

Holland Conservation Commission
27 Sturbridge Road, Holland MA 01521
Minutes of Conservation Commission held on May 28, 2019

Members Present: Chairperson, Andy Harhay; Marcia Beal; Kathy McKenna; Kaitlin Laabs

Members Absent: Sam Spratlin; Jessica Chaffee;

Meeting called to order at 7:02 pm by Andy Harhay, Chair

Approval of Minutes from 5/14/2019: Kathy made a motion to table the approval of minutes from 5/14/2019, Marcia seconded, all in favor. Minutes were tabled.

Email Correspondence:

- 5/13/2019: From Mark Stinson with file # 184-0362 for Raymond and Joan Boire/8 Shore Lane.
- 5/14/2019: From Andy Harhay to Stephen Soper regarding request to close out project.
- 5/14/2019: From Ginger Buteau with the Municipal Records Retention Schedule attached.
- 5/16/2019: From Laurie Philbin regarding tree removal
- 5/14-5/24/2019: Several emails from Laurie Bartkus with expenditure reports attached
- 5/14 & 5/18/2019: Year End Information from Laurie Bartkus
- 5/22/2019: From Andy Harhay to Leonard Jalbert regarding the need to obtain official approval from the BOH before Conservation can hold a hearing on Boire's NOI

Phone Messages:

- Mass. Dept of Agricultural Resources called to make sure that the HCC is aware that there is an infestation of the Emerald Ash borer in Wales, Brimfield, and Sturbridge.

Other Business /Roundtable

Tree Removal Application:

- **Al Depeau/5 Shore Drive:** He wants to cut trees on a right of way that they purchased adjacent to their property. Al is talking about removing 30 trees. Andy wants to establish through the Town Counsel whether he has the right to remove the trees without notification of those who have deeded rights to this particular right-of-way. Trees are marked with yellow ribbon or a piece of rope. He is concerned about the effects of the run-off coming down the right of way. Most trees are along the property line with a few trees on the left side.

Kelly and Michael Bedard/29 Lakeridge Drive: Approval of removal of 8 trees at 29 Lakeridge Drive.

Site Visits—updates and information:

- **Cleo Guillette/17 Robert's Park Road/May 18, 2019**—Concom has concerns about the stream run-off. The silt fence has become the bank and his yard is beginning to run-off under the fence and into the stream. Kaitlin suggests he needs to remediate this and get it done professionally. Andy suggests we set up a meeting on site with Cleo Guillette to discuss this issue.

- **Over-the-Top Road/May 18, 2019:** Jessica indicated that the road is eroding and big chunks of the road are washing out. She said that tar is washing into the culverts and into the lake. Jessica was going to get information from Brian Johnson.
- **Justin Dyer/83 Sandy Beach Road/May 18, 2019:** Began a demo with-out coming to the building inspector or ConCom. ConCom requested a silt fence to be put up on May 15, 2019. He said he would stop any work, and file an RDA for the demolition. If he is rebuilding a house, then he would need an NOI. If all he is doing is manually demolishing the house above the foundation, than an RDA would be appropriate. Andy will find out from Jack Keough, the building inspector, what type of project Justin will apply to do.

Other Business:

- Kathy will miss the meeting on June 11.

Walk-ins:

Scott Davis and Sue Kinsella/63 Mashapaug Road: They just bought the house and noted that the perimeter drains are not working and run-off is going into the lake. They do not know exactly where the shallow well is and they need to follow the well pipes to find the well cover. The original site plans for the property were destroyed when the Holland Town Hall burned. Scott indicated that downspouts are not draining properly. They also want to remove and replace and old deck without any changes to the structural supports. ConCom explained the NOI process and provided Scott and Sue with the WPA Form 3.

Stephen Soper/1 Leno Road: Stephen gave ConCom the documents he thought were necessary for closure, including the request for a COC. ConCom will need to review the documents and make a site visit. Stephen said the closing on the property with the new owners is now set for May 31, 2019, which is earlier than ConCom had anticipated from Stephen's last visit. Andy noted that you can transfer the Order of Conditions with the property, but he was not sure if the deed could be transferred with an open Order of Conditions. Andy is concerned that he has set a closing date and ConCom has not closed out the OOC. Stephen will need to check with his lawyer to see if they can have the closing on the property and, have the new owner agree to the OOC and clear the deed. Andy will check with Mark Stinson (MassDEP) as to the proper protocol.

Mark Johnson, Vireohealth; David Faist, McClure Engineering; Kevin Pelissier and Mark Kubricky, agents of Landing Rock LLC, which owns abutting property: The group dropped in to provide the Commission with some background information on a proposed Cannabis Facility. Vireohealth wants to create a cannabis facility on the Obar property, which is Assessor's parcel 7-C-2/9. The abutting land in Sturbridge is owned by Landing Rock LLC; the property abuts I-84. On the Holland parcel, they would like to have access through Mashapaug Road and would need to cross wetlands and a stream. Kaitlin noted that, in general, it is preferable to avoid stream crossings. There was a brief exchange about mitigation and planning for green space in any proposal. They are planning on building greenhouse facilities and a dispensary for retail sales. Kaitlin asked if retail sales fall under agricultural exemptions—that is not the case now, according to Kevin Pelissier. There will be a compost area and they are aware of

the need for a robust storm drain system for run-off. Kathy noted the importance of stormwater management in areas close to the lake. Andy would like to see a list of other projects and where they have been located, as it might help us to better understand how they have pursued similar projects. Kevin noted there is a facility in Freetown, MA that is similar to what might also be proposed in Holland.

Robert Pellicane/223 Mashapaug Road: He came to discuss the Town's planned purchase of the Sichel Property and the potential impact on an adjoining parcel that he owns, which will be surrounded on three sides by conservation land. Marcia noted that Opacum will be managing the conservation land. There is 750 feet of Stevens Brook on Robert's property. He would like to ensure that the two sections of conservation land can be accessed without cutting through his property. He said that he would talk to Opacum to find out if it is possible for them to construct a bridge across the stream portion on conservation land.

JoAnne Higgins/Highway Department: The Highway department plans to file an NOI for paving from Maybrook Road to the State Line.

Adjournment:

- **Kathy made a motion to adjourn the meeting; Marcia seconded. Meeting adjourned at 9:33 pm.**

Minutes Respectfully Submitted,

Kathy McKenna, Secretary