

Holliston Conservation Commission

Meeting Minutes

Town Hall- Meeting Room #014

April 18, 2017

7:00 PM

Present: Chris Bajdek, Chair (arrived at 7:30); Jennifer Buttarro, Shaw Lively. Ann Marie Pilch, Allen Rutberg, Commissioners
Kristin O'Brien, Conservation Assistant

Absent: Rebecca Weissman, Vice Chair; Sheri O'Brien, Conservation Agent

Allen Rutberg, Commissioner, opened the meeting at 7:05 PM.

Commissioner Interview . Utah Nickel

- Mr. Nickel would like to join the Commission to give back to the community he has lived in for 10 years.
- He has a lifelong interest in the wilderness and a degree in biology, but has been working in child development.
- He believes his analytic skills and ability to see the perspective of others would make him an excellent Commissioner.

Commissioner Interview . Blake Mensing

- Mr. Mensing grew up playing outdoors and in ponds which led to his interest in wetlands.
- He currently is an attorney at Miyares and Harrington, LLP, where he works with local municipalities and about 25% of his practice is environmental law.
- There was discussion about how the Commission interprets and enforces the Wetlands Protection Act and Town Bylaws and how Mr. Mensing would approach applications.
- Per Mr. Mensing's questions the Commission discussed the role of the Conservation Agent and important traits of a Commissioner.

Vote on Draft Meeting Minutes – 4/4/17

Mr. Lively made a motion to accept the 03/21/17 minutes. Dr. Rutberg seconded the motion. Mr. Bajdek abstained. The motion passed. (4-0-1).

PUBLIC HEARINGS/PUBLIC MEETINGS

****New Public Meeting - Request for Determination of Applicability for #D-600: Railroad Right-of-Way- Church Street to Sherborn Town Line (Assessors Map 1-1-52.4, 52.5 and 52.6) proposed repurposing the abandoned railroad Right-of-Way to a walking path – Robert Weidknecht, Holliston Trails Committee**

- Mr. Weidknecht was present and waived the reading of the legal notice advertised in the *MetroWest Daily News* on April 11, 2017.
- Mr. Weidknecht explained that this is the last section of ROW that needs to be upgraded.
- This section has experienced less disturbance than other sections; therefore it will require less grading and gravel.
- The ballast is in good condition and the vegetation along the edge is dense, greatly reducing the risk of erosion.
- Erosion controls will be installed at culverts and stream crossings.
- Mr. Weidknecht explained the process of resurfacing the trail.
- The Department of Environmental Protection gave permission for the use of recycled asphalt in Zone II public water use areas. However, it will not be used in the Well Protection Radius extending from the stream crossing about 100 feet north of the radius down to Mayflower Landing. Only clean gravel will be used in the Well Protection Radius area.
- There was discussion about Matthew Dellicker's property and the extent of which is in the ROW.

Conservation Commission Minutes 04-18-17

Issued by: Shaw Lively

Approved by Commission: 05-02-17

Ms. Pilch made a motion to issue the following Determinations for RFD #D-600: Railroad Right-of-Way: Church Street to Sherborn Town Line, with the discussed conditions; Positive 2B, Positive 5, and Negative 3. Dr. Rutberg seconded the motion. Unanimous. (5-0-0).

GENERAL BUSINESS

Request for Partial Certificate of Compliance for 3 Minuteman Circle DEP File #185-792 – Toll Brothers

- Ms. K. O'Brien and Russ Marron, Toll Brothers Inc., explained that the home built has a different layout than the one the Commission approved. The original floor plan was from Fafard, who submitted %stock+house layouts. Toll Brothers offers several different layout for the future homeowners to select. The chosen layout was not submitted to the Commission. The alterations are primarily in the layout of the foundation (which is ~100 sq. ft. larger and has a bit more foundation in the 100qbuffer zone), the location of the deck, and the location of the septic tank.
- The Commission reviewed the changes.
- The bounds and plaques were installed and the final grading is complete. The lawn needs to be seeded and stabilized.
- There was discussion and the Commission agreed to issue a Partial Certificate of Compliance.

