

## **Holliston Conservation Commission**

**APPROVED Meeting Minutes**  
Town Hall – Meeting Room #014

March 27, 2012  
7:30 PM

Present: Geoffrey Zeamer, Chair; Ann Marie Pilch, Vice-Chair; Chris Bajdek, Fred Carnes, Richard Maccagnano, Allen Rutberg, Commissioners

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

**Mr. Zeamer opened the meeting at 7:30 PM.**

### **General Business**

#### **Agent's Report**

An Agent's Report was not presented tonight. The following was discussed:

#### **Discussion RE: Potential Violation at 1075 Highland Street - Michael Clarke**

Mr. Clarke was present and explained that he wanted to do the right thing and correct any issues present on his goat farm. He is re-establishing some agricultural uses on his property. Mr. Clarke has cut some trees within 100 feet of Chicken Brook. No work has been done completely in the wetlands. He had also removed a substantial pile of fill from near the wetlands. Chairman Zeamer recommended that he get a copy of the MA DEP Farming in Wetlands to assist him. There may have also been some brush cutting on Conservation Land. Mr. Zeamer would like him to establish exactly where his property lines are located. Mr. Clarke agreed that he would file the proper wetland application in order to do this agricultural work. Administratively, a Notice of Violation will still need to be issued; however, the Mr. Clarke understands that he will need to file a Request for Determination of Applicability.

Mr. Maccagnano also recommended that Mr. Clarke contact Donald Kramer, the head of Holliston Animal Counting, since he takes an annual animal count.

#### **Emergency Certification: Fiske Street Water Main Break - Water Department**

A water main broke on Fiske Street near the Sherborn line last week and the Agent issued an Emergency Certificate on March 21, 2012. The water line had already been repaired by the Water Department before the Emergency Certificate was issued. There was considerable blow-off of sediment into the wetlands. The Emergency Certificate needs to be ratified by the Commission. Cleaning up of the sediment in the wetlands and permanent repair of the water line will need a formal NOI application.

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**Ms. Pilch made a motion to ratify the Emergency Certificate that was issued to the Holliston Water Department on March 21, 2012. Dr. Rutberg seconded the motion. Unanimous.**

**Administrative Duplicate Issuance of Order of Conditions for DEP File No. 185-682: Lots 18 and 46 Wilson St. (Brandon Ln.) - Mike Dean/Guerriere & Halnon representing Afonso Real Estate**

The Order of Conditions for DEP File No. 185-682 was signed by the Commission on February 10, 2009, but was never officially notarized and issued due to an administrative error during a previous Agent's tenure. Therefore, the Order was never recorded by the applicant. This Order is being re-signed and issued so that it can be notarized as required in February 2009. After it is notarized, the Order can be recorded at the South Middlesex Registry of Deeds. See Below for information regarding the extension of the Order of Conditions.

**Permit Extension Act Approval - Extension of Order of Conditions for DEP File No. 185-682: Lots 18 and 46 Wilson St. (Brandon Lane) - Mike Dean/Guerriere & Halnon representing Afonso Real Estate**

The Commission signed the two year extension (until February 10, 2014) for the Order of Conditions for DEP File #185-682: Lots 18 & 46 Wilson Street as deemed necessary by the Permit Extension Act.

There was a question as to whether there is a "sunset provision" for the Permit Extension Act and if the period for the automatic extension has ended. If so, the signed Extension will not be valid, and therefore, it will not be issued. The Agent will check into whether there is a "sunset provision" for the Permit Extension Act. This date would be different than the "tolling period" which applies to any permit in existence between the dates of August 15, 2008 and August 15, 2010.

**Adams Street Parking Lot & Driveway - Completion of Driveway by Barrows Contracting**

Barrows Contracting submitted an estimate to finish the apron of the driveway at the Adams Street parking lot. Boulders also need to be placed alongside the parking lot next to the large boulder, so that cars will stop driving over this area. This will allow more parking spaces as Planning Board originally intended. The Commissioners will visit the site to decide if they believe the driveway needs to have this work done.

**Discussion RE: Lake Winthrop Restoration - CPC Grant Application**

The CPC Grant Application was submitted to the CPC on March 16, 2012. The request was for \$28,000 of funding for one year (with plans for future management in the following years). There was discussion regarding whether this financial request was more than necessary to actually do the work, so the Commission will review the amount of the request before the CPC presentation. The Agent will send the CPC grant application and ESS' proposal to the Commissioners for their review.

### **8:00 PM - Public Meetings & Hearings**

**Continued Public Hearing - Notice of Intent for DEP File # 185-722: 94 Brook Street, identified as Holliston Assessors Map 12, Block 2, Lot 7**, proposal to construct a single-family house, including the installation of a septic system, driveway, utilities, and associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *Holliston Residential Realty*

Mr. Jeffrey Roelofs, Attorney for the Client, made a request today to continue this hearing to April 24, 2012. The BOH denied the application for the septic system at this site.

