

**Holland Conservation Commission  
27 Sturbridge Road, Holland MA 01521**

**Minutes of Conservation Commission held on March 27, 2018**

- **Members Present:** Acting Chairperson, Marcia Beal; Kathy McKenna; Sam Spratlin; Chris McCooe; Ginger Buteau, Clerk
- **Guest Present:** Kaitlin Desmarais
- **Members Absent:** Andrew Harhay; Jessica Chaffee; Anne Hall
- **Meeting Called to order at 6:30 pm by Marcia Beal**

**Read and approve minutes:**

- **Minutes of February 27, 2018: Sam made a motion to approve the minutes of 2/27/2018. Marcia Beal seconded, all in favor, motion passed. Minutes approved.**

**Email Correspondence:**

- 2/27/2018: From DEP with confirmation for Jessica Chaffee's NOI DEP # 184-0344.
- 2/27/2018: MassWoods Update from UMass Extension
- 2/28/2018: Pioneer Valley Progress Report for February 2018.
- 2/28/2018: From DEP—confirmation of NOI filing for Jessica Chaffee
- 2/28/2018: From Joy Duperault regarding a free webinar for Stormwater Controls.
- 3/01/2018: From Joy Duperault with a sample affidavit to use when costs of improvement or repair are near the 50% mark for construction costs under/near substantial damage, substantial improvement permitting.
- 3/01/2018: Mass Wildlife Monthly for March
- 3/04/2018: From Andy Harhay to Mark Stinson regarding the possibility of a solar farm near the wetlands.
- 3/04/2018: From Mark Stinson—automatic response that he is out of the office until March 5, 2018.
- 3/05/2018: From Mark Stinson with some suggestions with regard to Andy's questions. He noted that the DEP has a new policy Conservation may want to review and also sent a link to a Powerpoint presentation on solar farms.
- 3/05/2018: From Joy Duperault with information on "substantial damage" which is a defined term under the Mass Building Code.
- 3/05/2018: From Andy to Ginger asking to see if the automated email messages from DEP to Conservation can be changed to say *Hello Ginger* instead of *Hello Fran*.
- 3/06/2018: Reminders from Ginger about agendas with the upcoming storms asking everyone to be proactive getting agendas to her considering the weather forecast.
- 3/06/2018: Notice that the Public Hearing for a proposed extended archery season has been rescheduled to April 10 at 7 pm at the Mass Wildlife Field Headquarters in Westborough, MA.
- 3/07/2018: Notice regarding conference on Making Sustainability History.
- 3/07/2018: Joy Duperault sent information that DCR is accepting applications for partnership matching funds. The chosen projects to benefit local state parks and other facilities.
- 3/08/2018: Information on registering for MHP's Housing Institute on June 7 & 8.
- 3/09/2018: From Barbara Newton with an attachment detailing the All Department Expenditure Summary/ monthly report.
- 3/12/2018: From Ethan Loisselle, 32 Old Acres Road regarding what he considers an urgent situation with 2 pine trees in the buffer zone. Pictures were included on the email, and he is requesting to cut the trees down as soon as possible. He feels they are a danger to people and property. (*Kathy McKenna spoke with Ethan by phone to remind him to do the paperwork as soon as possible.*)
- 3/14 & 3/27/2018: Notification about conference on April 27—Making Sustainable History—held in. Plymouth, MA

- 3/15/2018: Confirmation of an ad for the Town of Holland Planning Board Hearing on April 5, 2018 for petition to change zoning on property owned by Stan Kaitbenski, Inc. (*Question as to what account is being billed for the ad?*)
- 3/20/2018: Kathy McKenna to Land Planning, Inc. to get information regarding continuations for NOIs for O'Mara and Guillette. Land Planning responded and asked to have O'Mara's NOI continuation on April 27, 2018. New plan will be sent to Conservation prior to the meeting.
- 3/19/2018: Worcester T & G with confirmation of Public Notice placed for the RDA filed by DB Tree for 8 Brandon St.
- 3/20/2018: From Lindsay Martucci with the eMACC Education Update
- 3/21/2018: From Tristen Braun, Chairperson of the Holland Cable Commission noting that he is giving away office furniture.
- 3/22/2018: Dates and registration information on upcoming training opportunities for affordable housing trusts
- 3/22/2018: Joy Duperault sent a 7 page eBrief regarding Hazard Mitigation which includes information about an upcoming training that will share an aquifer storage and recovery video.
- 3/22/2017: Note from Worcester T & G regarding the posting of an ad for Joseph Niemiroski's (25 Old County Road) NOI,
- 3/27/2018: From Energy Sage with a newsletter on dealing with solar companies.

