

## Holliston Conservation Commission

### Meeting Minutes

Town Hall- Meeting Room #014

December 13, 2016  
7:30 PM

Present: Chris Bajdek, Chair (Arrived at 7:35); Emily Kingston, Vice-Chair; Jennifer Buttarro, Shaw Lively, Ann Marie Pilch, Allen Rutberg, Rebecca Weissman, Commissioners  
Sheri O'Brien, Conservation Agent; Kristin O'Brien, Conservation Assistant

Absent: None

**Emily Kingston, Vice Chair, opened the meeting at 7:33 PM.**

### GENERAL BUSINESS

#### **Request for Partial Certificate of Compliance for 1146 Washington Street for DEP File #185-804 – David Lindahl**

- The Agent inspected the property and the required silt fence was not installed. No certificate was issued.

*At 7:35 PM, Mr. Bajdek arrived to chair the meeting.*

#### **Request for Partial Certificates of Compliance for 622 Concord Street (Lot 6A) DEP File #185-729 and 682 Concord Street DEP (Lot 3A) File #185-776 – Michael Hassett/ Guerriere & Halnon, Inc.**

- The Agent received new As-Built plans for both properties however, neither were accurate.
- The plans indicated recharging stations, but there are no gutters or down spouts on the home to direct the water to these areas. There was also a propane tank in the ground on each property, but not on the plan.
- 662 Concord Street had three bounds in place, but no plaques.
- The Agent emailed Mr. Lavoie regarding these issues, who has not responded.
- The Agent recommended not issuing Certificates to either property until these changes are on the As-Built. The Commission agreed.

#### **Ratify Emergency Certificate for Beaver Dam Breaching at Washington Street Culvert**

- The Commission ratified an Emergency Certificate for a Beaver Dam Breaching just upstream of a Dopping Brook culvert under Washington Street.

#### **Ratify Emergency Certificate for Beaver Dam Breaching at 65 Brook Street**

- The beaver dam is located at 65 Brook Street, but the flooding is occurring at 65 and 89 Brook Street.
- The flooding at 65 Brook Street is under (after a heavy rain storm) a shed and endangering several trees.
- The homeowners at both addresses are working together to breach the dam and trap the beavers.
- The Commission ratified an Emergency Certificate for a Beaver Dam Breaching at 65 Brook Street.

#### **Vote on 2017 Meeting Schedule**

- The proposed schedule was presented and discussed.

**Ms. Kingston made a motion to approve the 2017 Meeting Schedule as presented. Ms. Pilch seconded the motion. Unanimous. (7-0-0).**

## **Vote on Draft Meeting Minutes - 11/29/16**

**Ms. Pilch made a motion to accept the 11/29/16 minutes with the discussed comments. Mr. Lively seconded the motion. Ms. Buttaro abstained. The motion was passed. (6-0-1).**

### **Discussion: Website updates**

- Ms. K. O'Brien explained the planned updates to the Conservation Commission website, including adding native and invasive plant lists, reorganizing current information, and making map access more user friendly.
- Mr. Lively would like the Holliston Reporter to interview staff and write about the Commission and its presence in town. The Commission agreed.
- When plant lists are finalized they will be given to Department of Public Works.

### **PUBLIC HEARINGS/PUBLIC MEETINGS:**

#### **\*\*New Public Meeting - Request for Determination of Applicability for #D-589: 67 Rockland Street (Assessors Map 1-2-25) proposed replacement of failed septic system – Edward Stone, EAS Survey representing Kevin O'Brien**

- Ms. S. O'Brien read the legal notice advertised in the *MetroWest Daily News* on December 6, 2016.
- Mr. Paul Mulhall, contractor, presented for Mr. Stone. Mr. O'Brien was also present.
- Paul Shea, Independent Environmental Consultants, delineated the wetlands.
- With the exception of the tank, the existing system will not be removed and the new system has been moved as far as possible from the wetlands. Minor grading will be done.
- The location of the perk testing site was verified and marked on the plan.
- Mr. O'Brien is trying to sell the home, but it failed Title 5.
- The dog enclosure will be shortened to account for the new septic, but will not be moved.
- There are extensive brush piles and inorganic waste behind the stone wall and in the 50q buffer zone. The commission agreed that Mr. O'Brien will have to remove all inorganic waste and a condition will be added stating no further dumping can occur.
- The plan was annotated with the following four (4) changes and was signed by Mr. Mulhall.
  - Straw wattles and a silt fencing will be installed along the 50q buffer zone line.
  - No stockpiling.
  - Access to site.
  - Three bounds and wetland plaques will be installed in front of the stone wall.

