

**Holland Conservation Commission
27 Sturbridge Road, Holland MA 01521**

Minutes of Conservation Commission held on December 12, 2017

- **Members Present:** Chairperson Andrew Harhay; Kathy McKenna; Sam Spratlin; Anne Hall; Jessica Chaffee
- **Members Absent:** Marcia Beal; Chris McCooe
- **Guests Present during Meeting:** Mike Loin; John Beltrandi
- **Meeting Called to order at 6:32 pm by Andy Harhay.**

Read and approve minutes:

- **Minutes of November 28, 2017: Anne Hall made a motion to approve the minutes of 11/28/2017. Sam Spratlin seconded. All in favor; motion passed.**
-

Email Correspondence:

- 11/30/2017: From Kate Marquis re Forest Plan for the Brown Property, Allen Road, Holland, MA. She indicated that all stream crossings are assessed during the approval process and are assessed for heritage.
- 12/1/2017: Mass Wildlife Monthly Newsletter for December.
- 12/4/2017: From Ginger Buteau reminder that agendas are due by December 7.
- 12/4/2017: Pictures sent by Chris McCooe of 36 Stony Hill Road (Robert Say).
- 12/5/2017: From Barbara Newton All Department Expenditure Summary Report for accounts through November 30, 2017
- 12/6/2017: From C. Bodensieck hoping to purchase land on Butterworth Rd. and asking ConCom whether there are wetlands on the property. (*See comments under Roundtable Discussion.*)
- 12/07/2017: From Joy Duperault sharing information about a 4-day FEMA Course offered January 8 & 9, 2018 in Essex Junction, VT.
- 12/07/2017: Forwarded Complaint regarding 5 Brimfield Road. (*See comments under Roundtable Discussion.*)
- 12/12/2017: Northeast Organic Farming Association's Winter Conference on January 13, 2018.

Phone Calls/Messages:

- Chris Bodensieck: In the process of purchasing land on Butterworth Road wants to know if there are wetland issues. Once a house is built on the land it will be designated #3 Butterworth Road.
- John Beltrandi: Requested that a ConCom member to contact him.

Order of Business

Robert Say—36 Stoney Hill—DEP File # 184-0338—COC for lakefront wall

- Chris McCooe made a site visit and took photos. She indicated to Andy that the wall appeared to be well constructed and conformed to all the conditions.
- **Jessica made a motion to approve the COC. Andy Harhay seconded. All in favor; motion passed.**

Update on Open Space Committee Activities:

- Anne attended the first meeting, and she said the committee will meet once a month. She is involved in mapping out all the properties currently owned by the Town of Holland.
- Jessica asked what is being planned for the town-owned properties. Anne said they are trying to get an inventory of what the town owns as the records are not up-to-date. Jessica reminded Anne that any properties that have been sold or auctioned off recently may not be recorded at the Registry as this only happens once a year.

Discussion of mitigation approaches:

- Anne commented on some instances where people cut trees, but the property is too small or restricted to do any plantings.

- Jessica feels it needs to be done on a case by case basis. Jessica wants ConCom to be more proactive and ask people to come in with a planting plan. Jessica suggested that mitigation be addressed on the procedure sheet.
- Mike Loin (guest) noted that Sturbridge has mitigation in their local by-law.
- Jessica will update the procedure sheet to include mitigation and will link to the Mass Wildlife link that Anne previously shared with ConCom.

Notice to be handed out with pink procedure sheet:

- Andy handed out a draft of a notice that will be attached to the pink sheet and given to anyone who talks with the Building Commissioner.
- He asked members to review it and give him feedback prior to the next meeting.

Postage charges for Abutter Notices:

- Ginger said that some committees have a higher fee to cover Abutters' Notices and others charge a set fee for each notice that is sent.
- Members felt that charging the applicant for the cost of the postage was reasonable.
- **Motion:** Kathy McKenna made a motion that the Conservation Commission charge the applicant for the cost of postage at the current rate to cover the cost of mailing abutters' notices. Anne Hall seconded. All in favor; motion passed.

Public Hearing 7:15 pm

John/Jeanne Beltrandi—DEP # 184-0340—93 MayBrook Road

Building Lakefront Wall

Persons in Attendance: Chairperson Andrew Harhay; Kathy McKenna; Sam Spratlin; Anne Hall: Jessica Chaffee; John Beltrandi (applicant).

