

Holland Conservation Commission
27 Sturbridge Road, Holland MA 01521
HCC Minutes April 13, 2021

NOTE: Due to the Corona Virus this meeting was held remotely using Go-To-Meeting

NOTE: This meeting is being recorded on audio.

Members Attending Remotely: Kate Laabs, Acting Chair; Marcia Beal; Sam Spratlin
Dawn Kamay joined the meeting late at 8:17 pm **Non-member Recording Secretary:**
Kathy McKenna.

Guest: Mark Stinson, DEP Circuit Rider

Members Absent: Dawn Kamay (joined meeting at 8:17 pm); Jessica Chaffee
(Opened the meeting then needed to leave at 6:45 pm).

Meeting called to order at 6:36 pm by Jessica Chaffee for Kate. Jessica left the meeting at 6:45 pm, and will be absent for the meeting.

Approval of Minutes from 3/23/2021: Sam made a motion to approve the minutes from 3/23/2021; Marcia seconded. All in favor; motion passed with a yes vote from the following members. **Members who verbally voted in favor:** Sam Spratlin, Marcia Beal; Dawn Kamay Abstained: Kate Laabs as she was not at the 3/23/2021 meeting.
Verbally opposed: None

Concom Correspondence Since March 23, 2021

9 Hamilton / Hilbig with updated sketch Creative Exteriors.

105 Sandy Beach /Mark Stinson with comments on the RDA Dawn submitted.
The buffer zone needed to be altered and fixed.

Dock Regulations/ Stacy Stout – reminder of objective of March 31 meeting with other departments and Chief Haughy. 2007 Dock Regulations are now the law per Chief and Town Administrator. **NOTE:** Dawn and Sam attended the meeting no final decision was made.

3/16 Hugh B. Wales Conservation re: debris in stream and bank at 33 Barney Rd, Wales (Paul Giza) running into Holland. Wales will be involving their Ani-

mal Control and Board of Health. *We are standing down for now and will not discuss this issue as it's an ongoing investigation.*

3/18: Mark Stinson with Hilbig's file number and comments about mitigation we should consider asking for.

3/29 Laurie Bartkus with expenditure report. Looks fine.

3/28 Cari Robertson wants to submit NOI for garage build. Phone number, no address. Dawn responding asking for address location to better assist her.

3/26 Joey Wigglesworth, MACC asking us to complete survey re: eDEP system

3/25 etc. several from Erin P. regarding posting of Gazette notices

3/25 Marie Sorenson regarding stakeholders meeting re: watershed plan for Holland – she attached minutes of that virtual meeting

3/24 Jess Chaffee Wales to Board Clerk requesting notices with dates of public meetings for next Concom

3/24 Mark Stinson with #184-0383 for Mass Electric replacement of utility poles on large causeway

3/24 Dawn Kamay with notice for posting of Concom's attending Bylaw Comm mtg of March 31.

3/23 Jame Whalen, Bylaw Comm asking everyone to submit any relevant documents from their committees

3/24: Mark Stinson, DEP file number for Mass Electric phone pole replacement project

3/25: Marie Sorensen regarding watershed planning – stakeholders meeting minutes from March 17 video conference. Dawn and Sam attended.

3/30: M. Alden wants to know if can put a removable dock at 100A (Brandon Cove). Dawn replied yes to dock, no to permanent platform/deck in or over the water. Advised by phone that he seek advice from Building Dept. or Concom before building anything.

3/23 Joey W. of MACC offering free lunch and learn on wildlife tunnels. Did not respond or forward as not relevant Holland at this time.

3/31: Kyle Merolla regarding need to take a tree down on Julia Ann Drive. Sent to Sam Spratlin. *Dawn and Sam performed site visit April 10.*

3/31: Brenda Dessert, real estate agent re: lot at 8 Vinton with old OOC on it dated 2011. Wanted to know if they'd need to reapply if the buyer needed the work done. *Dawn replied, yes.*

4/1: Chief Haugey regarding the updating of the Dock Regulations (*ongoing matter*).

Apr 6 : back and forth emails re: dock/deck build on Brandon Cove (Marcia Lee)

Apr 2: Barbara Carrillo re: dock at 62 Shore Dr, thanking Commission for getting it removed.

Apr 3: Breor / emails regarding violations at 326 Mashapaug.

Apr 4: Joan Boire that she put up a compliant DEP File sign.

Apr 6&7: Alex Vargas, 83 Sandy Beach, wants to build a house. Sent him info on how to submit the NOI.

Apr 7: Holland Community Center has vaccine appts. open between May 7 and 14 – call them.

Apr 8: Becky Hilbig reminder that Town Hall closed Apr 19 for Patriots Day

Apr 8: Leonard Jalbert's company re: tight tank replacement at 47 Leno Rd. Dawn replied site visit will be made this coming week and would let him know RDA or NOI after that

Apr 12: Bldg. Inspector reply that Brandon Cove dock/deck over water should have gotten a building permit and gone to Concom. She will assist with enforcement.

Apr 12: Invitation to lunch and learn on “Surviving Climate Change” (geared mostly to business owners).

