

Holliston Conservation Commission

Meeting Minutes

Town Hall- Meeting Room #014

April 4, 2017

7:30 PM

Present: Chris Bajdek, Chair; Rebecca Weissman, Vice Chair; Jennifer Buttaro, Shaw Lively. Ann Marie Pilch, Allen Rutberg, Commissioners
Sheri O'Brien, Conservation Agent; Kristin O'Brien, Conservation Assistant

Absent: None

Chris Bajdek, Chair, opened the meeting at 7:32 PM.

Request for Partial Certificate of Compliance for 3 Katie Way DEP File #185-805 – Steve O'Leary

- Ms. S. O'Brien explained Mr. O'Leary will be closing on the house soon and all outside work has been completed, except for final loaming and seeding of the yard.
- The Board of Health has a \$1,500 grass surety that ConCom can use if the grass is not completed properly.
- The bounds and wetland plaques have been installed.
- Ms. S. O'Brien recommends issuing a Partial CoC until the lawn is stable.

Ms. Pilch made a motion to issue a Partial Certificate of Compliance for DEP File #185-805: 3 Katie Way. Dr. Rutberg seconded. Unanimous. (6-0-0).

Response to Notice of Violation for DEP File #185-725: 36 Kingsbury Drive (Lot 28R) - J. Gerber

- Mr. Gerber will attend the next meeting, as it was realized that the current plan does not have the correct number and location of the bounds. He also needs an ANR from the Planning Board, which is meeting on Thursday, April 6th.

Minor Modification for Hopping Brook Road Extension DEP File #185-781

- There was a typographical error in the Order of Conditions (OoC) issued for Hopping Brook Road Extension. The record plan listed had an incorrect revision date.
- A letter was drafted for the file explaining the modification/ A new "Corrected" Order of Conditions and memo will be sent to DEP and Peter Bemis, of Engineering Design Consultants, Inc.
- Mr. Bemis has not recorded the original OoC, so he agreed to record the Corrected Order.

Ms. Pilch made a motion to issue a Minor Modification (Correction) to the Amended Order of Conditions for Hopping Brook Road Extension DEP File # 185-781. Ms. Weissman seconded. Unanimous. (6-0-0).

Town Dam Update

- Ms. S. O'Brien explained that the Highway Department cleared brush from the top of Houghtons Pond Dam and Lenard Engineering can now begin work as soon as written permission is received from the owner of Dunkin Donuts and Boudreau Automotive, Virginio Sardinha, to cross their property to reach the dam.
- The funds (\$17,000) from last Town Meeting can be released to pay for the current approved work.

Vote on Draft Meeting Minutes – 3/21/17

Ms. Pilch made a motion to accept the 03/21/17 minutes. Ms. Buttaro seconded the motion. Dr. Rutberg abstained. The motion passed. (5-0-1).

Warren Woods Management Plan

- Edits to the Warren Wood Management Plan were previously sent to Mass Audubon and the Ashland Conservation Commission, but Karen Sherman believes it should be modified to allow access from Holliston.
- The Subdivision Plan approved by the Planning Board shows "Public Access Easements" across the drainage easements on Summit Pointe Drive.
- There are neighbors with horses who would like to access Warren Woods using the Public Access Easements.
- Ms. S. O'Brien points out that while specifying access points is not required for the Conservation Restriction (CR) it should be in the management plan.
- There was discussion to the pros and cons of adding an additional new access point for the public.
- Ms. Pilch said that if a new access point is approved, a new and defined trail will have to be created.

Brooksmont Conservation Restriction Review

- Ms. S. O'Brien spoke with Martha Reichert from Division of Conservation Services and she questioned the septic leaching fields in the CR.
- It was discussed whether the Commission had to accept the CR and if they did if the state would approve it.
- Other options for potential CR holders were discussed and it was agreed that if the Town or non-profits like Mass Audubon would accept it, a homeowners association could take the responsibility. The benefit to a homeowners association monitoring the CR is that they would have a vested interest.
- Ms. S. O'Brien will speak with Ms. Reichert again to determine if the state would approve the CR as is.

