

Holland Conservation Commission

Minutes of Commission meeting held on July 20, 2004.

Present: Steven Anderstrom, Acting Chairperson, Patricia Caron, Howard Fife, Art Fusco, Helen Kreiger and James Wettlaufer. Absent: Mary vandenBerg.

7:05 p.m. Chairperson called the meeting to order.

7:10 p.m. Minutes of Commission Meeting held on July 13, 2004, were read. Motion made by Steven Anderstrom to accept the minutes as read seconded by Helen Kreiger and accepted by all.

Old Business:

The HCC received from Bruce Griffin of New England Environmental, Inc. a letter informing us that he has been retained by Mr. Thomas Gould to assess recent work performed near resource areas on his property on Allen Hill Rd. in Holland. This work was the subject of the Enforcement Order issued by the HCC dated 6-30-2004. "It is my intention to delineate wetland resource areas on this property and file a Notice of Intent for the work performed to this point and for the completion of the project Mr. Gould has started, which is rehabilitation of woods, roads on this property to allow access to upland areas. In my initial visit to the site with Mr. Gould, I saw that culverts had been placed at intermittent stream crossings, to replace stone farm culverts, which had been degraded. Mr. Gould assures me that his intent is to maintain effective access to his property for his sole use, and that no further sub-division of this parcel is contemplated at this time."

A motion was made by James Wettlaufer that a letter be sent to Mr. Bruce Griffin stating that: "You misinterpret our concern. We view this as a grave violation of the Wetlands Protection Act. We are not concerned with sub-division. The work that Mr. Gould has already undertaken is in violation of State Law as stated in Chapter M.G.L. c. 131, para. 40, and its Regulations (310 CMR 10.00)". Mr. Griffin's letter should be sent to the DEP questioning them as to how we should proceed. Also, Mr. Griffin could give us a tour in an effort to understand what has been done before the filing of the Notice of Intent. This motion was seconded by Howard Fife and approved by all.

7:40 p.m. Heather Blakeley, Board of Health, presented Ed Misiaszek, President of Nuisance Wildlife Control, to the HCC to approve the use of conibear or cage-type traps for the taking of beaver or muskrat to alleviate a threat to public health and safety at the culvert on 30 Alexander Road which could flood, washing it out. A motion was made by Howard Fife to approve Perpetual Care to this area seconded by Art Fusco and approved by all and signed by Steven Anderstrom, Acting Chairperson.

7:45 p.m. The Public Hearing scheduled for Elias Hanna, File No. 184-177, Lot 4; File No. 184-178, Lot 5 was represented by Steven Brissette. No abutters were present. The possibility of affecting endangered species; whether to have a communal driveway; whether to make the property 3 parcels rather than 4 was discussed. Motion was made by James Wettlaufer to continue the hearing for another 2 weeks to allow all options to be presented to Mr. Hanna seconded by Helen Kreiger and approved by all. The continued Public Hearing is scheduled for Tuesday, August 10, 2004 at 7:30 p.m. and 8:00 p.m. to include Lots 2 and 3 - Mr. Brissette will send The Notices of Intent to the HCC so that Legal Ads can be posted.

Mr. Brissette gave us a check for \$160.00 for Legal Ads to appear in The Republican for Elias Hanna, (Lots 4 and 5) Sturbridge Rd., Andre Romano, Lakeshore Dr. and Gary Boniface, Craig Rd.

8:15 p.m. Procedure Sheet #04-0871 issued to Peter Schartner of 44 OverTheTop Rd., Map R15-B-04 to remove an Oak tree that is being eroded by the lake. Motion made by Art Fusco to approve the tree cutting with the stump to remain seconded by Pat Caron and approved by all. Procedure Sheet signed by Steven Anderstrom.

8:25 p.m. Andre Cormier of Escape Estates questioned whether the lots on Butterworth Rd., having no wetlands issues, is concerned with storm water management and questioned as to how to proceed. He was informed that no Notice of Intent would be required, but a hearing with the HCC and Brian Johnson, of the Highway Dept., present, needs to be scheduled.

8:30 p.m. The HCC received a Certified Letter on July 20, 2004 from Raymond Korny, mailed July 19, 2004. Enclosed was a letter from his attorney, Dane Rosencrance concerning the impact that construction which Mr. Gould is having done on his property is affecting the Korny's wetlands, vegetation and wildlife. Also included in this envelope is a letter sent to Thomas B. Gould on September 10, 2003. This letter states that Mr. Korny does not consent to Mr. Gould's entry upon his property for any purpose. A motion was made by James Wettlaufer to send to the Springfield DEP copies of all correspondences and the original Enforcement Order sent 6-30-2004 that had been sent to Mr. Thomas Gould and the DEP. The HCC is looking for guidance as to how to proceed since work has already been done. Seconded by Howard Fife and approved by all.

8:50 p.m. A motion was made by James Wettlaufer to send a letter to the National Heritage and Endangered Species Program, a division of Fisheries and Wildlife, requesting clarification. We have a 'Priority Resource Map of Holland' but can't determine whether or not the enclosed Notice of Intent filing of File No. 184-177, Lot 4, is covered by Estimated Habitat of Rare Wildlife as indicated on our map. Please research and advise this HCC as to how to proceed. Seconded by Howard Fife and approved by all.

Motion to adjourn made by Helen Kreiger, seconded by Patricia Caron. Meeting adjourned at 9:00 p.m.

Respectfully submitted
by:

Patricia J. Caron, Secretary

Copies to: Selectmen, Town Clerk, Board of Health, Planning Board, Building Inspector, Highway Surveyor, File and HCC Chairperson