Mail: None

Phone:

781-496-7300 couldn't understand most of the message, sorry referred to Marcia by email (Turned out to be Mo Alden?).

Alex Vargas regarding 83 Sandy Beach, house was demolished, now wants to rebuild. Dawn told him by phone and email, needs an NOI.

Mo Alden: Lot 100A potential purchase of land in Brandon Cove, non buildable lot. Dawn has photos. Need to let him know if he can put removable dock AND build a deck out over the water. Dawn said removable dock ok but any permanent structure needs Building Department and Concom to advise

Review of Site Visits:

- 33 Lee Ave.: No site visit was made owner will notify us when plantings are in place.

Review of Tree Removal Applications:

- 184 Mashapaug/Erin Lagards/tree removal: Marcia and Sam visited on Thursday 3/25/21. There were 4 dead and dying pine tree that are to be removed to be replaced with small native trees or shrubs.
- Kyle Merolla/Julia Ann Drive: Permission to remove one dying tree.
- **326 Mashapaug/Breor:** Concerns were raised about the amount of fill that has been brought onto the property. According to the approved plan, they were supposed to mitigate for flooding by digging out under the deck. Mark Stinson noted that the building inspector enforces flood plain building codes. In addition, five trees were cut down in the Buffer Zone and only two trees were approved. Concom members wondered if we should request an elevation survey as it appears that fill has been brought in that was not in the plan as originally presented. Mark asked if Conservation had received a table showing cut and fill elevations. Kate noted that the actual decision on the back of the house was up to the zoning board. Mark indicated that the owner is in violation because Conservation did not permit work in the flood zone. Mark noted if we have before and after pictures that would be very helpful especially from a side view. Removal of the fill should be a cooperative effort between the Building Inspector and Conservation. If we decide to issue an enforcement order, Mark will work along with us.

- **Marcia Lee/16 Brandon Street:** A neighbor saw her building a structure on the ground. She wouldn't let Dawn or Sam on her property. Later a picture was sent to Conservation and it appears that there has been a dock installed in the water that looks permanent.

- **No New Tree Removal Applications:**

Round Table

49 Forest Drive/Celeste Brackett: A garage is being built within 100 feet of an intermittent stream. They need to come before us and complete a NOI. Kate asked Mark about the difference between a perennial and an intermittent stream. If it is an intermittent stream with no wetland vegetation up gradient than it is not jurisdictional. From wherever you find a community of wetland plants, anything down gradient is jurisdictional. Kate suggested we ask the owners to stop work and come to Conservation. Dawn will contact the Building Inspector regarding our concerns.

62 Shore Drive Complaint: The owner removed the dock and Dawn made a site visit to verify.

Pollution Concerns Barney Road (Complaint from Wales Conservation Agent): Mark Stinson noted that this has been an abandoned farm for years, and he has been working with the Wales Conservation Commission. Wales would like to work with Holland to get the stream cleaned up. Wales is concerned that there are wetland violations in Holland as well as Wales. They are looking for good cooperation between Holland and Wales. We are in active communication with the Town of Wales regarding this concern.

7:00 pm RDA Public Meeting Old Acres Rd./Kevin Palmer Project: Install Aqua Sweep

Persons Attending Remotely: Kate Laabs, Acting Chair; Marcia Beal; Sam Spratlin; Kevin and Debra Palmer, applicants **Guest: Mark Stinson** **Non-member Recording Secretary:** Kathy McKenna.

Public Hearing Opened at 7:03 pm by Kate Laabs

Discussion: Kate asked why the Palmers wanted to install the Aqua Sweep. Kevin said that their lake front is all muck and they cannot walk out into the water without sinking into the muck. They want to remove all the debris that blows into their waterfront and settles on the lake bed. Kate felt that the Aqua Sweep was inherently a mini dredger that has the potential to contaminate the lake. Kevin said that the state of Wisconsin has been using this. Kate noted that this would be disturbing the land under water. Kate explained that a bubbler would be acceptable, but this is more of a dredging machine. Sam noted that at the last meeting we did not have enough information about the device, so we thought it was similar to the bubblers used on the

South Basin. These aerate the water versus blowing debris. According to Kevin Palmer the current weed treatments are not working in this cove.

Mark Stinson noted that the Palmers submitted a RDA and the choice for Conservation is to determine whether or not the work will impact or alter the Resource Area. He indicated that dredging can be accomplished, but it cannot be done with a RDA. They may need to get permission via the NOI permitting process. He suggested that they consider hiring a wetlands Engineer to consult with them regarding this project. Conservation will need to be sure that if this device is installed, it will be used correctly. Kate would prefer a third party to take a look at this device and what would be needed to assure that there is no detrimental effect on the resource area. Mark also noted that he has never seen this device proposed in the western part of Massachusetts. He told the Palmer's that they have a right to appeal the RDA decision, but this would require more information and take time. Kate said that they could submit the NOI online, or we could send along a hard copy of the NOI. Mark noted that the Palmers may want to consider digging by hand, as it could have less impact on the resource area as debris won't be redistributed in the lake. This would need approval through the NOI process.