PUBLIC HEARINGS/PUBLIC MEETINGS

Continued Public Hearing – Notice of Intent for DEP File # 185-825: 8-Arch Bridge - Adjacent to 126 Woodland Street (Assessors Map 1-1-52.4) proposed restoration of the 8-Arch Bridge and vegetation maintenance – Robert Weidknecht/Chair, Holliston Trails Committee

- Barbara Keene Briggs, Tree Specialists, was present. She spoke with Judy Schmitz at DEP about the proposed vegetation management plan. After discussion regarding proper herbicide use in a Zone II public water supply area and application methods, Ms. Schmitz approved the plan.
- Ms. S. O'Brien explained that the vegetation management plan will be Attachment A and the letter specifying methods of herbicide use will be Attachment B. Should either of these change the Commission must be notified and approve the changes before work begins.
- There was discussion about herbicide application methods and precautions that will be taken.
- Natural Heritage and Endangered Species Program has responded and approved the project.
- There was discussion and clarification of the definitions of herbicide and pesticide for the purpose of the Order of Conditions.

Mr. Lively made a motion to close the hearing for the Notice of Intent for DEP File # 185-825: 8 Arch Bridge- Adjacent to 126 Woodland Street. Ms. Pilch seconded the motion. Dr. Rutberg abstained. The motion passed. (5-0-1).

Ms. Pilch made a motion to issue an Order of Conditions for DEP File #185-825: 8 Arch Bridge- Adjacent to 126 Woodland Street, with the discussed conditions. Ms. Buttaro seconded the motion. Dr. Rutberg abstained. The motion passed. (5-0-1).

****New Public Meeting – Request for Determination of Applicability for #D-597: 34 Rogers Road (Assessors Map 12-4-18) proposed construction of a community apiary – Kristine Westland representing Holliston Community Farm Advisory Board**

Conservation Commission Minutes 04-04-17

Issued by: Kristin O'Brien

Approved by Commission: 04-18-17

- Ms. Westland was present and waived the reading of the legal notice advertised in the *MetroWest Daily News* on March 28, 2017.
- Ms. Westland explained there are 9 acres of farmable land on the property. The proposed community apiary would be in an old gravel pit, and would be entirely in a previously disturbed area. The gravel is ideal because it will help stabilize the hives and is near the community garden.
- If approved, this would be the first community apiary in the state.
- There was discussion of other possible locations, and this was the most feasible.
- The chain-link fence is to protect the bees and to prevent the public from accidentally walking into the hives. It will be locked and only those renting a hive will have a key.
- Concrete foundation posts would need to be installed to support the fence. The hives will be on cinder blocks.
- All bee keepers will be regulated and there was discussion about the terms of their agreement.
- There will be no commercial keepers and all hives will be registered.
- There will be a sign informing the public that there are bees nearby.
- The fence would be funded by the Norfolk County Beekeepers Association; they would have 25 hives and periodically offer educational classes.
- There was discussion about the possible turtles nearby who may lay their eggs in the sandy gravel. Ms. Westland agreed to have a 4-6+gap under the fence to allow small wildlife passage and to inform the keepers.
Only vehicle access for bee clubs members will allowed be from the existing dirt road, down the powerline easement, and up to the fence. It will only be for loading and unloading.
- The location and layout of the fence and vegetation will prevent anyone from driving behind the fence towards the wetlands and vernal pool.
- There was discussion about putting up signs stating this access is not for the public, as well as installing a gate at some point to prevent unintended driving.
- The Commission and Ms. Westland agreed to the installation of a chain-like gate (two posts with a chain and tube across the road) with a lock in an area that would block the powerline easement. There was discussion as to possible locations of the gate. It should be located between the power line easement and the hives.
- Ms. Westland has been working with the state bee inspector and plans to start in May.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-597: 34 Rogers Road, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-598: 216 Underwood Street (Assessors Map 8-4-56) proposed construction of a shed – J. Jeffrey Rutter**

- Mr. Rutter was present and waived the reading of the legal notice advertised in the *MetroWest Daily News* on March 28, 2017.
- Ms. K. O'Brien and Mr. Rutter explained about 2/3 of the pre-constructed shed will be on the driveway with 1/3 on existing lawn. The entire shed will rest on concrete blocks and no digging will occur.
- The wood pile will be stacked along the proposed shed.
- No gas cans will be stored in the shed. It will primarily have a lawn mower and other garden tools, and will overwinter outdoor furniture.

Ms. Pilch made a motion to issue the following Determinations for RFD #D-598: 216 Underwood Street, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Ms. Buttaro seconded the motion. Unanimous. (6-0-0).

