

**Holland Conservation Commission
27 Sturbridge Road, Holland MA 01521
Minutes of Conservation Commission held on November 27, 2018**

Members Present: Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Kaitlin Desmarais; Marcia Beal

Members Absent: Jessica Chaffee; Ginger Buteau, Clerck (needed for main office coverage tonight)

Guest Present: Mark Stinson, DEP Circuit Rider

Meeting called to order at 6:30 pm by Andy Harhay

Approval of Minutes from 11/13/2018: Kaitlin made a motion to approve the minutes as written. Andy seconded. All in favor. Motion passed.

Other Business/Roundtable:

Review draft of Tree Removal Process: Mark Stinson questioned the rationale for a Tree Removal Process. Kaitlin noted that doing RDAs for so many tree removal requests has become rather cumbersome. Many requests are for dead or dying trees that present dangers and ConCom wanted to streamline the process. Andy indicated that a number of other Commissions have adopted internal procedures that are more timely than the RDA process.

Open Space Committee: Dick Haller would like a ConCom representative on Open Space. Marcia will check to see if she is still representing Senior Housing, or could be the ConCom representative.

Commissioners asked Mark Stinson some questions:

- **Marcia** – In reference to 1 Leno Road, she asked about the acceptance of site plan changes after initial approval. Mark noted that the intent of work in the buffer zone is to protect the adjacent resource area. It is the commission's call whether to approve the changes and can be accomplished within the scope of the minutes.
- **Marcia**—She thinks we should hire an agent. Mark noted that some commissions are looking at regionalization of services. He also discussed pros and cons of agents and said that it helps to regionalize agents.
- **Kaitlin** – She asked about ways we might reduce the chair's workload by shifting some responsibilities to other commissioners. Mark indicated that this was a common 'small town' problem without staff and that we might talk to other towns for ideas. Kaitlin suggested that perhaps one commissioner could be assigned to follow each NOI until a COC is issued.
- **Concerns about work being done at 17 Roberts Park Road:** Andy found out that the OOC did not appear to have been recorded with the Registry of Deeds. He sent a letter to

Cleo Guillette (owner) asking for proof that the OOC was recorded. Cleo's response was that he thought his lawyer had done it. Mark Stinson suggested that we require pre-construction meetings as one of our conditions. ConCom learned at the last meeting that the well approved for the property by the Board of Health had been mistakenly drilled at the wrong location. Andy asked the Board of Health to clarify what they had done about the well situation. Bob Dymon (BOH) came in to inform us about the situation at 17 Roberts Park Road. The well location was moved without BOH or ConCom approval. He felt that the work contracted is being done poorly and that the site is not being properly maintained. The BOH told Cleo Guillette that he needed to bury the recently dug well and install it where indicated on the approved plan. Bob Dymon commented that ConCom Commissioner, Jessica Chaffee, was quite helpful at the BOH meeting when the well issue was discussed.

- **Violation of Wetland Bylaws:** Mark suggests we check with Palmer about the ticketing/fine procedure. He also noted that we need to be sure that each site posts the File # sign so it can be seen.
- **Vegetable-based oil for machinery:** Mark said many commissions are requiring vegetable-based oil, although the DEP currently does not mandate it. However, a significant oil discharge from machinery failure would create a serious problem in a wetland. Marcia asked if this type of oil is readily available; Mark noted that these products seem to be commonly available. Kaitlin thinks we should consider this topic when developing an OOC.
- **Concerns about catch basin clearing and stabilization of banks:** Concerns were raised about sediment running into the lake from swales that have not been stabilized. It typically happens where the silt builds up in an existing swale and the highway department scrapes it out, but does not plant vegetation to stabilize the fresh soil. It is a violation of Highway's Bundled NOI if the swales are not stabilized. Mark Stinson said it is so much cheaper to perform routine control and maintenance than to deal with the larger problems sediment neglect can create. He thinks that limiting the amount of unpaved roads is the best approach. Mark commented that it takes a lot of work by the Town to preserve its resources.

Email Correspondence:

- 11/26/2018: From Laurie Bartkus with the Expenditure Report (through Warrant #21).
- 11/23/2018: Communication between Andy Harhay and John Girouard, Esquire from Hassett & Donnelly Law Firm for relevant documents in the Holland Conservation files, as requested in the Deposition Subpoena regarding a civil lawsuit of Merolla vs Bazinet. Andy submitted the documents to ABI Document Support Services and a scanned copy of an enforcement letter, located after the initial submittal. This was emailed directly to Mr. Girouard. He was clarifying the fact that the HCC had submitted all the required documentation regarding Merolla vs Bazinet; Civil Action No. 1884CV01814. John Girouard indicated he had received what was needed and that the scanned copy of the enforcement letter was acceptable.
- 11/23/2018: From MACC with a list of Holiday gift suggestions that can be purchased through MACC.

