

Holliston Conservation Commission

APPROVED Meeting Minutes
Town Hall – Meeting Room #014

August 20, 2013
7:30 PM

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

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

Absent: Rebecca Weissman, Commissioner

Allen Rutberg, Chair, opened the meeting at 7:30 PM.

General Business

Proposed Changes to Order of Conditions for DEP File #185-748: Lot 78 Highland Street – Todd Kiley

Mr. Kiley presented a modified plan dated August 1, 2013. The plan has been modified so that the lawn will be planted on the existing grade instead of on the fill that was originally approved. The Commission asked that the erosion controls be moved back to the 50' no-disturbance line. Mr. Kiley modified the location of the erosion controls on the plan and initialed the change. Mr. Kiley will ask GLM Engineering to update the plan and provide a new copy for the ConCom files.

Ms. Pilch made a motion to accept the changes to the plan for DEP File #185-748, Lot 78 Highland Street, as an administrative change. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Prioritization of Open Space & Recreation Plan Goals

The Commission was given a copy of the OSRP goals and objectives for review. They will keep in mind what tasks they may want to volunteer for and the goals will be discussed at the next meeting on September 3rd.

Update Wetlands Bylaw - Article XXX

The Commission will review an updated draft version of the Bylaw along with the MACC model Bylaw and an example of the Concord Bylaw, which was modeled after the MACC model.

Review Letters of Interest RE: Commission Opening

Copies of the letters of interest and/or resumes were given to the Commission. The five candidates will be interviewed at the next meeting on September 3rd.

Grant Application – Dam Investigations

To assess the repairs necessary for Houghton Pond, Factory Pond, and Lake Winthrop, an Office of Energy and Environmental Affairs grant application was proposed by Lenard Engineering and was accepted by the town.

Beaver Solutions Pond Leveler Estimates for Weston Pond/Paul Road

The town owns the dam at Weston Pond, but since Route 16 runs along the top of the dam, Mass DOT requires a Non-Vehicle Permit in order to install the pond leveler.

The dam behind Paul Road is partially on private property (Banish) and partially on ACOE property. The Commission agrees that it is best to place the pond leveler on ACOE property, and the ACOE Real Estate Office has been contacted in order to determine what the proper permits need to be for the leveler.

Public Meetings & Hearings

**** New Public Meeting - Request for Determination of Applicability - #D-509: 59 Central Street - Fire Station - identified as Holliston Assessors Map 8F, Block 2, Lot 9, proposal to install asphalt pavement, Michael Cassidy/Holliston Fire Department**

Chief Cassidy presented a plan for new paving. The Fire Department would like to pave an 8 x 80' area behind the building where the fire trucks and ambulances have to drive off the pavement in order to make the turn. There is a slope below the proposed pavement; therefore, it would be appropriate to place erosion controls downslope from the area that will be paved. The Commission requested that the pavement be "raised" and placed, so that water on the pavement will actually flow into the catch basin (sump). The current driveway was not paved so that the water actually flows into the catch basin, so this issue can be rectified with the new project.

Modifications were made to the plan to add the catch basin and the location of the erosion controls. Chief Cassidy initialed the changes.

Mr. McGrath made a motion to issue the following Determinations for RFD #D-509, 59 Central Street:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands and Bordering Land Subject To Flooding as shown on the plan 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 #2 Determination: The work is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area, therefore, the work does not require a Notice of Intent

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:

Prior to any land disturbance, erosion control barriers will be installed downslope of the work area.

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Ms. Pilch seconded the motion. Unanimous. (5-0-0)

**** New Public Meeting - Request for Determination of Applicability - #D-508: Old Whitney Street - identified as a public way on Holliston Assessors Map 12, Block 3, proposal to replace an existing roadway culvert, Tom Smith/Holliston Highway Department**

Mr. Smith presented a plan to replace an old rusted 12" corrugated steel pipe on the old section of Whitney Road. It is rotted out on the bottom, so that it keeps collapsing. The Highway Dept would like to replace it with an ABS plastic pipe. It will be placed in a 3' deep trench and some leftover granite curbs will be used to make granite headwalls at the inlet and outlet to shore up the area. They would also like to add 6" rip rap at the outlet. It is hoped that this will alleviate flooding that has been occurring on Cranberry Lane.

Mr. Lively made a motion to issue the following Determinations for RFD #D-508, Old Whitney Street:

Positive #2B Determination: the boundaries of the Bank, Riverfront Area, Bordering Land Subject To Flooding, Bordering Vegetated Wetlands as shown on the plan 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 #2 Determination: The work is within an area subject to protection under the Act, but will not remove, fill, dredge, or alter that area, therefore, the work does not require a Notice of Intent

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:

Prior to any land disturbance, erosion control barriers will be installed upstream and downstream of the work area.

Ms. Pilch seconded the motion. Unanimous. (5-0-0)

**** New Public Meeting - Request for Determination of Applicability - #D-507: 330 Mill Street - identified as Holliston Assessors Map 10, Block 2, Lot 75, proposal to construct an in-ground swimming pool, Jenny Benadon**

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on August 13, 2013. The salt water filter cartridge can be removed and hosed off, so that there will not be any need to back wash the filter. Therefore, there is no potential damage to the wetlands.

