

Holland Conservation Commission
27 Sturbridge Road, Holland MA 01521

Minutes of Holland Conservation Commission (HCC) held on Aug 23, 2016.

Members Present: Marcia Beal, Fran Gallo, Valerie Lundin, Chris McCooe, Jessica Chaffee

Members Absent: Jeanne Crowley

Guest Present: Andy Harhay, Katie Marquis, State Forester

Meeting called to order at 6:35 by Chair M. Beal.

Motion by C. McCooe, 2nd F. Gallo to waive reading of minutes of Aug. 9, 2016. All in favor. Motion passed.

Order of business:

Announcements:

- C. McCooe:
 - Lake Over Sight committee developed a “Task List” at their Aug. 1, 2016 meeting that was presented to the Board of Selectmen at the meeting on Aug. 16, 2016.
 - Some tasks were designated under ConCom purview. M. Beal to review them.
 - LOC to meet on Oct. 3, 2016 at 7:30 pm. Requesting a quorum from HCC attend so as to generate an “agenda” for this meeting.
- C. McCooe: Concerning the retention pond between Fenton and Brandon: on Aug. 22, 2016, she observed a town worker sweeping the sand on the street and then scooping it onto the edge of the retention pond.
- Conservation Conference being offered on October 9, for those interested.

Correspondence/Emails/Phone Calls:

- Per call to M. Stinson...town Zoning Enforcement Officer does not have any authority over ConCom to allow a resident to continue work on their property. They must be advised to go before ConCom.
- R. Langley: Re: 30 Stoney Hill Rd. Water and dirt from Henchey property is still running down his property and flowing down under his stairs and down to the lake due to berm on Henchey property. HCC contacted M. Stinson. Suggested ConCom review Order of Conditions concerning drainage on property to see if site is stable. If the drain is not being used and the sediment is not draining into the water, it does not come under HCC purview. J. Chaffee to send another letter to Henchey stating Order of Conditions under Wetlands Guide and include pictures. Also request she attend the Sept. 13 ConCom meeting in reference to the Enforcement Order and Order of Conditions.
- Re: Brandon Cove dredging. Per M. Stinson: NOI, OCC and if the area of removal is over 100 cu yds, must apply for a section 401, water quality certificate from MADEP.
- M. Mitchell: Coldwell Bankers. Question concerning tree removal at waters’ edge on property at 3 Sandy Beach Rd. for a client interested in purchasing the property. Gallo to contact for further information.
- Danielle from Green Boys Landscaping: ConCom received an RDA for work they propose for Frank & Marilyn Cappizanno, 19 Leisure Lane. Propose to install pressure treated stairway from home down slope to waterfront. ConCom will contact Green Boys they must go to Zoning first to complete a NOI and C. McCooe will ask them to attend next meeting on Sept. 13 and present actual drawing showing house, property lines and position of proposed stairway and water front. They were expecting to begin project on Sept. 19th. Also, David Cameron, Section Chief of MA Wetlands and Waterways Program, left a message regarding stone retaining walls evidently concerning this RDA.
- Kevin Alkajara (SP): Concerning 22 Old Acres Rd. Whose responsibility is it to remove the tree that has fallen into the lake. F. Gallo to contact him that it is the home owner’s responsibility.
- Katbienski Construction has requested a copy of the first letter sent to him from ConCom saying the work he has been contracted to do for the church is not in the jurisdiction of ConCom. A letter from ConCom was never sent. M. Beal will contact Mr. Katbienski concerning this issue.
- Per M. Stinson: concerning walls in buffer zone on water, anytime wall being repaired, replaced or constructed, property owner must come to ConCom with an NOI. He also states that ConCom can charge for linear foot whether new or old. Construction repair, replace structures in resource are category 5 – in the buffer zone it’s category 1 or 2 and NOI is not needed. If property never had a permit or wall built before the Wetlands Act, owner must restore with same materials. Cannot charge for walls without an NOI.
- Per M. Stinson: concerning garage roofs NOT in resource area...do site visit, have waterfront protected. No subject to regulations if work is done during the draw-down. Suggest RDA with conditions.

Old Business:

- C. McCooe:
 - Letter from J. Wetlaufer has been located that states the combined Weed Treatment **and** Draw Down under the **same** DEP#184-129. C. McCooe found the original Order of Conditions. M. Stinson informed C. McCooe that he does not have an electronic version of this on file. An NOI may be needed for the Draw Down...discussion tabled for next meeting.

Walk-Ins:

7:25 PM

Bruce Neff: 8 Brandon St., Map#R01/C/4/3

Re: representing Brandon St. property owners concerning dredging the cove and also the condition of the Retention Pond. If the Retention Pond (DEP#184-0241) was working as proposed, it would help eliminate sediment from flowing into the cove. How can this issue be resolved? What do the cove property owners need to do to pursue dredging on their own? Can the town assist in dredging? ConCom will give him APEX Com LLC info concerning dredging – APEX visited the cove recently

- There are numerous steps towards dredging. They include: Property owners would need to go the DEP; Army Corp of Engineers: do a water quality test; find a location to dispose of the sediment; locate owner of culvert; NOI, OCC and if the area of removal is over 100 cu yds., must apply for a section 401, water quality certificate from MADEP.

7:50 PM

Alfred Depeau: Map#R01/A/6

Re: replace existing cinder block wall with stone. (existing when he purchased the property) Mr. Depeau to attend Sept. 13, 2016 meeting and present NOI and complete drawing of work to be done including distance from property line. A site visit will be made. Order of Conditions will include hay bales and silt fence. He expected to begin this project in the spring of 2017.

8:00 PM: Guest Speaker Kate Marquis

Presented information on tree cutting. Discussed the "61" Program which allows landowners of 10 acres or more permission to submit requests with the MASS DEP to grow trees for cutting/logging purposes and land clearing. If permitted, this also allows the landowner a 95% reduction in tax costs. A new brochure will be available soon. She will send some to ConCom.

Motion to adjourn 9:16 PM. J. Chaffee, 2nd F. Gallo. All in favor. Motion passed.

Minutes respectfully submitted.



Val Lundin, Recording Secretary

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