

Holland Conservation Commission
27 Sturbridge Road, Holland, MA 01521

HCC Minutes for February 8, 2022

Note: This meeting was conducted on-line with some participants in the Community Room. The remote participants used Go-To-Meeting. The meeting was not recorded.

Members attending in person: Dawn Kamay, Jessica Wales, Samuel Spratlin, Agent George Russell, and guest Rick Lundin, to be sworn in as a member.

Members Attending Remotely: Jessica Wales from 6:30 until 6:55, Kaitlin Laabs from 7:00 to the end of the meeting.

Dawn Kamay called the meeting to order at 6:33 PM.

The minutes from January 25, 2022 were reviewed and Sam Spratlin made a motion to accept the minutes as corrected, Dawn Kamay seconded the motion, and all approved.

A site visit will be made to 29 Pine Tree Drive. No other site visits are scheduled.

Phone messages and key e-mails were reviewed as per the agent's report.

A request has been made by the utility company at 23 Lee Avenue for the removal of a tree and utility pole. After discussion, it was determined that a Tree Removal Permit is required and a Tree Removal Form will be sent.

DEP #184-0360 – 15 Massaconnic Trail – Sam Spratlin made a motion to grant the extension of this OOC to allow for recent approved modifications and plantings. Jessica Wales seconded the motion and all approved.

DEP #184-0281 – 57 Mashapaug Road – COC request for a 6 x 12 foot addition. Samuel Spratlin made a motion to issue the COC, seconded by Jessica Wales, all approved.

Round Table:

Agent George Russell sent out a list of meeting dates, submission dates and ad submission dates. This list will be attached to future application forms and to our website.

A discussion of adopting regulations as permitted under the local Wetland Law 1.3 will be further discussed at another meeting.

7:02 PM – DEP #184-0396 – 29 Pine Tree Drive – NOI hearing – The property owners, the Martins, were present. Agent George Russell received abutter notice receipts. Water presently drains off from the Martin's property to the neighbor's land possibly from the drain pipe in the wall. George has discussed this with the Martins and a photo was shown. It is recommended a wetland specialist review and recommend solutions in this flood hazard zone, as recommended by the DEP. Sam Spratlin made

a motion to require the Martins to have an engineer (PE) or wetland specialist (WPA) evaluate the impact of construction, wetlands impact and drainage with the hearing to be continued until April 12, 2022. The property owner/applicant agreed to the hearing continuation. Dawn Kamay seconded the motion and all approved.

Round Table continued:

The highway bundle permit, #184-0378 will expire on November 30, 2023.

Over The Top Road water control may not have been built as approved and there is no Certificate of Completion. A letter requesting a Certificate of Compliance will be sent with the final as-built plans. Copies of the letters will go to the Highway Department, Town Administrator and the Selectboard. Further discussion of the stormwater runoff problem at this location will be discussed with the Highway Department in the near future.

It was noted the MACC Conference is virtual this year, and Dawn encouraged the Commission to look at this year's course and seminar offerings.

7:58 -Sam Spratlin made a motion to adjourn the meeting which was seconded by Dawn Kamay. All approved.

The agent's report is attached to and made part of the minutes.

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: 2/8/22

1.0 Items from last meeting or new non application items that need action/discussion:

1.1. I have discussed the issue of BLSF with the Sturbridge Agent and her Commission's policy is outlined on the last page of this report.

1.2. At the last meeting, Commission approved the release from conditions for 184-0307 for Stallone at 31 Lakeridge. The original was mailed to Green Hill Engineering as per their instructions. The property owner has requested a copy but I cannot locate the seconded signed copy of the release. Thus, I am asking the members to sign another two copies so I can send one to the Stallones and keep one in the file.

1.3. The Town By-law, in section 15.3.2 states:

15.3.2 Other than as stated in this section, the exceptions provided in MGL Ch. 131, section 40 and Regulations 310 CMR 10.00 shall not apply.

What exceptions does the Commission wish to have "not apply"? Is it those found in 310 CMR. 10.02 (b), which are accessory uses to single family homes such as decks? This is important for me so that I understand what it intended under this section.

