

**Holland Conservation Commission**  
**27 Sturbridge Road, Holland MA 01521**  
**Minutes of Conservation Commission held on July 23, 2019**

**Members Present:** Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Marcia Beal;      **Clerk:** Ginger Buteau      **Guest:** Dawn Kamay; 2 North Leisure

**Members Absent:** Kaitlin Laabs; Jessica Chaffee;

**Meeting called to order at 6:31 pm by Andy Harhay, Chair**

**Approval of Minutes from 5/14/2019, 5/28/2019, & 7/9/2019:** Approval of minutes 5/14/2019 and 5/28/2019 & 7/9/2019 was tabled due to lack of a quorum.

**Email Correspondence:**

- 6/25/2019: From Rich Rivet Erosion Control Report for 50 Stoney Hill/184-0357: Erosion control in place and same as when Concom inspected. He will contact us when the house is torn down. No noticeable soil movement on property. (*NOTE: Jessica raised concerns about the silt fence and straw wattles at 50 Stoney Hill. Members felt that the straw wattles should be staked. Jessica will stop by and speak with the owners and/or contractor.*)
- 7/9/2019: From Mass DEP with with notice that the OOC was filed for NOI # 184-0363/ Scott Davis
- 7/9/2019: From Mass DEP with with notice that the OOC was filed for NOI # 184-0362/ Raymond and Joan Boire
- 7/10/2019: From Holland Town Administrator with rates and sticker information for the Wales Transfer Station.
- 7/15/2019: To Mark Stinson from Andy Harhay regarding the placement of straw wattles and silt fencing.
- 7/15/2019: From Mark Stinson with manuals E and S attached. He noted that he typically sees wattles used with the silt fence behind it on the wetlands side. On steep slopes he says that often multiple rows of wattles are preferable.
- 7/19/2019: From Laurie Bartkus with attached expenditure report and noting that all the FY19 bills received have been processed. She will accept FY19 bills through the end of August. Laurie asks that the expenditure account be reviewed weekly.
- 7/18/2019: From Jen Ohop with a Vernal Pool Survey.
- 7/12, 7/13, 7/15 & 7/18/2019: Correspondence between Andy Harhay and Stephen Soper regarding mitigation plans and the location of 4 recently planted trees in an effort to have all the information necessary to move forward with the issuance of the COC.
- 7/18/2019: From the Town Administrator with attachments regarding the Sichol Property with the appraisal, appraisal review, and survey proposal attached.
- 7/21/2019: From Rich Rivet regarding NOI #184-0357/Zielinski. Site work has begun at 50 Stony Hill Rod. The house is slated to be demolished in a week or so.
- 7/22/2019: From Larry Mandell answers to Andy Harhay's questions about the Sichol Property.

- 7/22/2019: From Ginger Buteau notifying Concom that Janine does not need to be sent copies of the agendas. They should be sent to Greg Dion, Town Clerk and to Ginger Buteau, All Boards Clerk
- 7/22/2019: From Laurie Bartkus with the expenditure report attached.

#### **Phone Messages:**

- 7/16/2019: Rebecca, Chaffee Road regarding tree removal. (*NOTE: Andy and Kathy visited the site and determined it was not near any wetlands and not within Concom's jurisdiction.*)

**Tree Removal Applications:** See walk-ins for new tree removal applications.

#### **Request for COC**

##### **1 Leno Road/Soper Construction**

**Persons in Attendance:** Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Marcia Beal; Stephen Soper

- **Discussion:** Andy noted that new wetlands placards have been installed that are acceptable and the required trees and shrubs have been planted to satisfy the mitigation requests from Conservation.
- **Motion:** Sam moved to accept wetlands placards as installed and to have Conservation issue a Certificate of Compliance for 1 Leno Road. All in favor; motion passed.
- **Decision/Motion:** The COC was signed by members who were present at this meeting.

