

# Holland Conservation Commission

## 27 Sturbridge Road, Holland MA 01521

### Minutes of Conservation Commission held on March 28, 2017

**Members Present:** Chairperson Marcia Beal, Kathy McKenna, Fran Gallo, Chris McCooe

**Members Absent:** Jessica Chaffee, Andy Harhay

**Guests Present:** Anne Hall came to observe and is considering joining the Conservation Commission.

#### Meeting called to order at 6:35 pm by Marcia Beal.

- Motion made by Chris McCooe and seconded by Fran Gallo to accept minutes of February 28, 2017 as amended. All in favor--motion passed.
- Motion made by Chris McCooe and seconded by Fran Gallo to accept minutes of March 8, 2017 as amended. All in favor--motion passed

#### Correspondence/Email:

- ZBA notified us that hearing dates have been changed for the following projects: Donadio, Quinlin, and Blanchette.
- 3/27/17: Letter regarding the Draft Priority Habitat Map of rare species will be available for public comment on April 3, 2017. The comment period will end June 3, 2017. This Map is for commenting only and should not be used for project planning or regulatory review.
- 3/22/17: Laurie Philbin (DEP # WE184-0332) wants to schedule a public hearing on tree removal. Wanted to be contacted about procedure and what to do next. NOTE: Hearing is set for April 11 at 7:30 pm.
- 3/21/17: Daisy Medeiros from the Natural Heritage & Endangered Species Program sent a letter referencing DEP # 184-0331 (Cormier—58 Morse Road, Holland). This project will need a special condition to be approved. See NHESP Determination Letter dated March 21, 2017.
- 3/19/2017: Worcester Telegram and Gazette emailed account information. Fran to check and follow up with Andy regarding this.
- Several emails from Mark Stinson in reference to the NOI for the Town of Holland /Highway Bundle and actions that need to be taken.
- 3/16/17: Notification that DEP File # WE 184-0333 was assigned to the Holland Highway Department.
- 3/16/17 Massachusetts Executive Office of Energy and Environmental Affairs (EEA) is providing financial assistance to small communities to prepare and/or update local Open Space and Recreation Plans. EEA will provide 80% reimbursement for approved project expenses up to \$8000 in FY-17. Information on the application process was included with the letter. The deadline is Friday, April 28, 2017.
- 3/15/17: Kristen Black wanted to know the status of DEP File # 184-0317, specifically if an OCC was issued. She questioned compliance with 310 CMR10.57(4) and wanted Conservation to review whether new volume has been placed in Bordering Land Subject to Flooding. She wanted to know how the issue of new volume was being addressed. Marcia will follow up on this email.
- Two emails from Daisy Medeiros regarding the NOI for the Town of Holland/Highway Bundle responding to Joanne Higgins.
- 3/10/17: Keith Bazinet's lawyer (Richard Madore) wrote requesting that Conservation postpone meeting with Mr. Bazinet until the legal dispute between Keith Bazinet and Kyle Merolla has been resolved. Enforcement letter to be sent per Mark Stinson's suggestion.
- 3/7/17: Joanne Higgins sent a copy of the narrative for the Bundled Highway NOI
- 3/7/17: Christine Marley of 5 Heritage Court emailed that there is tree on town property that is in danger of falling down on her house. She requests that the town assume responsibility for removing the tree as soon as possible. Marcia will contact the tree warden (Brian Johnson) regarding this.
- 3/6/17: Barbara Newton sent a summary of all accounts for review in preparation of a May audit. All contracts and grants not previously submitted need to be submitted as soon as possible.
- 3/1/17 PVPPC Regional Information and Policy Center sent an email regarding their services.
- 2/13/17: Greenhill Engineering emailed to inform Conservation that they are working on Cormier's NOI Hearing for 2/28/17 and that they will NOT be filing for the 3 Massacconnic Trail's project at this time.

#### Phone Calls/Messages:

- 3/11/17: Attorney Richard Madore called re: Keith Bazinet asking that we postpone the meeting. A follow-up letter was sent.

