

## Holliston Conservation Commission

### **APPROVED Meeting Minutes**

Town Hall . Meeting Room #014

June 9, 2015

7:30 PM

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

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

Absent: Rebecca Weissman, Commissioner

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

### **General Business**

#### **Vote on Issuance of Amendment to Order of Conditions for DEP File #185-781: Hopping Brook Road Extension - Jon Deli-Priscolli/ New Hopping Brook Trust**

##### Supporting Documents:

- Plan Sheet CR, dated May 15, 2014 and revised through April 16, 2015, from Modification Plans to the Amended Definitive Plan of Land Hopping Brook Road & Utility Extension for the Hopping Brook Business Park, Holliston, MA, prepared by Arthur F. Borden and Associates, Inc.
- Order of Conditions for DEP File #185-781 for Hopping Brook Road Extension, issued 4/29/2015

Present: Jon Deli-Priscolli, New Hopping Brook Trust

A check was received from Mr. Deli-Priscolli for \$75.34 to cover the final cost of the peer review done by AP Associates. The Commission signed the final invoice for \$900 from AP Associates.

**Ms. Pilch made a motion to approve and issue an Amended Order of Conditions for DEP File #185-781 to remove Plan Sheet CR from the Plan Set dated April 16, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

#### **Vote on Meeting Minutes from 9/16/14 & 5/12/15 (SDO)**

**Mr. McGrath made a motion to approve the meeting minutes from September 16, 2014. Mr. Schroder seconded the motion. Ms. Pilch and Mr. Lively abstained. The motion passed. (4-0-2)**

Mr. Lively made a motion to approve the meeting minutes from May 12, 2015. Mr. McGrath seconded the motion. Dr. Rutberg abstained. The motion passed. (5-0-1)

**Open Space Updates:**

- **Conservation Restriction - Warren Woods**  
This CR has been forwarded to Town Counsel for review.
- **Conservation Restriction - Rogers Road Farm**  
The Agent is reviewing the draft conservation restriction for the Rogers Road Farm.

**Project Updates:**

- **Beavers - 835 Marshall Street**  
This dam is on Beaver Brook on Jane Pierce's property and was constructed in an old cranberry bog dike. Ms. Pierce does not mind the pond that has been created by the beavers. However, the culvert upstream on Adams Street only had about 1 inch of freeboard last week after the two inches of rain. Ms. Pierce sees the benefit of lowering the water level about a foot, so that the culvert upstream is not impacted. It would be a BoH issue if the dam threatens public safety on Adams Street with the flooding of the culvert.

Once the mosquito spraying season is over in the Fall, Central Mass Mosquito control is willing to help out with the installation of flow control devices for this dam and the blockage of the culvert under Westfield Drive.

- **Weston Pond Dam - Vegetation Management**  
The trees were removed from the Weston Pond dam last year. The Tree Warden (Mark Ahronian) would like to use brush killer herbicide to get rid of the poison ivy that has taken over the dam so that there is better access for fishing. The Commission would like to know what herbicide Mr. Ahronian is thinking of using to kill the poison ivy and how it will be applied to ensure its safe use near the pond.

**Public Meetings and Hearings**

**Continued Public Hearing – Notice of Intent for DEP File #185-796: 194 Lowland Street (Assessors Map 9 Block 2, Lots 33.1 and 57.1)** proposal to stabilize a perimeter road and install permanent sedimentation & erosion controls in conjunction with the operation of a composting facility . *Russell E. Waldron/Applied Ecological Sciences* representing *Michael Brumber*

**Supporting Documents:**

- Notice of Intent for 194 Lowland Street, Holliston, MA 01746, prepared for Michael Brumber. Prepared by Russell E. Waldron of Applied Ecological Services, dated May 11, 2015.
- Plan - ~~Existing~~ Conditions Plan+Lowland Street, Holliston, MA prepared for Michael Brumber. Prepared by GLM Engineering Consultants, Inc., dated April 9, 2015

- Plan - %Composting Operation+194 Lowland Street, Holliston, MA, prepared for Mike Brumber. Prepared by Frank O. Waterman and Associates, Inc., dated April 30, 2015.

Present for the Applicant: None

The applicant's attorney, Christopher Malcom, requested a continuance to July 7, 2015 in order to address the comments received from the Agent.

A second set of abutter notifications has been sent to the abutters who are within 100qof the second lot on the property and were inadvertently missed when the original abutter notifications were sent out about the first lot. Therefore, the legal notice that was read at the last meeting on May 26<sup>th</sup> was re-read to ensure that it was heard by anyone who had missed the first reading at the previous meeting.

An injunction was filed in court (by the Town) to prevent Mr. Brumber from operating the composting facility until all of the proper permits have been obtained. Per the BoH, Mr. Brumber will only be allowed to turn the compost piles periodically (about once/month with the BoH's permission).

