

Holland Conservation Commission
27 Sturbridge Road, Holland, MA 01521

HCC Minutes for December 13, 2022

Note: This meeting was held in the Community Room. The meeting was recorded.

Members attending: Dawn Kamay, Agent George Russell, Rick Lundin, Marcia Beal, and Samuel Spratlin

Members of the public who attended: Rebecca Hilbig (remote), Keith Leaning, Stacy Stout, Brian French, Russ Hoyt, Tim Korytoski, Michael Thibault (Landscape Evolution)

Dawn Kamay called the meeting to order at 6:34 PM.

Sam Spratlin made a motion to accept the October 11, 2022 and the November 22, 2022 minutes, seconded by Marcia Beal and approved by all.

The HCC needs to accept a revised amendment to the minutes of October 25, 2022. James Blanchette says the trench between his property and that of Phelps was made by Mr. Phelps.

Site Visits:

Site visits were made at 4 Collette Drive, 25 Sandy Beach Road and 10 Collette Drive. Site visits to be made are at 17 Craig Road and 7 Hamilton Road.

The owner at 29 Pine Tree Drive did work without a permit. Sam Spratlin made a motion to send an enforcement order to the owner. The motion was seconded by Marcia Beal and all approved.

New Business:

The budget is due and the HCC will request \$500 for business expenses. The Finance Board will meet on January 26, 2023 to discuss the budget.

Owner Jonathan Weaver who lives at 11 Hunter Lane will have a bond with NGM Insurance to cover work being done on his property at 11 Hamilton Drive in Holland.

A complaint about debris at 1 Roberts Park will be forwarded to BJ Church, the Building Inspector.

Agent George Russell will visit 53 Mashapaug Road and 128 Mashapaug Road to check on erosion at those two properties.

Public Hearings:

To comply with the Open Meeting Law, all hearings are scheduled for 7:00 PM. Unless there are compelling reasons to do otherwise, they will be taken in the order in which they appear on the agenda.

7:04 PM - NOI # 184-0417 – Gay at 17 Craig Road – Continuance from the previous meeting. Keith Leaning of Leadmine Stonework presented for the NOI submitted at the last meeting and was present to answer any questions. Sam Spratlin made a motion to close the hearing which was seconded by Rick Lundin and all

approved. Sam Spratlin then made a motion to accept the OOC as prepared. This motion was seconded by Rick Lundin and all approved.

7:13 PM – Pineau at 25 Sandy Beach Road - NOI's #184-0376 and 184-0326 were registered on line. NOI # 184-0418 was issued for new work to be done by Creative Exteriors. Twelve inch straw wattles will be used for minimum disturbance. Sam Spratlin made a motion to close the hearing. Rick Lundin seconded the motion and all approved. Sam Spratlin then made a motion to approve NOI's #184-0418 as presented at this meeting, and COC's for #184-0376 and #184-0326. The motion was seconded by Rick Lundin and all approved.

7:29 PM – NOI # 184-0421 – 4 Collette Drive - Owner Russ Hoyt requested a permit to replace a deteriorating wall. A silt fence will protect machine work with minimum excavation using a Bobcat on the house side. A stockpile will be covered. Sam Spratlin made a motion to close the hearing which was seconded by Rick Lundin and all approved. Sam Spratlin then made a motion to issue a COO. Rick Lundin seconded the motion and all approved.

7:45 PM – NOI # 184-0419 - 45 North Wales Road – Utility poles which are contaminated need to be removed from the banking. Sam Spratlin made a motion to close the hearing which was seconded by Rick Lundin and all approved. Sam Spratlin then made a motion to issue an OOC with minimal correction with narrative. This was seconded by Rick Lundin and all approved.

8:10 PM – NOI # 184-0420 – owner Kim Horyn of 7 Hamilton Drive wishes to install Coir logs during the lake draw down to stop erosion by planting wetland plants, Clethera and blueberry bushes. Sam Spratlin made a motion to close the hearing which was seconded by Rick Lundin and all approved. Sam Spratlin made a motion to approve the OOC as presented. Marcia seconded the motion and all approved. Rebecca Hilbig of 9 Hamilton Drive said she was thankful the plans were sent to her.

8:15 PM – Owner Stacy Stout of 10 Collette Drive requested an RDA to demolish and rebuild with no land disturbance on the same foundation with one tree removed. Sam Spratlin made a motion to close the hearing which was seconded by Rick Lundin and all approved. Sam Spratlin made a motion to issue an RDA negative 3 which was seconded by Rick Lundin and all approved.