- Sally Barnelle of 21 Woodland Heights Rd. in Wales called. She received an abutters' notice for Heidi Cormier's (58 Morse Road) Public Hearing. Chris McCooe returned her call and suggested she contact Greenhill Engineering as to why she received the abutters' notice.
- Emily Shepard from the Quabog Hills Chamber of Commerce called regarding trail listings. Chris McCooe returned her call, and contacted Chris and Richard Haller. They will follow-up on this.
- Marie Frizonne called and is planning to purchase a home in Holland and wanted information regarding any restrictions on the property. Fran returned her call.

### Order of Business

#### Old Business:

- Follow-up with Mark Stinson to see if an RDA needs to be filed prior to an NOI for work taking place in the Resource Area.
- The Conservation Website has been updated. Members need to review it and make suggestions for improvements, additions, etc.
- Two handouts that need to be reviewed by members:
  1. Conservation members' contact list.
  2. Suggested revisions to Abutters' letter.

#### New Business:

- Chris McCooe will send an enforcement letter to Keith Bazinet.
- Chris McCooe will contact Doug and Margaret Columb regarding the need to supply Conservation with a survey report and final plans before proceeding with their project.
- Staples order: Order flash drives for all of us not to exceed \$100, so that we can back-up and share our paperwork. Talked about white board and additional supplies. Motion made by Kathy McKenna and seconded by Chris McCooe to purchase flash drives for Conservation members not to exceed \$100, and 1 package of white lined notepads (8.5" by 11"). All in favor. Motion passed. Kathy will speak with Ginger about the order.

#### Round Table Discussion:

- Spoke with Anne Hall regarding her questions/concerns about joining the Conservation Commission. The unanimous consensus of the group was that Anne Hall's name should be put before the Selectmen for an appointment to the Conservation Commission.
- Discussed how to manage files, paperwork and project follow-up more efficiently.

### Public Hearing

#### **7:00 pm DEP # 184-0333 : NOI Highway Bundle**

#### **Hearing opened at 7:08 pm and closed at 7:25 pm**

- **Person's Attending:** Fran Gallo, Marcia Beal, Kathy McKenna, Chris McCooe, Anne Hall, Brian Johnson, JoAnne Higgins
- This bundle is for any work and routine maintenance on all roads in the town of Holland. NOTE: If a culvert needs replacement an NOI would be required.
- A letter was sent on March 16, 2017 to Natural Heritage and Endangered Species.
- Chris McCooe proposed that this hearing be continued on April 11, 2017 pending the receipt of a response from Natural Heritage and Endangered Species.
- Joanne Higgins and Brian Johnson agreed to the continuance. Reminded that notices will need to be updated on the Holland Website reflecting the next meeting date.

**A motion to continue the Public Hearing on The Highway Bundle NOI until April 11, 2017 was made by Chris McCooe. Seconded by Fran Gallo. All in favor--motion passed. Notices need to be updated on the Holland Website.**

### Public Meeting

#### **7:30 pm East Coast Tree Service (2 Projects)**

#### **Meeting opened at 7:25 pm and closed at 8:05 pm**

#### **Tree cutting at 350 Mashapaug Rd.**

- **Person's Attending:** Fran Gallo, Marcia Beal, Kathy McKenna, Chris McCooe, Anne Hall, John P. Mitchell, John P. Mitchell, Jr., Walter and Pat Sachonchik.
- Tree removal 65 feet from the water, within the buffer zone. Stump and roots to remain in place.
- The tree needs to be removed with a crane. It is a yellow pine tree that is losing branches and dropping limbs on the house and is a hazard to the garage and the house. Everything will be done from the Sachonchik property. The crane will be placed in the driveway that is within the buffer zone.

