

Holland Conservation Commission
27 Sturbridge Road, Holland, MA 01521

HCC Minutes for September 14, 2021

Note: this meeting was conducted in-person in the Community Room, with one remote participant using Go-To-Meeting.

Members attending in person: Marcia Beal, Dawn Kamay, Sam Spratlin, Jessica Chaffee Wales and agent George Russell.

Member Attending Remotely: Kaitlin Laabs

Guests attending: George O'Mara, Kenneth and Diana Denning, James Whalen, Mr. Cormier, Michael Breor, Lisa Winslow, Ralph Donadio, Leonard Jalbert, Mr. Looney.

Jessica called the meeting to order at 6:30 PM.

All had reviewed the meeting minutes for August 24. Sam Spratlin made a motion that the minutes be accepted. Dawn seconded and the motion was carried.

Key Correspondence:

4 North Leisure Drive application for an NOI – incorrect filing fees were submitted. This will be part of the public hearing on September 28, 2021.

189 Mashapaug Road for an application for bank stabilization which will be on the agenda for September 28, 2021. Affected abutters from 189 and 197 Mashapaug Road will attend.

Rebecca Sepowitz has an open OOC for a front retaining wall

All of the above will attend the September 28 HCC meeting

7 Old Turnpike Road – septic and building new house – also on the September 28 meeting

Lot 3 Brook Road (LoRicco) to be considered at the September 28th meeting.

Site Visits made:

4 North Leisure Drive

Corner of Lake Drive and Union Road

82 Sandy Beach Road

29 Pine Tree Road – working without permit – stop work order issued by agent George Russell

55 Sandy Beach Road

19 Lakeridge Drive

41 Craig Road – tree removal

42 Craig Road – will be bringing in request for tree removal

Certificates of Compliance:

40 Williams Road – DEP #184-0355 - Agent George Russell conducted a site visit, reviewed the COC and it met requirements. The certificate was granted

28 Leno Road – Tight tank – approved the COC

Public Hearing:

7:00 PM – NOI for 55 Sandy Beach Road – Three tier retaining wall with stone application approved. They are not working on the bank at present but it will be protected with erosion controls. A motion was made by Dawn Kamay and seconded by Sam Spratlin to close the hearing with the stipulation to do no more work on the bank and report any erosion issues that may crop up as recommended in the agent's report. The motion passed. When the work is completed the COC will be issued by the HCC.

7:17 – RDA for Ralph Donadio of 19 Lakeridge Road – amending via the minutes – the sidewalk length will be 53 feet instead of 43 feet and end ten feet from the bank at the lake and the bank will not be affected. Sam Spratlin moved to accept the amendment and Dawn Kamay seconded the motion which was then passed.

7:30 PM – RDA for Looney of 66 Sturbridge Road – Failed septic system to be replaced by Jalbert Engineering which will make a replacement 58 feet from the lake front and put wattles in place. Sam Spratlin made a motion to approve the plan revised on August 21, 2021 which Dawn Kamay seconded and all passed the motion.

7:45 PM – Breor of 326 Mashapaug Road – DEP# 184-0339 - extension of construction. A new survey and a new plan was submitted which reworks the flood plan and changes the elevation from 686 feet to 689 feet. Jessica Wales said he needed to remove 25 cubic feet of soil down to the 689 level. He is beginning construction of a wall next week to protect the neighbor's property on the south side from erosion and water runoff from his property. This project will take two to three weeks to complete. An update will be made at the October 12th meeting. Kaitlin Laabs proposed a motion to amend the NOI to include the adjusted plans dated 9/8/2021. Sam Spratlin seconded the motion which was passed by all except Dawn Kamay who abstained as she was absent from the room during much of the discussion.

8:00 - Denning of 83 Sandy Beach Road – DEP# 184-0386 - New construction of house and new septic system. Discussed emergency mitigation work with the Dennings and Contractor Alex Vargas about emergency mitigation work done at the site following a heavy rain event which was very well done. Certification was presented that Diana, as the owner of the land, was aware of the application for the new septic system and approved it and the new home to be built on the same footprint as the demolished house. This will be continued to the October 12th meeting so that abutters can be notified to attend the meeting. A site visit will also be made.

Walk-ins:

George O'Mara of 97 Leno Road – proposes lighter aluminum ramps 14 and 14 inches wide instead of steel, or a future 36 inch wide footbridge over the stream at that address. Discussion of how emergency vehicles would access the building was determined not to be an HCC issue. George Russell suggested the property could be maintained as a campsite. Kaitlin Laabs asked about recent changes Mr. O'Mara made to the stream bank. One stone layer was changed to maintain the current stream direction after the recent rain events. Jessica Wales made a motion to approve the extension of the OOC including a memo and photos of the proposed ramps. Dawn Kamay seconded the motion and all passed.

