

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

Minutes of Conservation Commission held on February 27, 2018

- **Members Present:** Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Sam Spratlin; Jessica Chaffee; Anne Hall
- **Guest Present:** Kaitlin Desmarais
- **Members Absent:** Chris McCooe;
- **Meeting Called to order at 6:35 pm by Andy Harhay.**

Read and approve minutes:

- **Minutes of February 13, 2018:** Jessica Chaffee made a motion to approve the minutes of 2/13/2018 with one correction. Anne Hall seconded, all in favor, motion passed. Minutes approved as amended

Email Correspondence:

- 2/13/2018: From Lindsay Martucci with information on the Annual Environmental Conference. Advance Registration open through 2/28.
- 2/13/2018: From Mark Stinson with the DEP File # 184-0344 for Jessica Chaffee, 93 Sandy Beach Road.
- 2/13/2018: Forwarded message from Chris McCooe with information on the Culvert Replacement Municipal Assistance Program grant.
- 2/14/2018: From Paul Catanzaro UMass Extension—*MassWoods Update*.
- 2/14/2018: From Joy Duperault regarding the Culvert Replacement grant information.
- 2/14/2018: From Worcester T & G confirming Public Notice for Cleo Guillette. 17, Roberts Park Road
- 2/15/2018: Notice regarding Conference on Making Sustainability History being held on 4/27/2018 in Plymouth, MA.
- 2/15/2018: Information on registering for the 40B workshop for the Massachusetts Housing Partnership.
- 2/15/2017: From the Select Board with a reminder of the All Boards Meeting with be addressing permitting process and procedures and Capital expenditures.
- 2/16/2018: From Anne Hall registering a concern about work being done at 35 Heritage Road.
- 2/17/2018: From Andy Harhay to Anne Hall asking for clarification as to what constitutes “a whole lot of work.” Andy explained that ConCom initially looked at 35 Heritage Rd. due to the impact of the BOH approving a tight tank.
- 2/21/2018: From Allen Berthiaume, 18 Allen Hill Rd. registering concerns about marked trees and property directly across from him that is being surveyed. He noted that there is a vernal pool that is host to marbled salamanders. (*Andy Harhay responded that Holland Conservation Commission was made aware that a Forest Cutting Plan had been approved and explained that this is under DCRs jurisdiction.*) Discussion about this email and Forestry does not come under the same set of rules as Conservation.
- 2/21/2018: From Joy Duperault with information on the saving gained from natural hazard mitigation.
- 2/21/2018: From Joy Duperault with information regarding two opportunities support climate preparedness.

Phone Calls/Messages:

No new messages

Order of Business

- **HCC 2018 Submission Deadline and Meeting Schedule:** The abutters’ notices control the time period more than the newspaper notices. Andy noted that there seems to be a delay in mailing abutters’ notices and wants us to increase the length of time. The letters need to be postmarked, but should be mailed in the box outside the Town Hall so that they will get picked up sooner. Jessica suggested we also send a letter to one of us, to

test the time frame for mailing. On the column that says legal ad notification, add an abutters' notification. Put a disclaimer on the bottom.

- All-Boards Chair Meeting: Andy attended the 2/20/2018 meeting.
 - ✓ Capital Budget: Conservation did not have any items for the Major Capital Budget, although Andy suggested that the Town move quickly to get Town Meeting approval to co-fund purchase of the Si-chol property for open space and a site for senior housing.
 - ✓ Permit Coordination: One of the issues discussed was the need for all committees to make sure that all permitting work is initiated with the Building Inspector's Procedure/Pink Sheet to better ensure that there is coordination between committees. Jack Keough indicated that using a common process had been approved by the BOS many years ago. Another issue was that Jack indicated that there is a small void in what can be approved by the Planning Board and the ZBA; those boards will meet to iron out the jurisdictional question.
- **Planning Board on 3/13/2018:** The next Conservation meeting will have a delayed start time because there is a Planning Board Hearing on a request to re-zone 4 properties that may be used for a solar field. These properties are in the flood zone and across from Lake Siog. Conservation members want to attend this hearing, so the Conservation Meeting for March 13, 2018 will begin at 7:30 pm.