- Bushes to be planted near the water to compensate for the tree removal.
- 12-inch straw wattles to be placed between the crane and the water.
- Based on past practices and contact with individual Conservation Commission members in January, East Coast Tree service was under the impression that they could fill out the RDA and receive a determination tonight.
- East Coast Tree Service was unaware of the RDA procedure that was agreed to at the February 28, 2017 meeting requiring newspaper ads to be placed prior to an RDA Determination.
- Marcia expressed her view that we should adhere to the RDA process adopted at the last meeting. Other members felt that the minutes had not yet been posted and making an exception in this case seemed reasonable.
- Chris McCooe made a motion that the Conservation Commission allow the tree to be taken down without going through the process agreed upon at our last meeting. Fran seconded it. Motion passed with 3 in favor 1 opposed.

**Decision:** Fran made a motion that we make a Negative Determination #3 with conditions that the dead tree be compensated for by planting bushes near the waterfront (azaleas and rhododendrons) during this planting season and that 12 inch wattles be used to protect the water. Chris McCooe seconded the motion. All in favor. Motion passed.

#### Clean-up at 8 Julia Ann Drive

- East Coast Tree Service questioned terms and conditions that will be imposed by Conservation.
- Discussion as to where we are with this project so that they can send a bill to the Lawyer.
- Conservation needs an NOI completed for 8 Julia Ann Drive as this may be used in a court case.
- John Mitchell said that they need machines to clear out the debris. He asked us to make a site visit to estimate how many trees will need to be replanted and/or other plantings. Estimates are needed for the lawyer before East Coast Tree Service can complete the NOI.
- The current owners have no beach access because the trees were dropped on their property.

#### Walk-ins

##### **Ernie Fancy of Butterworth Rd.:**

- Wants to know if Conservation has any plans to address the Gypsy Moth problem.
- Wants the town to consider spraying.
- Wants the town to be pro-active in preventing the infestation of Gypsy Moths.

##### **Mike Lacey of 56 Butterworth Road/RDA question:**

- Jessica Chaffee previously asked Mike to email the Conservation Commission if the distance is greater than 100 feet.
- Mike had questions about the RDA, and was asked to bring in his pink sheet. There was some confusion about what Mike Lacey actually needed from Conservation.
- Chris McCooe will contact him and see if she can help him expedite the RDA.

##### **Project Update/58 Morse Road: DEP # 184-0331: Greenhill Engineering and Heidi Cormier**

- Heidi Cormier and Greenhill Engineering returned with maps of the area.
- Letter received from the Natural Heritage and Endangered Species Program indicating Wood Turtle habitat nearby.
- Green Hill Engineering indicated that Mark Stinson was OK with the house.
- Greenhill Engineering wants to proceed when the soil is dry by digging a trench. Excavation will lift up land and replace it in the same location.
- Marcia expressed a concern about the need for a Wetlands Specialist to review the site before and after excavation since it is wood turtle habitat.
- Mark Ferrell spoke to David Paulson about how to protect the Turtles, and noted that David Paulson wanted a silt fence to be placed around the area and extend underground.
- Conservation wants David Paulson's response/recommendations in writing.
- Per the plan as revised, National Grid needs to know that Conservation is OK with the placement of one pole.
- Fran to contact David Paulson about approval in writing Before April 11, 2017 along with any other feedback.
- Fran to draft a preliminary order of conditions and email it to Conservation members to look over in preparation for the next meeting.
- Mark Ferrell and Heidi Cormier agreed to the hearing continuance being scheduled for April 11, 2017.

**Decision:** Chris McCooe made a motion to continue the hearing on DEP # 184-02331 until 8 pm on April 11, 2017. Second by Fran Gallo. All in favor--motion passed.

**Next Meeting Date is April 11, 2017**

**Agenda Items to include the following**

- 6:30 pm Advisory Meeting with Mark Stinson/NOI Weed Treatment Hamilton Reservoir
- 7 pm Continuance NOI for Highway Department Bundle
- 7:30 Public Hearing Philbin 16 Leno Drive
- 8 pm Continuance Cormier 58 Morse Road
- 8:30 pm Business Meeting/Walk-ins

**Motion to adjourn made by Chris McCooe at 9:45 Pm. Seconded by Kathy McKenna. All in favor — meeting adjourned 9:45 pm.**

Minutes respectfully submitted,

Kathy McKenna

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