**Mr. Schroder made a motion to continue the hearing for DEP File #185-796: 194 Lowland Street to July 7, 2015. Ms. Pilch seconded the motion. Unanimous. (6-0-0)**

**\*\*New Public Meeting – Request for Determination of Applicability for #D-542: 452 Underwood Street (Assessors Map 7 Block 7, Lot 354) proposed wetlands determination - Scott Goddard/Goddard Consulting representing Christine Costanza**

Supporting Documents

- Request for Determination of Applicability - #D-542, for 452 Underwood Street, prepared by Goddard Consulting, LLC, dated May 14, 2015
- Plan - Orthophoto View of Site, 452 Underwood Street, Holliston, MA, prepared by Goddard Consulting, LLC, dated 4/27/2015
- Plan - USGS Site Locus, 452 Underwood Street, Holliston, MA, prepared by Goddard Consulting, LLC, dated 4/27/2015

Present for the Applicant: Nicole Hayes, Goddard Consulting

Mr. Katuska read the legal notice that was published in the *MetroWest Daily News* on June 2, 2015.

Ms. Hayes did the field investigation and took the soil samples. There is a low spot in the southwest corner of the property where an inlet pipe accepts run-off from the hill on the property near the intersection of Kim Place and Katie's Way. There are no wetland resources or buffer zones on the property.

**Mr. McGrath made a motion to issue the following Determinations for RFD #D-542: 452 Underwood Street:**

**Positive #2A Determination:** the boundaries of the wetlands resource areas are confirmed as accurate, as there are NO Wetland Resource Areas;

**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 #1 Determination:** the area described in the Request is not an area subject to protection under the Act or the Buffer Zone.

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

**\*\*New Public Hearing – Notice of Intent for DEP File #185-797: “0” Underwood Street/Katie’s Way (Assessors Map 4 Block 4, Lots 56.8 & 57.2 and Map 5, Block 3, Lot 41) proposal to construct a 6 lot open space residential development (White Pine Estates II) with a cul-de-sac, two common driveways, associated site work, utilities, and stormwater management . Vito Colonna/Connorstone Engineering, Inc. representing Stephen O’Leary/O’Leary Builders, Inc.**

**Supporting Documents:**

- Notice of Intent for White Pine Estates II, Open Space Definitive Subdivision, Off Katie’s Way & Underwood Street, prepared by Vito Colonna, P.E. Connorstone Engineering, Inc., dated May 12, 2015
- Letter - %White Pine Estates II+- Definitive Subdivision, Open Space Standards, To: Town of Holliston Planning Board, From: Vito Colonna, P.E., Connorstone Engineering, Inc, dated June 4, 2015.
- Plan - %Definitive Plan - Open Space Residential Development for White Pine Estates II in Holliston, Massachusetts,+prepared by Varoujan H. Hagopian, Mass. PLS No. 49865, Connorstone Consulting Engineers and Land Surveyors, dated 6/4/2015.

**Present:** George Connors, Connorstone Engineering, Stephen O’Leary and Stephen O’Leary, Jr., O’Leary Builders, Inc.

Mr. Katuska read the legal notice that was published in the *MetroWest Daily News* on June 2, 2015.

Mr. Connors presented the plans noted above for an Open Space Residential Development (OSRD) on about 10 ½ acres. It will have 6 house lots with 3 lots on a cul-de-sac (Katie’s Way) and 3 lots off of a common driveway. This project has been sent out to AP Associates by the Planning Board for stormwater management peer review. The copy of the letter to the Planning Board (cited above) in response to the PB’s initial comments was given to the Commissioners. There will not be any grading for the road in the 50qno disturb zone. The drainage, detention basin, and rain garden were reviewed. The Commission requested that an easement be included for the development’s stormceptor system that isn’t on the OSRD property. Mr. Connors also submitted the abutter notification cards.

The deed for part of this property was discussed, because it shows the land as Conservation Land/Open Space for a previously approved subdivision called Strathmore Shire. According to George Connors, this Conservation Land was never conveyed to the Town by the owners of

Strathmore Shire. The Commission would like some documentation in writing regarding why this land is not currently town-owned Open Space land.

No construction easements will be needed in the Open Space areas that are proposed. Only one lot will need to come back for a Notice of Intent for a single family house that is in the 100q buffer zone. The Commission asked that this house to be moved further away from the 50qno-disturb line and that concrete bound markers and plaques be placed on the 50qno-disturb line and on the open space property line.

Ms. O'Brien will send Mr. Connors a detail for the Open Space bounds and Wetland Resource Area bounds for the 50qno-disturb line. Mr. Connors will provide an electronic version of the OSRD plans to the Commission.

Mr. O'Leary agreed to a continuance to the ConCom meeting on June 23, 2015.

**Mr. Lively made a motion to continue the hearing for DEP File #185-797: "0" Underwood Street/Katie's Way to June 23, 2015. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

### **General Business Continued**

#### **Review Mail**

An invitation to Carl Berg's Eagle Scout Ceremony was received. The ceremony is at 1:00 PM on Saturday, June 20, 2015 at St. Mary's Church.

**At 9:07 PM, Mr. Lively made a motion to adjourn the meeting. Mr. Bajdek seconded the motion. Unanimous. (6-0-0)**

The next Conservation Commission meeting will be on Tuesday, June 23, 2015.