Anne Hall made a motion to hold the ConCom Meeting at 7:30 pm. Marcia Beal seconded. All in favor, motion passed.

NOI Public Hearing 7:00 pm

Cleo Guillette—DEP #184-0342—17 Roberts Park Road

Project: Elevate house above floodplain/ new foundation/remove 3 trees/regrade lawn

Persons in Attendance: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Sam Spratlin; Jessica Chaffee; Anne Hall; Kaitlin Desmarais; Bryan Hill, Land Planning, Inc.; Cleo Guillette, applicant

Public hearing opened at 7:02 pm

Discussion: Bryan Hill explained that the plan is to elevate the existing house above the flood plain and fix the failing supports by putting in a full foundation. He explained the issues with the flood plain and the need for providing compensatory storage for flooding events. The house and deck supports will be about 5 ½ feet higher than currently. Jessica questioned the removal of dirt from the right-of-way side of the proposed retaining wall. Andy asked about the dirt under the existing house and what would be done with it. Jessica is concerned that the storage stockpile is very close to the sediment barrier. Bryan suggested a periodic inspection of the sediment barriers, particularly during periods of heavy rain. He noted that Conservation may want to have a 3rd party to observe, especially if the excavation time exceeds a reasonable length of time. Jessica asked about the length of time needed to stockpile the excavated dirt, because of the danger posed by sediment run-off. Cleo said that it would probably take about 3 weeks to do the foundation with the storage stockpile on site. Concerns were raised about heavy rains during the excavation and it was suggested that a tarp be placed over the stockpile storage along with sediment barriers to limit run-off during construction. Cleo was asked what types of machines will be used. He plans to use a skid steer/bobcat with rubber treads. Cleo plans to drill a well. That new well and existing wells have not been noted on the plans, nor has the planned reconfiguration of the outside stairway. Bryan noted that there are no changes to the right-of-way. Cleo Guillette is the general contractor for his own project. The applicant needs to meet with BOH to find out where the well can be drilled and then how to get equipment down on the right-of-way. Jessica suggested that Cleo obtain signatures to use the right-of-way for the purposes of construction equipment. Andy asked Cleo to touch base with the building inspector about the foundation work and staircases. He will need Board of Health approval to dig a new well.

Motion: Anne Hall made a motion to continue the hearing to a later date. Kathy McKenna seconded. All in favor. Motion passed.

Decision: Hearing will be continued to a later date pending BOH approval of well location and Jack Keough's approval of the reconfigured stairs.

Fees: Tonight's fees were waived for public notices. Cleo paid \$13.30 for public notices for the previous meeting. The Town's portion of the NOI Application Fee will be assessed when DEP provides us with a copy of the full NOI submittal.

Public Hearing was continued to a later date. Tonight's session ended at 8:53 pm.

FINAL NOTE: Anne Hall questioned why Jessica Chaffee was allowed to give input since she knows Cleo and her parents are next door neighbors. Members felt that this was not a conflict of interest and that her input was quite helpful because of her knowledge of the property.

NOI Public Hearing 7:30 pm
Amanda Rutherford—184-0341—30 Pine Tree
Project: Install new septic system/drill new well

Persons in Attendance: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Sam Spratlin; Jessica Chaffee; Anne Hall; Kaitlin Desmarais; Mark Ferrell, Greenhill Engineering

Public hearing opened at 8:03 pm

Discussion: Andy noted that the updated plan was to show a spoils pit and the 100 year flood line. DEP had questioned whether the two lots involved in the project were correctly identified. Mark noted that both lots are referenced on the same book and page, so both lots are covered. If they were separated as to book and page, two references would be required. A neighbor raised concerns with Mark about the potential for increased run-off onto her property. Mark noted that Pine Tree Drive will not be altered and there will be no additional run-off in her direction. Mark placed the wattles (12 inch) on the plateau versus closer to the water; he said that there is not a lot of excavating at that level. Mark suggested that in order to divert road run-off some additional erosion control material will be needed on site. As a side note, Mark Ferrell indicated that Brian Johnson, Holland Highway Surveyor wants to put in an infiltration pit on town property to help with road run-off on Pine Tree Dr.