1.4. Updated application process on webpage to remove Mark Stinson's name.

2.0 Items on this agenda:

2.1. 29 Pine Tree, NOI: This permit was filed as a result of a complaint and a subsequent SWO/NOV that was issued. The permit is for work that has been completed and includes, among other things, new drainage, patio, retaining walls and decking. One of the issues that concerns me is the drainage which is shown in the attached photo. We do not know exactly what this is draining, but we do know that the drainage appears to be negatively impacting the adjoining property. I would recommend that the plans be modified to better channel this drainage so that any discharge/run-off remains on-site. I also recommend that the plans be labeled and dated so they can be referenced in the OOC. Further, all work is taking place in a flood hazard zone and no quantities of material or disturbance were submitted. These quantities are needed for the OOC. When the revised plans come in and are acted upon by the Commission, I will make recommendations on conditions.

In reviewing the DEP comments, I would offer the following: (1) The correct fees were paid; & (2) The retention of a wetlands scientist to address the concerns raised in item #2, is warranted in my opinion.

2.2. 57 Mashapaug COC 184-0281: This is an expired permit which was granted for a 6 x 12 addition to the side of the house. I have inspected the site and met with the owner. All is ready for the release to be granted.

2.3. 15 Massaconnic Extension 184-0360: This is a request to extend the OOC to allow completion of the recently approved modifications including plantings in the rear and side of the new house. The current permit will expire on 3/27/22.

3.0 E-mails and phone calls

1/25/22

- **E-mails to and from Joanne Higgins on my report on the Highway projects which was forward to the members; these were forwarded to the members**
- E-mails from Katie Polland on land on Sudcliff
- E-mails to and from DK on OOCs and COCs
- E-mail to Jess on legals and time for hearing
- E-mail from Green Hill Engineering on recording of COC for 27 Lee
- E-mails to and from Lauzon on process for a COC
- E-mail to Stacy on permit for drawdown (not necessary to request an extension until 7/23)
- Phone message from Ken Baker concerning property on Mashapaug Road and permitting; returned call and left message
- Call from owners of 31 Lakeridge requesting copy of COC – will mail
- Call from Davis, Candlewood Dr. on permitting for new steps to the water; called back and discussed permitting
- Call from Mike Burns on NOI permitting – no answer & no voice mail

1/26/22

- E-mail from M. Burns on NOI

- E-mail from S. Davis on NOI
- E-mail welcoming Michele to the Commission
- E-mail to Erin to get together
- **E-mail on SJC decision that impacts ConCom; forwarded to members**

1/27/22

- E-mail from MB with minutes; reviewed and corrections offered
- **E-mail from DEP Western Office on 29 Pine Tree**
- E-mail from owners of 5 Candlewood requesting help on NOI permit
- E-mail from Dusza with DEP form 7
- E-mail from Sturbridge Agent on flood hazard resource area (See below)
- E-mails to and from Michele our newest member

2/1/22

- E-mail from Town Administrator on warrant articles for Town Meeting
- E-mail from the Assistant Town Administrator on the Division of Open Government: Procedures for Responding to an Open Meeting Law Complaint
- E-mail from MACC on annual conference registration
- E-mail from Sharon Davis to set up an appointment for help with an NOI permit
- E-mail from DEP on NOI # for 29 Pine Tree

2/2/22

- E-mail from MACC on business meeting
- E-mail to assessor on address for lot 3 Brook
- E-mail from MACC on annual conference forwarded to members

2/3/22

- E-mail for the "Go To Team"; forwarded to the members
- E-mails to & from J. Higgins on Brook Road
- E-mail from MACC on new workshop

From Rebecca Gendreau Sturbridge ConCom Agent:

I look at both. We ask the applicant to include the FIRM map with their application. I think this is the best place to find the most relevant info. From my understanding Zone A and AE are the regulatory flood zones. The Zone A requires that the engineer figure out the flood elevation so the exact line shown is likely not accurate. I didn't know this. This is what DEP told me before about Zone A:

Zone A still denotes the 100-yr flood plain (areas with a 1% annual chance of flooding) and therefore constitutes BLSF. The difference being that the Zone AE areas have an established base flood elevation through the FEMA NFIP program. FEMA has not established these elevations in all areas and lumps those lacking an elevation into Zone A. The engineering team should be able to calculate flood plain elevations for the project based on standard practices as outlined in 310 CMR 10.57(2)(a)3. They very well may have already done these calculations as they appear to be demonstrating a cut/fill balance. While it may be a wash in terms of net change these values should be provided as part of the application. As the project occurs along a stretch of river it is likely that the established elevation will vary as one moves down stream. Please let me know if you have any additional questions.

NOTE: the word "both" refers to the town's GIS system and the FIRM maps