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-589: 67 Rockland Street, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Dr. Rutberg seconded the motion. Unanimous. (7-0-0).**

#### **\*\*New Public Meeting – Abbreviated Notice of Resource Area Delineation for DEP File # 185-822: 245 Washington Street (Assessors Map 11-5-69.1) to delineate the limits of areas subject to wetland protection jurisdictions – Daniel Carr, Stamski and McNary, representing Peter Conant, Own A Home MA**

- The reading of the legal notice advertised in the *MetroWest Daily News* on December 6, 2016 for 245 Washington Street was waived by Mr. Conant.
- Mr. Carr submitted abutter notification cards. Some cards had not been returned yet and these will be sent to the Conservation office after they are obtained.
- There was discussion about the location of the property and why such a large portion of the lot was blank on the plan (too wet to build). The Order of Resource Area Delineation will state this order will only apply to areas detailed and discussed on the plan.
- The large wetland on the back of the property is feeding water into the intermittent stream that has been delineated.

- Mr. Charles Katuska peer reviewed the ANRAD and walked the property with Conservation staff.
- Mr. Katuska stated that this delineation is only a portion of a larger wetland network.
- The intermittent stream along the eastern edge of the property has been heavily altered through dumping of fill and excavating of the channel. Due to these alterations, and runoff from a nearby subdivision, water flow is higher than it was historically.
- Flags 1-38 are top of bank, not bordering vegetated wetlands, due to the intermittent stream. Mr. Katuska recommended the plan be labeled as such.
- Flags 38-54 are bordering vegetated wetlands. Mr. Katuska recommended the plan be labeled as such.
- Mr. Katuska believed due to soil samples, elevation, and evidence of erosion between the isolated vegetated wetland (IVW) and the stream that they are actually connected. Therefore, the IVW is actually a bordering vegetated wetland. He recommended connecting WF #28 to IVWF #6 and WF #30 to IVWF #5.
- The Commission agrees that flag numbers for the once isolated wetland can be relabeled #28-A, 28-B, etc.
- Mr. Katuska found evidence of past pastoral use (old electric fencing), extensive fill and boulder dumping, and invasive plant coverage in the upland area.
- During Mr. Katuska's first inspection he found the flag numbers were incorrect and skipped five numbers in field but not on the plan. Mr. Russ Waldron fixed the flag numbering issue before Mr. Katuska's final visit.
- The Commission requested a new plan with the discussed changes.
- Mr. Conant agreed to continue the hearing to January 3, 2017, in order to put together the new plan.

**Ms. Pilch made a motion to continue the hearing for DEP File #185-822: 245 Washington Street until the January 3, 2017 meeting. Ms. Kingston seconded the motion. Unanimous. (7-0-0).**

#### **Roger Roads Farm Conservation Restriction (CR) Update**

- Kristine Westland asked for an update on the Roger Roads Farm CR.
- Ms. S. O'Brien explained that the draft provided by the Farm Bureau was very different than the state model, and was hesitant to send in the CR proposal to the state at this time.
- The main issue is including both conservation land and agricultural land under the same CR.
- Ms. Pilch recommended reaching out to the Trustees, MassAudobon, and the state for samples of CRs similar to this.
- Formatting possibilities were discussed, including submitting the CR with two sections; one for conservation land, and one for agriculture land.
- Ms. Westland is hoping to have a survey completed, but trying to get funding.
- Ms. Westland explained that the CR would not be submitted without a complete survey.

#### **Continued Public Meeting - Request for Determination of Applicability for #D-576 and #D-577: 194 Lowland Street (Assessors Map 9-2-57.1) proposed removal of compost and earth products - George F. Connors, Esq. representing Michael Brumber**

- A meeting is scheduled for December 22, 2016 with Mr. Brumber, his attorney, George Connors, Conservation, Board of Health, and Zoning to discuss each department's concerns.

**Mr. Lively made a motion to continue the public meetings for #D-576 and #D-577: 194 Lowland Street until the January 3, 2017 meeting. Dr. Rutberg seconded the motion. Unanimous. (7-0-0).**

#### **Happy Retriever Dog Training- Agility Area**

- Happy Retriever Dog Training built a fenced agility area within the 50-foot buffer zone of a wetland without a permit.

- They received a permit from zoning allowing one animal and one person to have outdoor training.
- The area was previously was lawn and gravel.
- Compacted stone dust was used within the fenced area.
- A previous violation with Meadows Pet Resort was compared, however, the degree of alteration is very different.
- Ms. S. O'Brien recommended the owners submit a Request for Determination of Applicability, instead of the Commission issuing a Notice of Violation. The Commission agreed.

#### **Review Correspondence**

- The Commission signed a legal bill for Attorney, W. Mayer, who reviewed the Washington Hills CR and a tree removal bill.
- All other mail was reviewed.

**Mr. Lively made a motion to adjourn the meeting at 9:34 PM. Dr. Rutberg seconded the motion. Unanimous. (7-0-0).**