

Holland Conservation Commission

Minutes of Commission meeting held on May 10, 2011.

Present: Mary vandenBerg, Chairperson, Marcia Beal, Patricia Caron, Nathan Gumlaw, Mary Lovett and Marianne Martone. Absent: James Wettlaufer.

Chairperson called the meeting to order. The minutes of the April 26, 2011 meeting were read and accepted and will be distributed.

7:05 p.m. Mary vandenBerg reminded us of the Compliance Workshop which is scheduled for May 13, 2011. Most of the members agreed to attend at 8:00 a.m. to help with the registration.

7:10 p.m. David Smith of Escape Estate Inc. presented a letter from Andre J. Cormier, Sr. regarding the Butterworth Forest Preserve. The land ownership will be transferred to Nipmuck/Quaboag Preservation Trust by June 14, 2011 and we will receive copies of the deed with the restrictions and permitted uses.

Members signed:

1. The Certificate of Compliance for Brian Boire, DEP File #184-0250 to rebuild a retaining wall at 6 Shore Dr. for Jim Lunig,
2. The Order of Conditions for Clarence Soper to repair a septic system at 15 Massaconnic Tr.

7:15 p.m. David Hemsworth of 2 Collette Dr. requested permission to allow Northern Tree to cut 2 large pines. His neighbor, John Ganley of 48 Over The Top Rd. would also like them to cut a large pine tree adjoining the properties. Mary vandenBerg signed Procedure Sheet #20011-BB for David Hemsworth and Procedure Sheet #2011-CC for John Ganley with the condition that roots remain.

7:25 p.m. Dan and Nakita Sullivan of 302 Mashapaug Rd. spoke to us regarding their desire to improve the area at the back of their property that retains the runoff water from Mashapaug Rd. into an attractive pond. They had obtained a map of their property from the Assessor's office because there are discrepancies with neighbors regarding their property line. We suggested that they have their property surveyed. They also would like to put in a small gravel driveway off of Massaconnic Tr. that would lead to the rear of their property. We requested that they return in 2 weeks with a plot plan. We would then schedule a site visit.

7:45 p.m. Adam Jeskey has recently purchased the property at 34 Hamilton Dr. Being a neighbor, Mary vandenBerg recused herself. He presented a sketch of his property and showed us pictures from his camera of the 4 trees that had been formerly topped and cut down to 4 ft. which he would like to cut down to the ground. He also would like to cut down 3 large pines and clean up the brush, which we approved. Procedure Sheet #2011-DD was signed by Nathan Gumlaw with the condition that the roots remain.

8:10 p.m. Mary vandenBerg reported having received by Certified Mail from Ecco Tech on 5-4-11 a copy of a letter sent on May 2, 2011 to Robert McCollum, Program Chief, Wetlands and Waterways. Re: Mashapaug Rd., Holland, Northeast Concepts, Inc. Property. Subject: Request for Superseding Determination of Applicability. "The basis for this appeal is that the Commission failed to act within 21 days on the RDA".

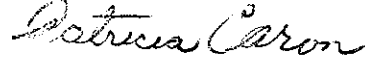
The Commission had not been alerted to the original RDA sent by Certified Mail on 3-28-2011 until on April 7, 2011 Ecco Tech was called and informed that, since on April 12, 2011 the Annual Town Caucus was being held the earliest we could hold their Public Hearing would be on April 26, 2011. On 4-11-2011, their Legal Notice was sent to the Southbridge News to be printed on 4-18-2011. On April 13, 2011 we received by e-mail, a letter sent on April 12, 2011 from the DEP, signed by Robert McCollum, Program Chief, Wetlands and Waterways; Re: Request for Determination of Applicability, Northeast Concepts, Inc., Map No. 10, Parcel A-6 off Mashapaug Road, Holland stating amongst other things, "the RDA should be resubmitted only after the Restoration in accordance with the Superior Court Injunction and in no case prior to September 17, 2011 or September 17, 2013, if applicable". The Commission then sent a Certified Letter on April 15, 2011 to Paul J. McManus of Ecco Tech informing him that the

Scheduled Public Hearing for 4-26-2011 had been cancelled. A copy of the letter sent by Robert McCollum, Program Chief, Wetlands and Waterways was enclosed and Mr. McManus was informed that "with our knowledge of the above letter, we cannot accept the RDA at this time".

The meeting was adjourned at 8:30 p.m.

A handwritten signature, possibly initials, consisting of a vertical line and a series of loops.

Respectfully submitted by

A handwritten signature in cursive script that reads "Patricia Caron".

Patricia Caron, Secretary

Copies to Select Board, Town Clerk, Board of Health, Planning Board, Building Inspector, Highway Surveyor, ZBA, File and HCC Chairperson.