The Commission clarified that the proposed chain link fence will be located at the edge of the existing lawn and no closer to the wetlands than the current lawn area.

The accessway and the chain link fence location were added to the plan and initialed by Ms. Benadon.

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Ms. Pilch made a motion to issue the following Determinations for RFD #D-507, 330 Mill Street:

Positive #2B Determination: the boundaries of the bordering vegetated wetlands as shown on the plan 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.

Negative #5 Determination: The area described in the Request is subject to protection under the Act. Since the work described meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required:

This is an Exempt Minor Activity per 310 CMR 10.02(1)(e), The conversion of lawn to uses accessory to residential structures, such as sheds, patios, and POOLS, provided the activity is located more than 50 feet from the mean annual high-water line within the riverfront area or from bordering vegetated wetlands, whichever is further, and erosion and sedimentation controls are implemented during construction.

Conditions:

- 1) Erosion control barrier must be installed prior to any tree removals or land disturbance for the pool installation work. Conservation Commission office must be notified (508-429-0607) following installation of the erosion control barrier. Erosion controls are to be maintained onsite in functional condition until all areas disturbed for the pool construction are fully restabilized with vegetation.
- 2) All surplus earth materials will be removed from the site upon completion of the project.
- 3) Project access will be from the driveway along the east side of the house as indicated on the record plan.
- 4) FENCE. The fence will be at the limit of the existing lawn area and no further clearing outside the lawn area in the buffer zone will occur. There will be a 3 to 4" gap at the bottom of the chain link fence surrounding the pool to allow for the movement of wildlife.
- 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.

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

Continued Public Hearing – Notice of Intent for DEP File # 185-760: Lot 3.2A Old Cart Path - identified as Holliston Assessors Map 14, Block 5, Lot 3.2 (portion A), proposed construction of a single-family house and the associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Constitution Village LLC*

Mr. Lavoie presented a revised plan dated July 31, 2013 for Lot 3.2A Old Cart Path. Mr. Lavoie moved the septic system so that it is about 95-100' from the wetlands. This required the use of a septic system pump. He was able to move the house further away from the

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wetlands with the new location of the septic system. The snow plowed off the driveway will now be away from the wetlands side of the house. The detail for the seven concrete bounds was added to the plan. The disturbance in the buffer zone was reduced from 11,000 ft² to 8,000 ft².

Mr. Bajdek made a motion to close the hearing for DEP File #185-760, Lot 3.2A Old Cart Path. Ms. Pilch seconded the motion. Unanimous. (5-0-0)

Ms. Pilch made a motion to approve and issue an Order of Conditions for DEP File #185-760, Lot 3.2A Old Cart Path. Mr. Bajdek seconded the motion. Unanimous. (5-0-0)

Continued Public Hearing – Notice of Intent for DEP File # 185-762: Lot 3.2C Old Cart Path - identified as Holliston Assessors Map 14, Block 5, Lot 3.2 (portion C), proposed construction of a single-family house and the associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Constitution Village LLC*

A letter has been received back from Natural Heritage (NHESP). Mr. Lavoie looked at moving the septic system further from the wetlands; however, his client did not want to move the system, because the cost of the sewer gravel would be very expensive if the septic system is moved. He also added the septic system test pit locations to the plan as requested by the Commission.

Mr. Bajdek made a motion to close the hearing for DEP File #185-762, Lot 3.2C Old Cart Path. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

Ms. Pilch made a motion to approve and issue the Order of Conditions for DEP File #185-762, Lot 3.2C Old Cart Path. Mr. McGrath seconded the motion. Unanimous. (5-0-0)

General Business Continued

Beaver Activity – Common Driveway off Highland Street– M. Clarke

Mr. Clarke's neighbor's driveway goes over an old dam spillway that the beavers have blocked. Mr. Clarke is concerned that Chicken Brook may back up near the back yards along Highland Street and possibly back to the golf course. Recently, it appears that the beaver blockage was removed without a permit.

Complaint at Kampersal's Septic Building on Fisher Street.

The Agent called Harry Kampersal's representative (GLM Engineering) and asked that the straw waddles be placed at the end of the driveway at the end of the day.

Forest Management Plan

A forest management plan for 397 Hollis Street property (Joe Finn) has been received. The Agent will visit the site to determine how the wetlands might be impacted.

Proposed GPS Device Purchase

The possibility of purchasing a GPS unit to map ConCom sites was discussed. The staff will research the different GPS unit options in order to present them to the Commission.

MSMPC Brown Bag Lunch – Morse’s Pond

Mr. Lively and Ms. O’Brien reported on the workshop they attended at Morse’s Pond in Wellesley on July 23, 2013.

Review Mail

There was no mail to review.

At 9:39 PM, Mr. Bajdek made a motion to adjourn the meeting. Mr. McGrath seconded the motion. Unanimous. (5-0-0)