Public hearing opened at 7:35 pm

Discussion:

- John is proposing to build a two-foot high wall to connect to the walls on either side of his property. He intends to build a wall similar to Chris Wszolek (his neighbor).
- Andy said that we need to have a condition that will give us proof of the fact that this project will be recorded at the Registry of Deeds.
- John talked with Mark Stinson and he intends to plant 2 bushes on either side of the wall at the property line. John noted that the lots are small. His street side yard is a septic system and he has a 30 x 50 foot yard, which is not much. John noted that he has plantings along either side of the property.

Motion: Jessica Chaffee made a motion to approve the proposed wall for John Beltrandi's property (NOI # 184-0340). Andy Harhay seconded the motion. All in favor, motion passed.

Decision:

- Wall as proposed was accepted and conditions were drafted that included mitigation and recording at the Registry of Deeds.
- John paid the fees at a previous meeting.

Public Hearing closed at 8 pm.

Walk-ins

Extension for DEP # 184-295—Mike Loin, Permit Consultant for Hanna Holdings:

- Mike Loin is representing Elias Hanna (Hanna Holdings) as a permit consultant (DEP # 184-295). The property is located at the Corner of Leno and Sturbridge Road (3-B-46.1 Lot #1). The detailed conditions were written and reviewed by a third party consultant. In 2014 they were approved by previous members of ConCom.
- Andy noted that since this is not on tonight's agenda and was initially a controversial issue, ConCom should consider having another meeting, so that this can be posted on the agenda.
- Mike Loin noted that a request for an extension does not require a posting or public hearing according to state law. It can be handled under business that was not anticipated in advance of the meeting. In recently reviewing all of the Hanna properties, he realized that this particular permit will expire on 12/29/2017.
- Jessica said that since there is already an existing and approved OOC, ConCom is just being asked to extend the OOC, which the applicant is allowed to do, per the OOC.

- ConCom members mentioned that the property had a *Elmore Realty For Sale Sign*. Jessica and Ginger checked and determined the property was NOT for sale, and that the sign was placed in error. Jessica will ask Elmore Realty to confirm this in writing. (See attached letter from Jennifer Elmore with a verified signature dated 12/28/2017).

Motion: Sam Spratlin made a motion that Conservation approve the extension of the OOC on File #184-295 for one year. Andy Harhay seconded. 4 in favor; 1 abstained. Motion passed.

Decision: DEP # 184-295 will be extended for 1 year. Mike Loin was reminded to be sure to record the extension with the Registry of Deeds.

8:00 pm (signed up as a walk-in) George O'Mara, 97 Leno Road

Provide status and ask questions about development of property as a home.

- Four months ago George came to ConCom for general information about ConCom's process.
- Land Planning out of Grafton, MA will give him an engineered plan that delineates any wetlands. Their survey was completed last week.
- The documentation for the NOI should be available for a meeting on January 23, 2018. George would like to present the NOI for the property at that time and asked to be placed on the agenda.
- A perk test will be done in the next few weeks along with the design for the septic system.
- Charles Furst was hired to do the entrance to the driveway—it will be asphalt and is was approved by the Highway Department since it is town land and is a new driveway entrance onto Leno Road.
- George noted that a well located on his neighbors property is flowing through his property. It is near Leno Road. The swale is blocked from where his driveway enters the property to where the conduit goes under the road. To access his property he needs a 12" conduit so that the water will go through it.
- George shared a graphic of his initial plan. He intends to plant bird-attracting bushes and some apple trees.
- ConCom asked that George present the planting plan along with his NOI on January 23, 2018.

Member Comments/Roundtable:

- **Reminder:** No Meeting on December, 26, 2017
- **Discussion about the email received on 12/6/2017 from Chris Bodensieck:** Jessica said it should be the property owners due diligence to determine if there are wetlands on the property at 3 Butterworth Road. Members agreed with her. Andy will talk to Mr. Bodensieck.
 - NOTE: Previously, Mike Loin (guest) had commented that Commissions create problems for themselves by informally providing a premature judgement as to the existence of wetlands on a property.
- **Reviewed email complaint forwarded from the Holland Police Department on 12/7/2017:** The location referenced in the email (5 Brimfield Road) does not appear to be within ConCom's jurisdiction, as wetlands are not near the property. Based on the information received, this appears to be a Board of Health issue.

Adjournment

Motion by Anne Hall to adjourn meeting. Sam Spratlin seconded the motion. All in favor, motion passed. Meeting adjourned at 8:50 pm.

Minutes respectfully submitted,

Kathy McKenna, Conservation Commission Secretary

Attachment: Letter from Elmore Realty with signature verification dated on 12/28/2017

CC: Select Board, Town Clerk, Board of Health, Planning Board, Building Inspector, Highway Surveyor, Zoning Board of Appeals, HCC Chairperson, Board Clerk and File