****New Public Meeting – Request for Determination of Applicability for #D-599: 17 Day Road (Assessors Map 11-8-189) proposed replacement of failed septic system – Eric Dickinson, Civilized Solutions representing Janine Pandolfino**

- Mr. Dickinson was present and waived the reading of the legal notice advertised in the *MetroWest Daily News* on March 28, 2017.
- Mr. Dickinson explained the location of the failed system and the proposed location of the new system. The tank is the only portion of the new system in the 50-100qbuffer zone and the existing tank will be remain in place and be properly closed.
- Ms. K. O'Brien stated that the yard had a fairly steep slope towards the wetlands and recommends extending the erosions controls. The Commission agreed and Mr. Dickinson revised the plan and signed the annotation.

Ms. Weissman made a motion to issue the following Determinations for RFD #D-599: 17 Day Road, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Mr. Lively seconded the motion. Unanimous. (6-0-0).

****New Public Hearing – Notice of Intent for DEP File # 185-826: 100 Washington Street (Assessors Map 12-4-4.3) proposed construction of a garage – Joyce Hastings, GLM Engineering Consultants, Inc. representing Matthew Dellicker**

- Mr. Dellicker and Rob Traux, GLM, were present and waived the reading of the legal notice advertised in the *MetroWest Daily News* on March 28, 2017. Abutter notification cards were submitted.
- The property was recently subdivided to include the area of the proposed work. Mr. Dellicker's goal is to move his construction business below the retention wall to separate it from his family living area above the wall.
- There is an existing foundation, which they proposed to use part of for the foundation for the garage.
- There would be a 6qfence along the property line between the existing Dancing Arts Center driveway and his proposed gravel driveway. Almost all the trees that line the property would need to come down, because they are located where the fence needs to be installed.
- The existing driveway between the property and the wetlands that has associated catch basins. The owners of the Dancing Arts Center business do not want to share the existing driveway.
- The proposed gravel driveway would extend from Whitney Street, with an exit next to the existing driveway, down to the existing retention wall.
- There was discussion about roof run-off and possible ways to mitigate it. The Commission agreed the gravel will allow adequate absorption, in addition to planting small native shrubs along the inside of the fence.
- There was discussion about the location and type plantings that would be required. Mr. Traux will submit a new plan to including the planting area. The area will be about 90qlong against the fence, starting 10qnorth of the garage, continuing the entire 50qlength of the garage, and extending 20qsouth of the garage.
- Snow will be plowed to the south end of the gravel drive up to the retention wall.
- After discussion the Commission added a condition requiring a fuel spill kit be on the property, in perpetuity.
- GLM will revise the plan to include additional plantings and to represent the gravel area correctly.

An Order of Conditions will be drafted for the next meeting on April 18th.

Ms. Pilch made a motion to close the hearing for the Notice of Intent for DEP File # 185-826: 100 Washington Street, pending the submission of a revised plan. Mr. Lively seconded the motion. Unanimous. (6-0-0).

Review Conservation Commissioner Applications

- The Commissioners reviewed the Commissioner applications from Utah Nickel and Blake Mensing.

- Dr. Rutberg received an email from Megan O'Brien of the Democratic Town Committee, highly recommending Mr. Nickel.
- The candidates were discussed and it was agreed to invite both to interview at the April 18, 2017 meeting: Mr. Nickel at 7:00 pm and Mr. Mensing at 7:30 pm.

Review Correspondence

- Correspondence was reviewed.
- There was discussion about the Public Meeting to discuss updates to the Master Plan for the Charles River Natural Valley Storage Area Flood Risk. Mr. Bajdek may attend the meeting.

Culvert near 441 Washington Street

- Marc Connelly said a few years ago that he was walking through the culvert at 441 Washington Street to check on the bat population and he found a hole where water was flowing down and under the culvert. He notified the previous Town Administrator, Paul LeBeau, but the hole has not been fixed. He is concerned the water is undermining the culvert and will cause damage to Route 16.
- The Commission recommended he speaks with the Highway Department, Jeff Ritter, and possibly DOT.

1670 Washington Street Peer Review Refund

- The stormwater peer review has been finalized and the Commission must return the remaining funds in the escrow account set up by the applicant at 1670 Washington Street.
- The Commission signed the invoice to pay TetraTech for the peer review.

Mr. Lively made a motion to adjourn the meeting at 9:54 PM. Dr. Rutberg seconded the motion. Unanimous. (6-0-0).