NOI #184-0373 – 29 Lakeridge Drive – Sam Spratlin made a motion to approve the COC which was seconded by Marcia Beal and all approved.

92 Maybrook Road – The owners have approved of the Commission posting a sign on their property to try to stop dumping mostly vegetative debris there along May (Brown's) Brook.. Conservation is getting quotes for a sign on their property.

Bylaw changes will be covered at the next meeting.

8:36 PM – Sam Spratlin made a motion to close the meeting which was seconded by Rick Lundin , and all approved.

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

Marcia Beal
Secretary

RE: Agent's Report (REVISED)

DATE: 12/13/22

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

1.1. On Mashapaug Road, opposite # 178, where the mobile camper has been parked next to the brook that flows under the road, there is a boat in the stream channel and a child's slide partially buried in the land that would be under water when the water comes back up. Does the Commission want to act on this, e.g., writing a letter to the property owner requiring removal? I would recommend this be done.

1.2 Agenda deadlines and meeting dates: does the Commission want to put the 2023 agenda dates and submission deadlines on the webpage? If so, I will ask Sam to do it.

1.3. Tree permit follow-up enforcement: The Commission amended its tree removal permit application to place time lines on the removal and replacement of trees. I can start a spreadsheet on this, but would request input from the Commission on how they wish to enforce these timelines.

1.4. 29 Pine Tree: The deadline for Mr. Martin to set up a site visit with the Commission was 11/28/22 and this has not happened. Given that despite repeated letters and warnings, nothing has happened, I was going to recommend an enforcement order be issued and still may. However, as you have seen from his e-mails I sent to the members, he wishes to get the meeting with the Commission set up.

2.0 Items on this agenda:

2.1. 45 N. Wales Rd. French NOI 184-0419: This application has been submitted as a result of an enforcement action by the Commission. The application is to remove old utility poles from both the bank and the riverfront areas. I have requested the applicant provide a more detailed narrative on how the poles are going to be removed since I believe this is critical to an understanding of the removal process and how to ensure that any "damage" to the resource areas is kept to a minimum. In addition, DEP has also commented on this indicating it should be part of the record. I also believe it would be reasonable for the Commission to request a planting plan to ensure stability of the slope. If this detailed narrative is not received prior to the meeting, I would not recommend the Commission proceed. I have inspected the site and met several times with the owner/applicant. When approved, I would recommend the following special conditions: 24, 25, 27-30, 33-35, 37, 38, 41, 44, 47, 49, 50, 55 & 57 to reflect that there is no erosion control shown on the plans and that the erosion control is to be placed between the lower portion of the bank and the stream and approved by the Commission or agent after installation.

2.2. 17 Craig NOI 184-0417: This project is for "bank enhancement". I have conducted a site inspection and met with the contractor. The work is in two resource areas: bank and land subject to flooding. There will be no net loss of flood storage capacity. If the NOI number is received, would recommend approval with the following conditions: 24, 25, 27-30, 33-35, 37, 38, 41, 44, 47, 49, 50, 52 & 55. Erosion control will consist of 12" straw wattles.

2.3. 25 Sandy Beach, NOI 184-0418: This permit is for the replacement of a concrete grill area about 50' from the flood zone, with permeable pavers and another small section of concrete about 4' from the pond and in the flood hazard zone, will also be replaced. There will be no change in the flood storage capacity. I have inspected the site and met with the owner. In their review, DEP has raised the issue of outstanding OOCs for the same property and in the instant case, there are two: 184-0376 and 184-0326. The latter has been issued a COC but I would suspect that it was never recorded. In terms of the former, there are two issues: (1) there are no maps or diagrams in the file to indicate what was approved and (2) there is an enforcement order in the file dated AFTER the NOI was filed and I cannot find any resolution to the EO in the file. These "gaps" in 184-0376 should be addressed before a new OOC is issued. If they are resolved, I would recommend the following stipulations be added to the OOC: 24, 25, 27-30, 33-35, 37, 38, 41, 44, 47 & 55.

2.4. 29 Lakeridge COC: This request is in order in that the requirements from the professional certification were submitted with the form 8a. I have conducted a site inspection and met with the owner and would recommend the COC be issued.

2.5. 10 Collette, Stacy Stout RDA: The applicant wishes to demolish the existing structure and replace it on the same footprint. There will be no land disturbance nor stockpiling of material. I would recommend a negative #3.

