pond Dam

Native species and an interpretive sign are being planned by Holliston in Bloom (Inge Hanks), which will be forwarded to the Commission for their review.

Winthrop Canal Knotweed

The knotweed along the canal adjacent to the town parking lot is growing fast. Mark Ahronian and the Holliston in Bloom committee would like to remove the knotweed by trying to scalp it out+a little more than usual.

Vote on Meeting Minutes from 3/24/15 & 4/7/15

The draft meeting minutes from March 24, 2015 and April 7, 2015 were tabled to give the Commissioners more time to review them.

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Review Mail

The mail was reviewed.

94 Brook Street, DEP # 185-722 - The DEP has issued a Superseding Order of Conditions for DEP File No. 185-722, 94 Brook Street dated April 23, 2015. The ZBA will review the appeal from Holliston Residential Realty, LLC for Zoning relief on May 21st.

Gas Main Extension on Fiske Street

NStar (dba Eversource Energy) submitted a letter dated April 2, 2015 notifying the Commission that they will be extending the natural gas main on Fiske Street from the intersection with Boulder Road to the intersection with Marilyn Street.

Beaver Dam Flow Control Devices

Both the flow devices on Hopping Brook (the Rail Trail) and on Chicken Brook (Wenakeening Woods) seem to have survived the winter and are functioning well.

At 8:39 PM, Ms. Weissman made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous. (6-0-0)

The next Conservation Commission meeting will be on Tuesday, May 12, 2015.