

## Holliston Conservation Commission

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

April 9, 2013  
7:30 PM

Present: Allen Rutberg, Chair; Ann Marie Pilch, Vice-Chair; Shaw Lively, Richard Maccagnano, Jim McGrath, Rebecca Weissman, Commissioners

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

Absent: Chris Bajdek, Commissioner

**Allen Rutberg opened the meeting at 7:32 PM.**

### General Business

#### **Management Plan for the Winthrop Canal – Tom Smith, Superintendent, Holliston Highway Department**

Mr. Smith would like the Highway Department to be able to monitor the Winthrop Canal about once a week to hand remove or cut back (with a chain saw) natural woody debris. He will get written permission from the private property owners to access their property. No heavy equipment will be used. The Commission asked that beaver dams not be dismantled; however, if a beaver dam has just been started and is made up of just a few sticks, then the Highway Dept. may remove the wood. Selectmen Jay Leary inquired about how much sediment there is in the canal. Mr. Smith said that at some of its deepest points the sediment is about 2 feet deep.

**Mr. Maccagnano made a motion to accept Mr. Smith's Maintenance Plan as outlined in his e-mail dated April 5, 2013 with the conditions that permission will be obtained from private property owners and beaver dams will not be dismantled. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

#### **Request to Increase Water Level at Linden Pond – Karen Fung, Holliston Dam Safety Officer**

Ms. Fung presented photographs of the Linden Pond dam at different levels on various dates since March 2010. She has not seen any leaks in the dam over time during varying conditions, including high water levels after hurricanes. She recommends installing a single 2x6" board in the slots of the dam from June to October and to take the board out November to May. Paul Saulnier, the Dam Safety Officer previous to Karen Fung for 20 years, agreed that it would be safe to raise the water level of the pond. Scott Mayo, 27 Linden Street, lives next to the dam and would like the water level raised, because the pond is just a "mud flat" at this point in time.

The Commission agreed that one 2x6" board could be installed at this time and the condition of the dam and the affect on the Winthrop Canal (flowing into the pond) can be monitored by the Dam Safety Officer over this coming season from May to October. The board will be installed at the end of the rainy season around June 1<sup>st</sup>. Ms. Fung will keep the Commission informed about her observations after the board is installed.

### Public Meetings & Hearings

**\*\*New Public Meeting - Request for Determination of Applicability - #497: 235 Woodland Street – Rees Nature Trail behind Miller Elementary School identified as Holliston Assessors Map 11G, Block 3, Lot 31**, proposal to construct an elevated wooden boardwalk on the Rees Nature Trail, *Marc Connelly & Karen Fung/Holliston Conservation Associates(Town of Holliston)*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 2, 2013. Karen Fung and Marc Connelly were present. Ms. Fung presented the plans for a wooden boardwalk on the Rees Nature Trail. The boardwalk will be anchored with concrete pads and concrete pier footings (created using sono-tubes). Ten-foot sections will be carried in by hand to create a 140' boardwalk.

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-497, 235 Woodland Street – Rees Nature Trail:**

**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 #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.

**Conditions:**

- a) Holliston Conservation Commission to be notified of work start date by telephone (508-429-0607) not less than 48 prior to work start.
- b) Soils excavated for the construction of each concrete pier foundation shall be spread evenly over an area of not less than 100 square feet or removed from the buffer zone.
- c) Any non-boardwalk land area disturbed by construction must be left at pre-construction grade and restabilized with leaf mould or other humic compost immediately following completion of boardwalk construction.
- d) Prior to the commencement of work, the Holliston School Dept. shall be notified about this project. (508-429-0654)
- e) Boardwalk shall be inspected annually and any necessary maintenance/repairs shall be undertaken upon discovery and reported to the Conservation Commission.

**Mr. Maccagnano seconded the motion. Unanimous. (6-0-0)**

**\*\*New Public Meeting - Request for Determination of Applicability - #498: 10 Dixon Circle –identified as Holliston Assessors Map 11, Block 8, Lot 40**, proposal to install a replacement septic system, *Paul Saulnier/CIVILized Solutions* representing *Richard Cuevas*

Mr. Katuska read the legal notice published in the *MetroWest Daily News* on April 2, 2013. Mr. Saulnier presented a plan for the replacement septic system which will be in existing lawn area. No trees will be removed. The wetlands line has not been formally delineated; however, the Agent agreed that it is a conservative wetlands line. The septic tank and pump chamber will be outside the 50' buffer zone. The leaching field will be further away from the wetlands than where it is currently located. The stockpile and access way locations were indicated.

**Ms. Pilch made a motion to issue the following Determinations for RFD #D-498, 10 Dixon Circle:**

**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.

**Conditions:**

- a) Erosion control barrier must be installed prior to any tree removals or land disturbance for septic system replacement 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 septic system reconstruction are fully restabilized with vegetation.
- b) The stockpile will be located northeast of the house as indicated on the record plan.
- c) Project access will be from the street along the eastern side of the house as indicated on the record plan.

**Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

**Continued Public Hearing - Notice of Intent for DEP File # 185-741: Indian Trail Estates Subdivision, identified as portions of Holliston Assessors Map 14, Block, Lots 3.2, 3.3, 3.4, 4.4, 4.5, and 4.6**, proposed construction of a stormwater detention basin and the grading for the roadway in a 5 lot subdivision, *Robert Poxon/Guerriere and Halnon, Inc.* representing *126 Residential ANR Realty*

Michael Dean was present for Robert Poxon and received a copy of an e-mail dated April 8, 2013 with the Agent's comments regarding the Stormwater Management Report. Mr. Poxon made a written request to continue the hearing to April 23, 2013.