2.6. 7 Hamilton, K. Horyn, NOI 184-0420: This project is to install coir logs at base of undermined grassy banking and to plant wetland plants behind: blueberry and clethra. The work is in a flood zone as well as the bank. In their review, DEP, has recommend the Commission know the number and type of plants that will be planted. I have inspected the site and found an additional issue that I think should be addressed. This concerns pavers on the land at the top of the stairs from the water and have brought this to the attention of the application and her professionals. When approved, I would recommend the following stipulations when the OOC is issued: 24, 25, 27-30, 33-35, 37, 38, 41, 44, 47, 49, 50, 52, 54 & 55.

2.7. 4 Collette, Russ Hoyt, NOI 184-0421: This permit is to replace a rapidly deteriorating wall serving as the bank. The work is in a flood zone as well as the bank. I have met with the owner and inspected the property and would recommend approval of the Orders. I would recommend the following stipulations be added to the OOC: 24, 25, 27-30, 33-35, 37, 38, 41, 44, 47, 49, 50, 52, 54 & 55.

3.0 E-mails and phone calls

11/22/22

- E-mails to and from B. French on NOI permit application
- E-mails to and from ConCom, All Boards Clerk, et al concerning a complaint on trash at 1 Robert's Park Road
- E-mails to and from R. Hoyt on meeting to review and NOI application
- E-mails to and from DK on compliant on 3 Ridge
- **E-mails from Ashley Hippie with a complaint concerning 1 Roberts Park**
- E-mails to and from DK on compliant at 1 Roberts Park
- Call from Landscape Evolution on meeting deadlines

11/23/22

- E-mail to DEP on NOI numbers for pending applications
- E-mail from BOH on compliant at 3 Ridge
- E-mail to Sam on "to do list"
- E-mails to and from Attorney Beam on COC for 89 Union
- **E-mails to and from DEP on NOI #s and to let us know that Mark Stinson is back as our contract**
- E-mails to and from T. Pineau on the fact that DEP cannot locate his NOI application even though it was sent electronically and he has proof of the transaction
- E-mail to owner 53 Mashapaug on status of permit
- E-mails to and from Attorney Marino on process for a COC

11/28/22

- E-mails to and from Sam on Keith Learning's NOI application
- E-mails to and from D. Forcier on 53 Mashapaug
- E-mails to and from Chair on 3 Ridge Road
- Copied on E-mail from Stacy on ConCom opening sent to Samantha
- **E-mails to and from Ashly Hippiie on "junk" at 1 Roberts Park Rd.**

11/30/22

- E-mails to and from Kim Hoyn on inspections
- E-mails to and from attorney Sherwood on 97 Sandy Beach COC
- Phone call and e-mails to and from JW on 97 Sandy Beach COC
- E-mails to and from DK on 77 Sandy Beach and some administrative items

12/1/22

- E-mail to and from MS at DEP on NOI numbers for pending applications
- E-mail to Kim Hoyn on 7 Hamilton
- E-mails to and from JW & DK on 77 Sandy Beach
- E-mail to Town Administrator and DK on Denise Knight's e-mail concerning drainage issues on Leno Rd.

12/6/22

- E-mail to MB on minutes
- E-mail to and from Green Hill Engineering on Stip. 23 report for 19 Old Colony
- E-mails to and from Russ Hoyt on meeting on 13th
- Copied on e-mail from Sam to DK on "job description" for new member(s)

- E-mails to and from Landscape Evolution on 11 Hamilton
- Phone call from owners of 9 Hamilton on history on 7 Hamilton
- E-mails to and from T. Pineau on COCs/OOCs

12/7/22

- E-mails to and from T. Pineau on COC for 184-0376 and OOC on 184-0418
- E-mails to T. Pineau & Keith Leaning that COC will be issued at 12/13 meeting
- E-mail to Stacy S. on Board Clerk
- E-mail to Forester on the FCPs in town
- E-mails to and from Dawn on the agenda and 29 Pine Tree
- E-mails to and from Tim Martin on 29 Pine Tree
- E-mail from Denise Knight, 1 Leno, complaining about flooding, drainage and beavers on her property and a reply from the Town Administrator. (note: we have been receiving complaints on this since October)
- E-mails to and from Corey Broder on possible permit needed for Union Rd. reconstruction

12/8/22

- E-mails to and from Landscape Evolution re 11 Hamilton
- E-mail from MB with minutes
- E-mails to and from DK on issue on Sandy Beach, minutes, Union Rd. project
- E-mails to and from J. Seidel on logging operations in town
- E-mail to DEP on NOI #s
- E-mails to and from Russ Hoyt on hearing on the 13th
- E-mail from DEP on staff changes – forwarded to members