#### **7:00 PM—RDA**

##### **16 Brandon Street/Marcia Lee**

##### **Project: To install a 6-foot high privacy fence**

#### **Public Meeting Opened at 7:01 pm**

**Persons in attendance:** Chairperson, Andy Harhay; Kathy McKenna; Sam Spratlin; Marcia Beal; Dawn Kamay; 2 North Leisure; Marcia Lee Applicant and the following abutters—Ray Aquilio 14 Brandon St., Ken Ference, 12 Brandon St., and Stephani Harpin 8 Brandon St.

- **Discussion:** Andy noted that a more formal process will be followed. First we will hear about the proposed project from Marcia Lee and then the abutters will have a chance to comment. Marcia Lee said that she wants to install a 6-foot high fence beginning at 24 inches or the high water line. This is to be a privacy fence of white vinyl. At the lake it will be 4-feet high and will slope up to 6 feet. It will be raised about 6 inches from the ground. It is not intended for privacy of the whole property. Andy noted that based on our last meeting, Marcia Lee gave the impression that the fence would not present a problem for her neighbors. Andy commented that on a narrow cove sometimes fences can obstruct views and was hoping that a compromise solution might be reached. Ken Ference asked why he wasn't notified by mail, because the proposed fence will partially block his view. He said he found out about the fence by hearsay. Kathy and Andy explained that the RDA requires only a public notice in the newspaper, versus the NOI which requires that notice be mailed to all abutters. Ray Aquilio said that he and Marcia Lee had a discussion about the fence, and the fence came about to keep her dog within her yard. Ray

said that he pays extra taxes for a water view which he won't have when the fence is installed. He noted that he will also lose the breeze off the lake. He has other concerns about lawn mowing and leaf cleaning being more difficult along the fence line. Marcia Beal asked if there are pins that define Marcia Lee's property to be sure that the fence will be installed on her property. Marcia Lee feels she has every right to protect her privacy and does not see any way to compromise with her neighbors. She feels people are taking pictures of her and she wants her own privacy. Andy noted that Conservation cannot deny her request, but the abutters have the right to begin a civil suit regarding the fence. Marcia Lee will install the fence on the northbound side of her property that borders 14 Brandon Street. Andy was disappointed that a compromise could not be reached, but the issue of installing a fence that might impact views is not within Conservation's jurisdiction. Conservation's role is to assure that the buffer zone and wetlands are not negatively impacted by the fence installation.

- **Motion:** Sam made a Motion to approve the RDA, Kathy seconded. All in favor.
- **Decision/RDA approved:** RDA Accepted with a Negative #3 Determination using Andy's wording as follows—Installation of 6-foot tall vinyl fence along a portion of the North side of the property bordering 14 Brandon Street. Fence will start near the lake-front beyond the high water line or 24 inches from the water line whichever is greatest and go 32 feet towards the road to provide privacy on one side of the property. Work will be performed during dry periods to prevent any soil runoff. Soil initially removed will be used to fill around each post with remaining soil put in nearby flower beds with fence section nearest the water sloping to a height of not greater than 4 feet.
- **NOTE:** Marcia submitted a check for \$60 to cover the legal notice.

#### Walk-Ins

- **Ed and Patty Fellows/31 Lee Ave.:** They would like to remove 2 pine trees that seem hazardous. One is a split tree and one lean toward the cottage. They shared pictures of the trees. Completed a tree removal application. The trees should be marked by this weekend.
- **Scot Berg/11 Lakeridge Drive and Peter Goodreau/9 Lakeridge Drive:** They want to cut down 2 trees because the limbs are leaning over their houses. One tree is on the property line and one is Peter's property. Completed tree removal applications. The trees will be marked by tomorrow.
- **Jeff Linnell/52 Lake George Road:** Wants to construct a pavilion at the *Maine Attraction* where the picnic tables are already located. This is not within Conservation's jurisdiction. Andy signed off on the pink sheet.
- **NOTE:** Sam will contact members about making site visits to look at the trees.

#### Adjournment:

Sam moved to adjourn the meeting. Marcia seconded. All in favor.

**Meeting adjourned at 8:01pm.**

Respectfully submitted,

Kathy McKenna, Secretary