

# Holland Conservation Commission

Minutes of Commission meeting held on July 9, 2013.

Present were: James Wettlaufer, Chairperson, Neal Byrne, Patricia Caron and Fran Gallo. Absent: Marcia Beal.

7:07 p.m. James Wettlaufer, Chairperson called the meeting to order and presented Marianne Martone's letter of resignation. The minutes of May 14, and June 11, 2013 were read and accepted and will be distributed.

## Mail:

We received the Recorded Order of Conditions for:

- 1) Michael Thibeault for Faith Paul, DEP File #184-0284 – per request, original was sent in December but not in the file;
- 2) Edward and Lynn Dailey, DEP File #184-0285;
- 3) Brad Noble, DEP File #184-0286.

We received a Request for Certificate of Compliance for:

- 1) Michael Thibeault for Faith Paul, DEP File #184-0284;
- 2) John Phelps, DEP File #184-0282;
- 3) Attorney George Davis for the Hemingway Family Trust, DEP File #184-25.

A site visit to the above properties will be done shortly.

We received a Notice of Intent, filed by Mark Farrell of Green Hill Engineering for Joseph and Annette Niemiroski.

7:20 p.m. Gary Naples and Kenneth Jones, owner of the beach across the street from PJ's Town Crier, and Michael Thibeault of Landscape Evolution came in response to the Enforcement Order issued on 6-12-2013. Michael Thibeault presented a narrative of the shoreline stabilization project at 163 Mashapaug Rd. They were informed that we will monitor the three (3) phases of the restoration and are pleased that they are complying with the Enforcement Order.

7:45 p.m. The scheduled Public Hearing of a Notice of Intent for Elias Hanna to build a new house and subsurface disposal system at the corner of Sturbridge Rd. and Leno Rd, Lot 1 was held. Present were Michael Loin of the Bertin Engineering Association, Inc. and Elias Hanna. No abutters came. We informed them that there was an outstanding order of conditions on Lots 1-4 that includes the transfer of ownership of Lot 1 to the Town of Holland prior to beginning any work on those Lots. We also informed them that the order is still in effect and no certificate of compliance has ever been issued. Mr. Hanna stated that in 2010 he received notification from our Attorney, Vincent J. McCaughey that since Lot 1's deed had not been recorded, it reverted back to him. Mr. Loin presented the project and brought to our attention that the NHESP (National Heritage and Endangered Species Program) map indicates that it is no longer considered a wildlife habitat. Mr. Hanna and Mr. Loin were in favor of continuing the Hearing, giving us the opportunity to investigate further with our former and current attorneys. The continued Public Hearing is scheduled for July 23, 2013 at 7:30 p.m.

Bruce and Gail Neff of 8 Brandon St., Map R01-C-04.03 gave us a picture of a dead pine tree which they would like to remove as it could fall on their house. James Wettlaufer signed the Procedure Sheet with the condition that the stump be left.

The Public Hearing for Joseph and Annette Niemiroski of 25 Old County Rd., DEP File #184-0288 is scheduled for July 23, 2013 at 8:15 p.m.

8:45 p.m. Neal Byrne made a motion to adjourn, seconded by Jim Wettlaufer. All were in favor.

Respectfully submitted by



Patricia Caron, Secretary

Copies to Select Board, Town Clerk, Board of Health, Planning Board, Building Inspector, Highway Surveyor, ZBA, File and HCC Chairperson.