### **Phone Calls/Messages:**

**3/12/2018:** Ethan Loisel called regarding 2 trees he wants to remove. They are in the buffer zone, and dropping large limbs, some into the lake. (*Marcia and Kathy took a ride to look at the trees and feel that the situation is a concern and he will probably need an RDA. Kathy McKenna returned Ethan's call and explained the RDA process, and asked that he start the ball rolling so he can be put on the agenda for the next meeting.*)

**3/20/18:** Megan from attorney Joe Patello's office called regarding the Hemsworth COC for DEP #184-0244. The COC was issued last year, but the book and page number were noted incorrectly. They need to have the COC documented accurately to close on a house sale at the end of next week. (*Chris McCooe returned the call*).

### **Mail Correspondence:**

**2/8/2018:** Letter from Scott Goddard of Goddard Consulting stating that he is a registered Professional Wetland Scientist. The letter discussed the professional experience of his team and discussed services provided by his company. He was hoping his firm could be included on a list of recommended private consultants.

**2/4/2018:** Invoice from Worcester Telegram and Gazette that needs to be paid.

**2/21/18:** Packet from the Holland ZBA regarding a special permit/variance for property located at 18 Knollwood Drive (R13-A-46). (*Need to determine if it is within ConComs jurisdiction.*)

**2/26/18:** Received WPA Form 8B, confirmation of recording COC, from Dominic and Pamela Gentile. (*Needs to be filed and determine if the book and page number are correct.*)

**3/37/2018:** ZBA notice that there is a Public Hearing on 4/24/2018 for Jessica Chaffee's building project at 93 Sandy Beach Road.

### **Order of Business**

**Develop OOC for Amanda Rutherford, 30 Pine Tree—DEP # 184-0341:** Conditions were written for Amanda Rutherford and given to Ginger for formatting. The OOC was signed at the end of the meeting.

**Update: Cleo Guillette, 17 Roberts Park Road, DEP # 184-0342:** He needs to obtain BOH approval for well and accurately note its location on the plan. He also needs Jack Keough's approval for stairway configuration due to changes. Bryan Hill shared updated plans for Cleo Guillette. Three trees are coming down. The existing surface well is noted. Cleo wants to dig a new well in the same spot as the current surface well. Cleo Guillette will be attending a BOH meeting later tonight regarding the updated plans and does not yet have BOH approval.

Several abutters attended as walk-ins in the hope of expressing their concerns regarding the project to both ConCom and the BOH. This was noticed in tonight's agenda as an "Update for Cleo Guillette," because ConCom did not have the revised plans showing BOH approval. Chris McCooe checked with Sharon Ashleigh, Holland's Town Clerk, and was told that ConCom could listen and record information from the abutters, and applicant, and add these comments to the next Public Hearing Continuation. ConCom members listened to the concerns and will note them in the minutes, to be presented at the Public Hearing Continuation for Cleo Guillette on April 10, 2018 at 7:30 pm.

- **Abutter, George Gally 2 & 4 Roberts Park Road:** George expressed concern because he missed the last meeting. As an abutter, he did not receive a letter regarding the NOI Hearing, although he was informed of tonight's meeting. Apparently, his name did not appear on the Assessors' list as an abutter. He has 2 wells and feels that his wells will be compromised because equipment will need to be driven over the wells. He is concerned about raising the house 31/2 feet. He noted that the house did not flood in the past, so he did not see why it needed to be raised up so high. Bryan Hill said that the posts of the elevated structure would be in the flood plain but not the house itself. George Gally wants Cleo Guillette to obtain a Surety Bond that the town would hold in case the wells are disturbed or contaminated. Mr. John Morreli, another neighbor expressed his concern to George Gally about his well which is located near Mr. Gally's wells. John Morreli is recovering from surgery and was unable to attend, so he asked George to share his concern. Kaitlyn asked how they were going to find the other wells. Bryan Hill noted that they will need to mark the wells to be sure that no equipment is driven over the wells. This means that they will need to dig up and find the wells so as not to drive over them.
- **Abutter, Chuck Flagg 16 and 7 Roberts Park Road:** He is concerned about his well, and also that the equipment will be going between both of his houses via the right-of-way. Chuck noted that the electrical and plumbing are under the right-of-way land where the trucks and equipment will be driven. His leach field is also under the right-of-way.
- **Other Community Members attending, Mike and Nicole Melville, 97 Sandy Beach Road:** When asked for any comment, they stated they were there because of interest, but had no comment.
- **Hearing Continuation for Cleo Guillette is scheduled for 7:30 pm on April 10, 2018**