**Ms. Pilch made a motion to continue the hearing for DEP File # 185-741: Indian Trail Estates Subdivision to April 23, 2013. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

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## General Business Continued

### Review Mail

The mail was reviewed.

### Highlands at Holliston Conservation Restrictions – Don Seaberg, Benchmark Engineering

The staff is continuing to review the Conservation Restriction for Phase I (Parcels A, B, and C) and hopes to go through the CR with Don Seaberg the week of April 22<sup>nd</sup> to review several questions.

### Automatic Extension via the Permit Extension Act and an Additional One Year Extension for Order of Conditions, DEP File #185-553: Hopping Brook Park, Phase 2 – New Hopping Brook Trust

Brian Butler and Stan Gordon (representing New Hopping Brook Trust and Jon Delli Priscolli, Trustee) requested a one year extension to the Order of Conditions after the Automatic Extension expires on April 30, 2013. They asked if the Commission would consider allowing relief from the Bylaw Filing Fee for an extension. The fee is usually the same amount as the original Notice of Intent fee. The Commission agreed to grant a one year extension without charging a fee at this time, because it is anticipated that no significant staff time should be required to administer the permit or to oversee the project during the effective period of this one year extension. In addition, minimal work has been completed since the original Order was issued in 2003 and there has been minimal Commission resources (time and money) required since 2003. Per the Town Treasurer, all taxes have been paid for the parcels where this project is located.

In order to issue an Extension to the Order of Conditions for one year, the Extension granted on 6/27/06 needs to be recorded at the South Middlesex Registry of Deeds. Mr. Gordon said he would make sure the previous extension was recorded within the next two weeks so that the new extension could be issued at the next ConCom meeting.

The three culverts under the unpaved portion of Hopping Brook Road (behind Griffin Electric) were slightly cleaned out today to begin the release of water that is backed up behind the blocked culverts. Eight to 10 inches of debris were removed off of the top of the woody debris lodged in the culvert. They hope to remove more debris in the future. The Agent asked them to contact him in the future before they remove any debris, so that the release of water can be coordinated with those that might be impacted by the downstream flowage in Medway.

**Mr. Maccagnano made a motion to grant a one year extension after the Automatic Extension expires on April 30, 2013. Mr. McGrath seconded the motion. Unanimous. (6-0-0)**

### Modifications to Order of Conditions for DEP File #185-580 – Lot 188, Indian Ridge Road – Paul Germano

Mr. Germano is the new owner of Lot 188, Indian Ridge Road. He would like to make three minor modifications to the original plan for this property. He proposes to move the garage away from the wetlands 4', add a propane tank, and change the erosion controls from haybales and silt fence to sock erosion controls. The Commission agreed that these

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changes will not impact the resource area and are not significant enough to require an Amendment to the Order of Conditions.

A letter will be sent to the owner documenting that this revised plan dated March 28, 2013 has been accepted as the Record Plan by the Commission.

**Ms. Pilch made a motion to accept the modifications to the plan and accept the new plan dated March 28, 2013 as the Record Plan. Mr. Lively seconded the motion. Unanimous. (6-0-0)**

**Request for Partial Certificate of Compliance for DEP File #185-682: 6 Brandon Lane (Lot 2 - off of Wilson Street) – Peter Lavoie/Guerriere & Halnon representing Alfonso Real Estate**

The site has been hydro-seeded with a heavy hydro-mulch so that the soil cannot be seen through the hydro-seed and the erosion controls have been repaired.

**Ms. Pilch made a motion to issue a Partial Certificate of Compliance for DEP File #185-682, 6 Brandon Lane (Lot 2) only. Mr. McGrath seconded the motion. Mr. Maccagnano voted No. The motion passed. (5-1-0)**

**Change Meeting Date for June 25<sup>th</sup> Due to Senate Special Election**

Possible new dates were discussed for this meeting.

**General Business/Review Mail**

The mail was reviewed.

**FinCom Meeting on April 4<sup>th</sup>**

Mr. Katuska summarized the meeting held on April 4<sup>th</sup> with the FinCom. Dr. Rutberg and Mr. McGrath were also in attendance at the FinCom meeting. The FinCom did not make a decision on the ConCom budget during the meeting.

**Community Preservation Committee (CPC) Meeting on April 7<sup>th</sup>**

Mr. Katuska reported the status of the Lake Winthrop Management Plan to the CPC on April 7<sup>th</sup>.

**Acquisition of Land next to Warren Woods**

Ann Marie Pilch (Chair of the Open Space Committee-OSC) explained that Northeastern is selling a 23 acre parcel of land near the Ashland line adjacent to Warren Woods which the OSC is interested in purchasing. Northeastern has agreed that if the Town sends them a new letter of intent, they would accept the Town's offer to buy the land. The Community Preservation Committee has agreed to put \$100,000 towards the purchase price. The Open Space Committee is sponsoring a walk on the property on April 27<sup>th</sup>.

**At 9:27 PM, Mr. Maccagnano made a motion to adjourn the meeting. Ms. Pilch seconded the motion. Unanimous. (6-0-0)**

The next Conservation Commission meeting will be April 23, 2013.