**Ms. Pilch made a motion to continue the hearing for DEP #185-722, 94 Brook Street to April 24, 2012. Dr. Rutberg seconded the motion. Unanimous.**

**Continued Public Hearing - Notice of Intent for DEP File # 185-TBD: 35 and 41 Pleasant Street identified as, Holliston Assessors Map 8E, Block 4, Lots 17 and 18, respectively**, proposal to alleviate flooding by improving stormwater drainage and removing vegetation, *Tom Smith/Holliston Highway Department*

Mr. Katuska read the legal notice published in the Metrowest Daily News on March 20, 2012. Tom Smith from the Highway Department was present. Brush and some small trees will be cut down to clean out the ditch along the old cart path and the ditch coming in from Pleasant Street. After the ditch and the pipe from Pleasant Street are cleaned out, they can determine the condition of the manhole in the drainage easement at 41 Pleasant Street. The soil removed from the ditches will be placed neatly at the top of the banks of the ditches. The soil from the ditch along the old cart path will be put along the slope coming down from the cart path. The pipe from Pleasant Street to the manhole will be jetted-out with a Jet truck if it is root bound. The Commission asked that the Order of Conditions include the cleaning out of this pipe and if jetting out the pipe does not work, then the replacement of the pipe shall be allowed. (This pipe is in the drainage easement at 41 Pleasant Street which runs from the catch basin in front of 41 Pleasant Street to the manhole behind the home).

Bill and Carol Dooling of 37 Spring Street asked if this work will help the flooding in their yard. Mr. Smith indicated that this is part of the reason that this work is being done and he hopes that it will help the flooding.

Jim Read of 45 Pleasant Street explained that there is a manhole checkpoint/midpoint that bubbles up due to some blockage. He also wondered if there were any plans to clean out the ditch parallel to Washington Street past the 100 feet. Mr. Smith thinks that the drainage plans will work with cleaning out the 100 feet that has been proposed.

Mr. Katuska found the work that had been completed for Mudville, Phase 1 is working well and that it came through the winter fine.

Since no DEP file number has been issued for this Notice of Intent, the hearing will need to be continued until April 10, 2012.

**Ms. Pilch made a motion to continue the hearing for DEP #185-TBD, 31 & 45 Pleasant Street to April 10, 2012. Dr. Rutberg seconded the motion. Unanimous.**  
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**\*\*New Public Hearing - Notice of Intent for DEP File #185-727: Lot 5 Squanto Path identified as Holliston Assessors Map 14, Block 3, Lot 4.5,** proposal to construct a single-family house, including the installation of a septic system, driveway, utilities, and associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *126 Residential ANR Realty*

**\*\*New Public Hearing - Notice of Intent for DEP File #185-728: Lot 1 Squanto Path, identified as Holliston Assessors Map 14, Block 3, Lot 3.4,** proposal to construct a single-family house, including the installation of a septic system, driveway, utilities, and associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *126 Residential ANR Realty*

**\*\*New Public Hearing - Notice of Intent for DEP File #185-729, identified as Holliston Assessors Map 14, Block 3, Lot 4.6,** proposal to construct a single-family house, including the installation of a septic system, driveway, utilities, and associated grading and site work, *Peter Lavoie/Guerriere and Halnon, Inc.* representing *126 Residential ANR Realty*

*As an abutter, Chairman Zeamer recused himself from these hearings. Ms. Pilch, Vice-Chair, chaired the hearing in his absence. The three hearings listed above were run concurrently.*

Mr. Katuska read the three legal notices published in the *Metrowest Daily News* on March 20, 2012. Robert Poxon from Guerriere and Halnon presented the engineering plans for all three lots. He explained that when the subdivision was approved by Planning, they required that none of the driveways exit onto Concord Street. The average size of the houses is 50x75 feet. The Commission expressed concern that the houses were so large that they had to be in the 100' buffer zone. For Lots 1 & 5, Squanto Path, the Commission agreed that they would like the impervious surfaces (i.e., the house and driveway) outside the 100' buffer zone, but would allow grading in the 50-100' buffer zone (not in the 50' "no-touch" buffer zone).

The subdivision is due to expire soon (June 2012), therefore, the cul-de-sac will not be valid after that date. The applicant may use a common driveway for these 3 lots, if they decide not to pursue the subdivision cul-de-sac.

A previous replication area in Lot 6, Concord Street was created for a previous project by Fafard Real Estate; and it seems that the house may be very close to this replication area. Lot 6, Concord Street, is 42,000 square feet and is almost all in the buffer zone. The Commission does not see how a house and septic system can be placed on this lot and be outside the buffer zone.