Ms. Pilch made a motion to issue a Partial Certificate of Compliance for DEP File #185-792: 3 Minuteman Circle. Ms. Buttaro seconded. Unanimous. (5-0-0)

Camping Permit Request at Adams Street Conservation Land – Frank Chamberlain, Boy Scout Troop 73

- Mr. Chamberlain explained that every year the new Boy Scouts go on a %Shake Down+ camping trip to introduce them to camping. The usual location was damaged by a forest fire and is not available. Mr. Chamberlain would like to camp in the Adams Street Conservation Land since it is close to home and he can educate them about local conservation.
- A location was found near the fire road that has very little ground cover and understory growth. It also has exposed ledge which would be ideal for a fire pit if the Fire Chief approves their request.
- While attempting to find a camping location an old kiosk built by Troop 73 was discovered and is in need of repair. If the permit is approved they will determine what is needed to repair the kiosk during the trip.
- The Commission agreed to issue the permit and Mr. Bajdek signed.

Camping Permit Request at Poitras Conservation Land – Sophie Cramer

- The Commission reviewed and discussed the application.
- There is no precedents for long term camping on town land and the purpose of the land is to conserve it.
- The Commission agreed they did want to set precedence for long term camping and did not issue a camping permit to Ms. Cramer.

PUBLIC HEARINGS/PUBLIC MEETINGS

Continued 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

- Ms. K. O'Brien explained the Commission closed the hearing at the April 4, 2017 meeting pending the submission of an updated plan, which was received.

Ms. Pilch made a motion to issue an Order of Conditions for DEP File #185-826: 100 Washington Street, with the discussed conditions. Dr. Rutberg seconded the motion. Unanimous. (5-0-0).

GENERAL BUSINESS

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

- Ms. K. O'Brien explained Mr. Gerber submitted a finalized settlement agreement and a final conveyance plan by GLM. The bounds and wetland plaques are in the process of being installed by GLM, and will be finished shortly.
- The agreement was reviewed and discussed by the Commission.

Dr. Rutberg made a motion to accept the settlement agreement for 36 Kingsbury Drive DEP File #185-725, contingent upon the final installation of bounds. Ms. Pilch seconded. Unanimous. (5-0-0).

Ms. Pilch made a motion to issue a Partial Certificate of Compliance for 36 Kingsbury Drive DEP File #185-725. Dr. Rutberg seconded. Unanimous. (5-0-0).

Neighbor inquiry of 0 Cedar Street

- Ms. K. O'Brien explained that a resident from Ashland asked if the Commission would be interested in conserving the property abutting hers at 0 Cedar Street. It is currently wooded but entirely isolated from other conservation lands (public or private).
- The Commission discussed and agreed this property does not meet the open space priorities for land acquisition.

10-12 Fairview Street Update

- Ms. K. O'Brien explained there was a complaint from a neighbor of 10-12 Fairview Street about their erosion controls. An assessor marked the property line and about 5 feet of erosion controls were on his property.
- The area in question was stable lawn, but the rest of the area needs to be seeded again.
- Approval was given for the applicants to move the erosion controls off the neighbor's property and reinstall on their property.

Discussion: Construction Plan Changes

- Ms. K. O'Brien explained that while it is not common for plan changes to go unnoticed it does happen, particularly with the larger development projects. She asked the Commission's advice on how to enforce this/prevent it from occurring again.
- The Commission discussed options, including adding language to the regulations requiring submission of updated plans.

Review Conservation Commissioner Applicants

- There was discussion about the strengths and weaknesses of both candidates.
- It was agreed that Mr. Mensing's law experience would be extremely valuable, and they would like to ask Mr. Nickel to be an Associate Commissioner.

Mr. Lively made a motion to recommend Mr. Blake Mensing as a Commissioner and Mr. Utah Nickel as an Associate Commissioner to the Board of Selectmen. Dr. Rutberg seconded. Unanimous. (5-0-0).

Review Correspondence

- Correspondence was reviewed.

Mr. Lively made a motion to adjourn the meeting at 9:42 PM. Dr. Rutberg seconded the motion. Unanimous. (5-0-0).