Motion: Marcia Beal made a motion to close the public hearing. Sam Spratlin seconded. All in favor, motion passed.

Decision: Develop the OOC for the next meeting that reflects the plan.

Fees: Greenhill Engineering submitted and paid for the Public and Abutters' notices

Public Hearing closed at 8:16 pm

NOI Public Hearing 8:00 pm
Jessica Chaffee—184-0344—93 Sandy Beach
Project: Raze cottage/build new single family home/remove cesspool and install new septic system

NOTE: Jessica Chaffee will not vote as she is the applicant for the project.

Persons in Attendance: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Sam Spratlin; Anne Hall; Kaitlin Desmarais and Jessica Chaffee, applicant; Mark Ferrell, Greenhill Engineering

Public hearing continued at 8:20 pm

Discussion: Jessica still needs to meet with Planning Board. Mark Ferrell spoke with Arthur Quinn and the project has BOH approval; a confirmation letter will be forthcoming. Mark had sediment barriers noted and added the linear distance from the work area to the resource area on the plan.

Motion: Anne Hall made a motion to approve the OOC for Jessica Chaffee. Marcia seconded it. All in favor. Motion passed. Jessica recused herself from the voting.

Decision: The OCC was drafted and hand-delivered to Jessica Chaffee after the meeting.

Fees: DEP and Town fees were paid and Greenhill Engineering did the Public and Abutters' notices for Jessica Chaffee.

Public Hearing closed at 8:39 pm

Walk-ins:

David Buccelli, D. B. Tree, representing Mike Harpin, 8 Brandon Street: The request was for the removal of 11 trees on the property line. The trees are right on the edge of a wall. The debris from the pine trees drops into the cove and gets into the boats. Jessica asked him to mark the trees and come in with a planting plan for mitigation. Questions surfaced on whether this should be an RDA or an NOI. It was suggested that ConCom members make a site visit and determine whether this project will require an NOI or can be handled with an RDA; Marcia, Anne, and Jessica agreed to meet with Dave to look at the 11 trees.

Mark Lamontagne (contractor) representing the Niemiroski's, 25 Old County Road: The Niemiroski's want to build a shed down by the water with a storage area and a sitting area. The proposed size is 14 X 24 feet and the foundation will be a cement platform dug into the hill. It will be placed approximately 30 feet from the lake and 13 feet from the property line. He will need a mini-excavator to dig out the side of the hill. He is designing the shed so as not to move much material. He wants to remove one oak tree that is at the end of its life and also a hemlock. When asked about moving the shed further away from the water to save the oak tree, Mark said that further back from the water the steeper the grade and more excavation will be needed. Mark hopes to use a monolithic slab. It was suggested that an arborist be asked to look at the oak tree to give an opinion about its health and longevity. Andy is interested in how much of the hill will be dug out. They will need to plant something to offset the impermeable foundation area that they are proposing. Ginger gave Mark Lamontagne the NOI forms.

Member Comments/Roundtable:

- Anne Hall reminded everyone that **Lets Clean Up Holland** is scheduled for April 21st. She was able to get funding support from Opacum Land Trust and The Last Green Valley. Also the Holland Highway, Fire and Police Departments will participate to support clean up day. She reminded people to sign up for teams.
- Kathy McKenna noted that she will be gone from March 3 to March 11 and has asked Chris McCooe to monitor the ConCom Email and phone messages in her absence. Other members should also check the emails periodically.
- Andy Harhay will be on vacation for the month of March and Marcia Beal will be acting Chairperson. She will be responsible for creating and posting the agendas. Andy asked that she also do the agenda for the first meeting in April (4/10/2018).
- **REMINDER: The next meeting of the Conservation Commission will begin at 7:30 pm on March 13, 2018 so that members can attend the ZBA Hearing.**

Adjournment

Motion made by Anne Hall to adjourn meeting. Sam Spratlin seconded the motion. All in favor, motion passed. Meeting adjourned at 9:50 pm.

Minutes respectfully submitted,

Kathy McKenna
Conservation Commission Secretary

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