Mr. Poxon requested that the hearing be continued until April 24, 2012 so that the Commission's requests can be incorporated into the plans.

**Dr. Rutberg made a motion to continue the hearings for DEP #185-727, Lot 5 Squanto Path, DEP File #185-728: Lot 1 Squanto Path, and DEP File #185-729: Lot 6 Concord Street to April 24, 2012. Mr. Bajdek seconded the motion. Unanimous.**

## **8:45 PM - Interviews for Conservation Commissioner Vacancy**

### **Milton Cohen**

Mr. Cohen lived in Hull for 20 years, where he was on the Finance Committee for 10 years and was the liaison with the Conservation Commission. He has grant writing skills.

He felt the Holliston Conservation Commission was very helpful to him back when Robert Weidknecht was Chair, when there were issues with W.F. Wood.

He knows a lot about the town historically. He is familiar with the MA Wetlands Protection Act since he was a liaison to the ConCom in Hull when he was on the Finance Committee.

He is retired and would be available for the meetings. He would like to work with Open Space and Recreation.

### **Minnie Gupta (legal name - Mousumi Bagchi)**

Ms. Gupta firmly believes that it is important for residents to contribute back to the town. She has a public relations background and is good with people. She is very analytical, logical, and a planner. She organizes community events and has a lot of experience in planning events.

Good Communication is important and this is one of her strengths.

Her property abuts wetlands and she feels very fortunate to have all of the wildlife associated with the wetlands right in her back yard. She would like to be able to help take care of these important wetlands. She has lived here for 3 months, but doesn't plan on moving within the next 10 years.

She is available on a regular basis for Tuesday night meetings. She is very committed and would bring a lot of energy to her work.

### **Shaw Lively**

Mr. Lively was not able to interview at the meeting this evening. He has been invited to interview at the Commission's next meeting on April 10<sup>th</sup>.

### **Jim McGrath**

Mr. McGrath is an engineer and has worked for two electric/gas utilities over the past 40 years primarily at the power plants. He had a variety of responsibilities and was responsible for a wastewater treatment plant in Boston. They tested for pH, iron, copper, and total dissolved solids. He had to do the state and federal permitting for the plant. He has not dealt with wetlands, but has been in environmental affairs off and on for over 40 years.

He has lived in town for 35 years and has always thought that he should be more involved with the community. He has more time now, because he is semi-retired. He thinks that the ConCom would be a good fit with his background. He would be available for meetings on Tuesday evenings.

### **Philip "Flip" Porter**

Mr. Porter has worked in Newton for the past 20 years scheduling world leaders that debate policies and issues. He and his wife built the first LEED-certified "green" house in Holliston, so he is familiar with environmental concerns.

He and his wife are active users of the Conservation Land in Holliston and he would like to give back to the town and be a better citizen for the town.

He has gone through various projects and is familiar with how projects are run. He is not familiar with the Wetland regulations, however, he is willing to learn and is eager to become knowledgeable about the laws.

He is available for meetings on Tuesday evenings.

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**Rebecca Weissman**

Ms. Weissman has been a Professional Wetland Scientist since about 2000. She has done projects with state permitting and is familiar with local Bylaws. She was on the Wellesley Wetlands Protection Commission before moving to Holliston. She is familiar with how a Commission is run.

Her work focus is now more on energy permitting at a Federal level. She would like to stay involved with the Massachusetts Wetlands permitting. She has lived in Holliston for 4 years and would like to serve the community.

She works out of her home office and would be able to go out and do site visits and work with people during the day. She has a Masters in Zoology and is very interested in vernal pool habitats. There could potentially be conflicts of interests at times, but that wouldn't probably be very often.

She is available for meetings on Tuesday evenings and since she works out of a home office, she would be available during the week.

The Commission discussed the Commissioner candidates and felt that Ms. Weissman was the strongest candidate. However, they also believe that several of the other interviewees would be good candidates for the Open Space Committee, the Conservation Associates, or an Associate Conservation Commissioner.

The Commission asked the Agent to draft a description for an Associate Commissioner that would be a liaison to the Conservation Associates.

**General Business Continued****Vote on Approval of ConCom Meeting Minutes from 2/14/12 and 2/28/12**

**Ms. Pilch made a motion to approve the ConCom meeting minutes from February 14, 2012 and February 28, 2012. Mr. Maccagnano seconded the motion. Unanimous.**

**Possible Violation on Woodland Street**

Mr. Bajdek reported that there was digging taking place in a backyard on Woodland Street adjacent to Factory Pond. Mr. Katuska will make a site visit.

**At 10:15 PM, Mr. Maccagnano made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous.**

The next Conservation Commission meeting will be Tuesday, April 10, 2012.