

Holland Conservation Commission

Minutes of Commission meeting held on July 29, 2003

Present: Mary vandenBerg, Steven Anderstrom, Helen Kreiger, Howard Fife, and Patricia Caron.
Absent: James Wettlaufer and Marguerite Choquette

Meeting opened. Reading of the minutes of the previous meeting of July 22, 2003, was accepted by all, and signed by Mary vandenBerg, Chairperson.

Procedure Sheet No. ⁰³⁻0633 issued to Mark Pekala of 137 Moulton Hill Rd., Munson, MA. Seeking to construct a single family house, location of property: Assessor's map 03-B and Lot #07 01. Big Tree Lane, part of 3B7 owned by Steven Beyor. Mr. Pekala had insufficient information. Requires driveway permit to be signed, layout of septic system and leach field, digging of well, and designation of the trees to be taken down. HCC advised Mr. Pekala to have the aforementioned information for a meeting to be scheduled at a later date.

Procedure Sheet No. ⁰³⁻0582 issued to Henry Verdini. He would like to build a single family home at Union Rd. Map #09-A and Lot #01.12. HCC needs more information.

7:55: Motion made by S. Anderstrom, to issue Enforcement Order (Form 9) to Brunner Development for Lots 5 & 6 on May Brook Rd.. Sited 310 CMR 10.05(3)(d)(1): to cease and desist work on these two lots, to remove stakes and silt fence from Lots 5 & 6 on May Brook Rd. Seconded by H. Fife. Approved and signed by all members present. Copies made for presentation to owner during the hearing (see below) Copies made for HCC file and DEP. Forms to be hand delivered to owner and DEP.

8:10: Continuation of hearing for Lot 6 May Brook Rd. Present Arthur Brunner and Mark Farrell. Discussed map received 6-22-03 from Mr. Brunner. Map does not contain elevation lines for the rear section of the property. Commission asking for this information to make a determination as to whether the house could be better placed on the property, with minimum impact to the water resource. Form 9 Enforcement Order for Lots 5 & 6 hand delivered to Mr Brunner. Discussed work which has been started on Lot 6 in violation of:

310 CMR 10.05(3)(d)(1): Upon positive Determination of Applicability by a conservation commission, work may not proceed until the Department or the Commissioner issues a negative determination, or until a Notice of Intent has been filed, a final order has been issued and recorded, and all administrative appeal periods have elapsed, except that a Notice of Intent shall not be required for the application of herbicides in accordance with 310 CMR 10.03(6).

It was noted that during recent site visits, staked silt fences have appeared on the properties in question. Lot 5 has an Order of Conditions, which were not recorded prior to the staked silt fences being placed on the property. A request for a superseding order has been received, see above. Lot 6 has not had an Order of Conditions written as of this date, and the hearing is still an open matter.

Mr. Brunner became upset at this point and at first refused to accept the Enforcement Order. Mr. Farrell stated that he should accept the forms as delivered to him. With reluctance Mr. Brunner took the forms as delivered.

Mr. Brunner stated that he would seek legal action against the town of Holland, the Holland Conservation Commission, and personally against each member of the Holland Conservation Commission.

Mr. Brunner stated that he will not be providing any further information regarding Lot 6.

Mr. Brunner stated that he will be placing the houses on Lots 5 & 6 where he originally intended to place them.


Mr. Brunner stated that the hearing for Lot 6 is officially closed.

The Commission moved to continue the hearing on Lot 6 to 8-12-03.

** Special note: Forms were hand delivered to Tim Mc Kenna (D E P. Springfield) on 7-30-03 at approximately 10:00AM by S. Anderstrom. Receipt received from DEP, to be filed in both files.

Motion to adjourn made by Steven Anderstrom, seconded by Howie Fife, meeting closed at 9:30 p.m.

Submitted by:


Patricia J. Caron, Secretary

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