Lot 7 on Old Turnpike Road – New development project by Cormier and sons – Mr. Cormier was told he will be on the agenda for the next HCC meeting on September 28th.

Site visits to be made:

83 Sandy Beach Road – new house and septic system

29 Pine Tree Drive – work being done without permit. A stop work order was issued by the agent.

Lot 3 Brook Road

Lot 7 Old Turnpike Road – stream on lot

4 New Leisure Drive

Dawn Kamay made a motion to close the meeting and Sam Spratlin seconded it, with all in favor. The meeting adjourned at 8:50 PM.

Marcia Beal

Secretary

TOWN OF HOLLAND



CONSERVATION COMMISSION

27 Sturbridge Road, Holland, MA 01521

T: 413 245 7108 ext. 114 F: 413 245 7037

Email: conservation@hollandma.org

TO: Holland Conservation Commission

FM: George Russell, AICP
Conservation Agent

RE: Agent's Report

DATE: 9/14/21

1.0 Items from last meeting or new items:

- 1.1 Attached is the monthly up-date on enforcement.
- 1.2 We have received an incomplete NOI permit for 4 North Leisure Drive that the applicant is working diligently to complete. I would recommend the members may want to take a look at this site since the work involves bank stabilization, retaining walls and jacking up the house to fix the foundation. Plans are in the office if you need to look at them.
- 1.3 There were no tree cutting permits since the last meeting
- 1.4 I have opened an investigation at 29 Pine Tree based on a complaint from a resident on the road. Generated SWO/NOV to owners as there has been considerable work done within jurisdiction without a permit.
- 1.5 The members may wish to take a look at 178 Stafford Road. I have sent two letters to the owner and talked to him a number of times. He needs an NOI but so far has not filed one.
- 1.6 I have received calls from applicants wanting to know what time they should be here for a meeting. I cannot tell them a specific time since I do not make up the agenda. I think this issue needs to be addressed.

2.0 Items on this agenda:

- 2.1. Discussion Expired OOC Release policy: We have received a request for a release from conditions that was approved in 2011 for 28 leno and there were some issues complying with 310 CMR 10.05. I have attached a proposed policy for the release from conditions which are old and it may not be possible to get the required certification under 310 CMR 10.05 (9) (d) which states:

(d) If a project has been completed in accordance with plans stamped by a registered professional engineer, architect, landscape architect or land surveyor, a written statement by such a professional person certifying substantial compliance with the plans and setting forth what deviation, if any, exists from the plans approved in the Order shall accompany the request for a Certificate of Compliance.

Should the Commission feel this is valuable, I recommend a formal vote to accept the policy.

Note that this one was resolved but it took some luck and good timing.

2.2. 66 Sturbridge Road, RDA: This permit is for a new septic system. Dawn and I conducted a site inspection on 8/26/21 and I have generated a review e-mail to the engineer. I have requested revised plans and they have been received. I would recommend a negative # 3 with the following stipulations: 20, 21, 27-29, 33-35, 37, 38 & 44.

2.3. 55 Sandy Beach, NOI 184-03 The NOI # has been received. This permit is for a retaining wall and stairs to access the Reservoir. Acting on a complaint, I issued a stop work order for work that had already been started. The owner/applicant has stopped work and we have met a couple of times for help with the application and the process. I have conducted a site inspection and reviewed the application. DEP has commented on impacts to the bank and the flood storage impact. The latter was determined by taking the square footage of the work area which is all in the flood hazard zone. To the best of my knowledge, there is no impact on the bank. I would recommend the following stipulations be attached to the OOC: 20, 20.1, 21, 23, 24, 27-30, 34, 37-41 & 44-51.

2.4. 326 Mashapaug NOI 184-0361: A letter was generated and mailed certified mail requiring plans for the modifications to the OOC by this meeting. I would recommend the members visit this site before the meeting. Enforcement order will be available at the meeting.

2.5. 97 Leno NO 184-0343: A letter was generated and mailed certified mail requiring plans for the modifications to the OOC by this meeting. I would recommend the members visit this site before the meeting. Enforcement order will be available at the meeting.

2.6 83 Sandy Beach Road NOI 184-0386: I would recommend the members visit this site before the meeting. The revisions requested by the Commission, EXCEPT the notarized signature of the owner authorizing the filing of the application, have been received and sent to the members. It should be noted, that the application has changed from just a tight tank to a tight tank AND the house. There is very significant erosion on site due to the recent heavy rains. The chair and I have reached out to the applicant to install erosion controls immediately and he has done so. This application has gone thru a number of permutations but may finally be ready to be acted upon, if we receive the owner's permission. If approved, I would recommend the following stipulations: 20, 20.1, 21, 23, 24, 27-30, 34, 37-41 & 44-51 be attached to the OOC.