Motion: Kate made a motion to issue a positive determination on the RDA as debris will be redistributed on the lakebed and this could negatively impact the resource area. The Palmers will need to submit a NOI or they can appeal this decision to the DEP.

Sam seconded the motion.

Members who voted verbally in favor: Kate Laabs; Marcia Beal; Sam Spratlin; **Members verbally opposed:** None

Public Meeting ended at 7:33 PM.

**7:30 pmPublic Hearing NOI#184-0383
Tighe and Bond/Mashapaug Rd.
Project: Utility Pole Installation Along Mashapaug Rd.**

Persons Attending Remotely: Kate Laabs, Acting Chair; Marcia Beal; Sam Spratlin; Richard Cannavan, Tighe and Bond representing National Grid Electric **Guest:** Mark Stinson **Non-member Recording Secretary:** Kathy McKenna.

Public Hearing Opened at 7:34 pm

Discussion: Richard Canavan explained the placement of the new poles and explained that this is a limited project. The project is 10 feet from a paved roadway and 10 feet from the lake because of the restricted area. Currently there are guide wires in the lake from the existing poles. The guide wires will be cut, but the anchor will not be removed. The final removal of the poles will be done by Verizon. National Grid will be moving the wire first, then the other utilities. A straw wattle will be placed around the area where they auger in the

poles. National Grid does not have a set schedule as they are waiting for the approval of this NOI. The new poles will be installed before the old poles are removed. This NOI includes the installation of the new poles and the replacement of the old poles. Tighe and Bond wrote the NOI. National Grid will determine how many poles are needed to safely replace the old poles. Tighe and Bond's contract with National Grid includes a Construction Site Visit. Because the area is so tight along the causeway, contractors will need to determine where to put their rigs. Richard noted that this will be very challenging for a contractor. Erosion controls are indicated between the resource area and the hole for the pole. The anchors will not be removed as part of this project. Mark's comments on the NOI were to be sure that plantings are done afterwards.

Kate made Motion to Close Public Hearing, Sam Seconded. All in favor Public Hearing Closed at 7:48 pm

Kate made a motion to approve the NOI for Utility Pole Installation along Mashapaug Road as presented. Sam seconded the motion. Members who voted verbally in favor: Kate Laabs; Marcia Beal; Sam Spratlin; **Members verbally opposed:** None **Motion passed.**

Kate told Richard that she will send along a draft of the OOC so that he can review it before the next ConCom Meeting.

**7:45 pm Public Hearing NOI#184-0382
Rebecca Hilbig/9 Hamilton Drive
Project: Stairs and Wall Repair**

Persons Attending Remotely: Kate Laabs, Acting Chair; Marcia Beal; Sam Spratlin; Becky and Rolf Hilbig, applicants. **NOTE:** Dawn Kamay joined the meeting at 8:17 pm
Guest: Mark Stinson **Non-member Recording Secretary:** Kathy McKenna.

Public Hearing Opened at 7:58 pm

Discussion: The Hilbig's have been permanent residents since 2003 and have about 115 feet of waterfront with wooden steps down to the water. They have been replacing and/or repairing the steps, but they are rotting and unsafe. The Hilbigs decided it was time for a more permanent solution. Creative Exteriors is proposing 4 foot wide 6 inch thick, natural stone steps down to the water. They will also be installing aluminum galvanized hand railings. 40-foot length of straw wattles are proposed to protect the Resource Area. Marcia, Sam and Dawn made a site visit. It was noted that during the draw down this last fall the HRA used a turbidity curtain to prevent damage from pulling boats out of the lake. It was suggested that this would be a good choice to protect the lake. The rip rap along the shore will be left as is, as it helps with the waves according to Becky. They want to begin this project fairly soon so they can use the stairs during the summer. Right now the whole bank is pretty much grass and they hire someone to weed wack. Kate asked about putting in plantings to stabilize the bank area by the water. In addition to this plan, the Hilbigs were asked to add a planting

plan. Rolf asked about where the plantings should be located. Kate noted that the intent of plantings is to revegetate the lake and it is nice if the plantings are close to the shore. The stairs will be hand dug as there is no way to get large machinery down by the water. Creative Exteriors told the Hilbigs that the project will take several days, and the stairs cannot be used until the railings have been installed. Questions arose as to where or if construction material will need to be stockpiled. The Hilbigs did not see a need to have any material stockpiled in the Buffer Zone. According to Becky, the water appears higher usually there are several inches of beach.

MOTION: Dawn made a motion to Continue the Public Hearing to April 27, 2021; Kate seconded. **Members who voted verbally in favor:** Kate Laabs; Marcia Beal; Sam Spratlin; Dawn Kamay **Verbally opposed:** None.

Motion passed. Public Hearing Continued at 8:21 pm. OOCs will be drafted for the Continuation on April 27, 2021.

Adjournment:

- **Sam moved to adjourn the meeting, Marcia seconded.**
- **Members who verbally voted in favor:** Kate Laabs; Marcia Beal; Sam Spratlin; Dawn Kamay **No one was verbally opposed.**
- **Motion passed**

Meeting adjourned at 9:25 pm.

Respectfully submitted,

Kathy McKenna, Recording Secretary (Non-member)