- 11/21/2018: From Janine Drake replying to Andy's request that ConCom may need to use the Community Room on 11/27/2018 if many abutters show up to the Public Hearing for the SVE Highway Dept. ConCom is now signed up to use the room if necessary.
- 11/20/2018: From Glenn Krevosky with the weekly OOC Compliance Report for 1 Leno Road attached.
- 11/20/2018: From Laurie Bartkus with the Expenditure Report attached.
- 11/19/2018: From DEP confirming receipt of OOC for John Pucci, NOI#184-0352.
- 11/19/2018: From DEP assigning NOI file #184-0356 to Jeffrey Jones for work to be done at 38 Williams Road.
- 11/19/2018: From Janine Drake regarding the Senior Housing Meeting to be held on Wednesday, Nov. 28 at 6 pm.
- 11/19/2018: From Joy Duperault with information regarding the current status of FEMA's Mapping Activities
- 11/17/2017: From Andy Harhay notifying ConCom members that he had sent the Disposition Subpoena Documents, but was still trying to locate the Enforcement letter that the minutes said was sent.
- 11/17/2018: From Andy Harhay to Mark Stinson asking if DEP had a file copy of the Enforcement letter sent to Keith Bazinet in 2017.
- 11/15/2018: From MACC regarding a Free Climate Adaptation Forum that will be held on November 30, 2018 at the UMASS Club in Boston, MA.
- 11/15/2018: MHP's Fall Newsletter
- 11/14/2018: From Mark Stinson regarding Jeff Jones' project 38 Williams Road. He asked Jeff for more information and payment prior to issuing a NOI number.
- 11/14/2018: Kathy McKenna responded to Jeff at Swift River Tree Service to let him know that the pictures were received and in order to remove the tree either the property owner or Jeff would need to submit an RDA to ConCom. Kathy gave him information regarding how to go about filing the RDA.

Phone Messages:

11/15/2018: From Eric Leone. He recently purchased property on Craig Road and wants to cut down one tree and trim some branches. He says the tree is beyond 100 feet. Andy saw the message on 11/17/2018 and responded.

7:00 PM Public Hearing: NOI # 184-0354/ SVE/Highway Dept.

Mass DOT Project #604962

Project: Brimfield Road Reclamation & Related Work

Persons in attendance: Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Kaitlin Desmarais; Marcia Beal; Mark Stinson; Tony Woneski, SVE Senior Engineer; Brian Johnson, Highway Dept., Town of Holland.

Public Hearing opened at 7:10 pm

Discussion: Tony said the project is separated into 2 phases. He hopes the project will begin in the spring. On average the road is 24 feet wide. The wetlands were flagged by Ward Smith of Wendell Wetland Services. Tony noted that they had to work with the Army Corps to plot elevations, which may be slightly different than the FEMA maps. The culverts for the perennial streams were built quite well and will not have to be replaced. They will be doing some asphalt berming near Pond Bridge Road and plan to add some catch basins. This

reclamation is considered a limited project. There will be a 27 foot section with two 3.5 foot shoulders. They need to secure easements and have been working with the town and state for the easements. Existing pavement will be reclaimed and used for the road's base. Andy asked what they would do in the short term prior to mitigation to prevent run-off and sediment. Tony said that the contractor will have to develop a stormwater prevention plan and apply for a Federal permit. The project has not yet been sent out for bids. ConCom had questions about who will oversee the project. The state has a resident engineering technician who will oversee the overall project, as well as ensuring that the OOC is being met. Mark Stinson said that ConCom needs to make sure the DOT plans, as the work is being performed, remain the same as what was approved. Make sure there is a condition that references a specific date that ConCom approved the plans or any dated revision—if any changes, they will need to come back to HCC. Mark suggested holding a pre-construction meeting on the work site. No BVW is to be altered in this work. The project will be providing 2,800 feet of compensatory storage, which satisfies the Army Corps and the Wetlands Protection Act. Utility poles will need to be moved back. Steel guard rails will replace old cable guard rails. Andy asked about the Stormwater Manual developed by SVE for the Town to use in maintaining the new roads and culverts. Mark said that implementation becomes a town responsibility and could be made a condition in the OOC. In regards to General Condition #19—need to check off YES and it is then built in that stormwater controls need to be maintained. Tony said he would be happy to look over our OOC if we have questions.

Motion/Decision: Kathy made a motion to close the Public Hearing; Sam seconded. All in favor, motion passed. Public Hearing closed at 8:50 pm.

7:30 PM: Public Hearing/NOI #184-0295/1 Leno Road/Soper Construction

Project: Request for a one-year extension to continue construction of a single family home at 1 Leno Road

Persons in attendance: Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Kaitlin Desmarais; Marcia Beal; Mark Stinson; Stephen Soper

Meeting opened at 8:55 pm

Discussion: Stephen Soper needs to make sure that this extension gets recorded at the Registry of Deeds.

Motion/Decision: Sam moved that we extend the project for 1 year to 12/20/2019.

Andy seconded. All in favor, motion passed.

Extension Paperwork was signed and given to Stephen Soper.

Walk-ins:

Paul Huijing/22 Old Acres Road: Removal of a dead tree that fell in the lake a number of years ago:

When the lake is frozen, Paul's contractor proposes to remove everything that is above the ice. After the thaw, they plan to pull the rest of the tree out of the lake using a mechanical winch. The tree removal company plans to use organic vegetable oils in their chain saw. He hopes to do this in January or February. The Commission asked that Paul complete an RDA for the proposed tree work. He may also want to take down an oak tree, which would be added to the RDA.

Adjournment: Kathy made a motion to adjourn the meeting. Kaitlin seconded. All in favor, motion passed.

Meeting adjourned at 9:00 pm.

NOTE: After the meeting, members stayed to have Todd Pucci (Holland's IT coordinator) provide information on how to access the new email system.

Minutes Respectfully Submitted,

Kathy McKenna, Conservation Secretary