2.7. 28 Leno COC: All is ready for the COC to be granted.

2.7 40 Williams COC: All is ready for the COC to be granted.

E-mails. Phone calls and letters (date refers to the date I read them, not necessarily the date sent or received.):

8/23/21:

- Call and e-mail from attorney Tom Griffin release 28 Leno Road. (See item 2.1 above) I have responded
- Call from Jake Becker on putting a boat into the water Given to Dawn
- E-mail from Erin on purchase of stamps before the price goes up; I have authorized this purchase
- E-mail from Michael Breor concerning status of his project; forwarded to Commission
- MACC Quarterly received and forwarded to Commission
- E-mail from Jess Wales concerning the run-off on Pine Brook Lane
- E-mail to Commission on lack of information for Emergency Cert on opening the dam
- E-mail to highway on needed information on dam opening
- E-mail to J. Wales on 34 Williams which is not ready for a COC Subsequent e-mails indicating that all had been submitted and it was ready to go

8/24/21

- Call from Bill Turbush confirming appointment today on NOI application
- E-mail from Ginger Little on meeting on NOI application
- E-mail from D. Kamay on call and return call from Jake Becker
- E-mail from Becky Hilbig on issues with 34 Williams
- E-mail from Mark Stinson on roads around the reservoir as a response to a private citizen inquiry; forwarded to members. I reached out to the person who sent the e-mail to DEP asking him/her to contact me
- E-mail from MACC on Mass Forest Health "Lunch & Learn" on 8/26; forwarded to members

8/26/21

- E-mail from G. O'Mara submitting clarification to the plans for 97 Leno
- E-mail from A. Vargas submitting plans for the NOI at 83 Sandy Beach; this was forwarded to the members.
- E-mailed review of RDA for 66 Sturbridge to engineer;
- Received an NOI permit for 4 Leisure Drive;
- Received an abutter notice for a FCP on 135 Brimfield Road but no plan. Generated e-mail to C. Capone.
- Received all of the paperwork for a COC for 28 Leno.

8/31/21

- E-mails to and from McClure Eng. concerning the fees for the NOI for 4 N. Leisure Road
- Phone message from John Ganly indicating he will call back. I believe this is in reference to a violation notice for 48 Over The Top Rd. Spoke to owner later in the day on 8/31/21 and will mail him an NOI application. He feels the ConCom is "worthless" and the drainage on the road and erosion into the pond is the Town's "fault". Spoke to the TA on this issue.
- Sent an e-mail to the owner of 31 Pine Tree as a follow-up to her phone call concerning run-off

9/1/12

- Series of e-mails from me, Jess and K. Denning concerning erosion at 83 Sandy Beach. Spoke to TA on this.
- Letter sent on permit expiration on 184-0341, 30 Pine Tree
- Series of e-mail between myself and Mark at DEP on the requirements for an Ecological Restoration Limited Project.
- Generated a review e-mail of an NOI for 4 N. Leisure and forward to applicant and members.

9/2/21

- Series of e-mails between myself and McClure engineering on NOI permit for 4 North Leisure. Also e-mail between McClure and DEP
- E-mail to Jess W. on erosion at 83 Sandy Beach. (Note: TA copied on all of these.)
- E-mail from B. Terbush asking to schedule a hearing on his NOI which we have not yet received. I replied to him.

9/7/21

- E-mail from the Town Clerk, forwarding an e-mail from the resident of 3 Lake Drive concerning trees. I reached out to the resident to inform him that the trees were not within our jurisdiction.
- Complaint from Pine Tree drive resident concerning work at #29 Pine Tree. (See item 1.4 above.).
- E-mails from Mark at DEP concerning scans that did not go thru; we will work on getting the information to DEP.

- Spoke to Alex on 83 Sandy Beach and told him the only item missing is the owner's notarized signation for the application.

9/8/21

- Call from Alex asking if it would be OK to have owner come to meeting to certify ownership; responded in the affirmative via e-mail.
- E-mail from George O'Mara concerning draft agent's report.
- E-mail from Ginger Little on draft agent's report.
- E-mail from McClure Engineering on date of hearing – not set yet because all fees have not been paid.
- Generated e-mails and/or letters on issues/questions found during site visits for 29 Lakeridge, 15 Massaconnic, 189 Mashapaug and 25 Sandy Beach

9/9/21

- E-mail from DEP on 189 Mashapaug with a number of issues that need to be addressed. E-mail to applicant on this.
- Phone call from applicant at 66 Sturbridge concerning time he should be here for meeting.