**Holland Planning Board Zoning Change Hearing will be held on Thursday, April 5, 2018:** Marcia wanted ConCom members to attend the hearing on April 5, 2018 at 6:30 pm in the Town Hall. This is for a zoning change for four properties owned by Kaitbenski, Inc. properties on Dug Hill Rd. and East Brimfield Rd. Marcia is concerned that the town aquifer is near where they want to rezone. She noted that Charlton is an example of a compromised aquifer due to zoning. If the zoning is changed to commercial then he can use it for anything. Kaitlin suggested bringing USGS maps to show wetlands and aquifers. Ginger Buteau noted that this appeared to be spot zoning which is a concern and may be considered illegal. She feels that this petition brings forth a lot of concerns based on how it is written.

**Communicating information to the Town:** This discussion was tabled until a future meeting.

**Discuss of solar concerns:** Marcia noted that Jen OHop and Howie Fife were unable to attend tonight's meeting. It was suggested that perhaps ConCom needs to have a policy to ask for contingencies for solar farms in case they become abandoned and the wetlands need to be repaired. The wetlands will need to be professionally delineated.

**Standard OOC format:** Sam shared his formatting idea and briefly discussed the use of standard/formatted OOCs to streamline the process.

**Member Comments/Roundtable:** None

**7:00 PM RDA Public Meeting.**  
**Dave Buccelli of DB Tree for Mike Harpin, 8 Brandon Street**  
**Project: Removal of 10-11 Trees and a mitigation/planting plan**

Dave Buccelli did not show up for the 7:00 PM RDA meeting. After adjournment at approximately 9:15 pm, Sam Spratlin encountered him in the parking lot, and he was hoping ConCom was still meeting. His wife was ill, and he could not attend any earlier. He asked Sam if he could be placed on the next agenda. **The RDA Public Meeting will be re-scheduled for April 10 at 8:30 pm.**

**7:30 PM Public Hearing Continuation:**  
**George O'Mara, 97 Leno Rd. DEP #184-0343.**

**New House Construction—plan needs to address some updates that reflect DEP requests.**

**Persons in Attendance:** Acting Chairperson, Marcia Beal; Kathy McKenna; Sam Spratlin; Chris McCooe, Kaitlin Desmarais, Guest: George O'Mara, Applicant; Bryan Hill (Land Planning, Inc)

**Public meeting opened at 7:40 pm**

**Discussion:** According to Bryan Hill, the updated plan involves just a temporary disturbance to the wetland. The plan calls for a plank and log footbridge to span the width of the stream and be hand dug. Trees obtained from the property will be used for the logs, so that the foot-bridge will be made from natural materials. The house has been moved 30 feet further away. In the revised plan the house is 47 feet from the wetlands. The septic system has been changed to be only 30 feet wide. The house meets the minimum rear setbacks, so no zoning variances will be necessary. The house will sit on a pedestal. It is a modular type of home and George shared pictures of the proposed house. It can be viewed on the website, [topsider.com](http://topsider.com). There will be temporary steel plates placed over the stream bed for construction equipment. All the work will be done when the stream is dry. George O'Mara, plans to build during late fall 2018 (November or December). He plans to use the foot bridge to access his home, and parking for his house will be on the other side of the footbridge from the house, so that there is minimal disruption to the wetlands. Chris was concerned that he may want to come before ConCom in the future to change the location of his parking and bridge the stream. He indicated that this is not his intention. Kathy wanted to be sure that Mark Stinson at the DEP had a chance to review and comment on this revised plan before Holland ConCom voted on it. It was decided to continue this public hearing to April 10 at 8:00 pm pending review and comments from Mark Stinson.

**Motion:** Kathy McKenna made a motion to continue George O'Mara's to April 10, 2018 at 8:00 pm pending DEP review of revised plan. Chris McCooe seconded; all in favor. Motion passed.

**Decision:** Hearing to be continued pending review and comments from Mark Stinson at the DEP.

**Fees:** George will drop by a \$60 check for the newspaper notices.

**Walk-ins:**

**Steve Bressette with Summit Engineering for Jason Maccione, 2 Collette Drive .** Steve shared plans for well installation at 2 Collette Drive for Jason Maccione. Steve noted the distance from the water is 43 feet and no changes in contours will be made. He noted the well drillers will need to use mats for equipment as the well drilling and machinery will be in the buffer zone. Members expressed the need for an NOI since heavy equipment will be used in the buffer zone.

**Motion:** Chris McCooe made a motion to require a NOI for the well drilling project at 2 Collette Drive Kathy McKenna seconded. All in favor, motion passed.

**Pending paperwork being submitted, the hearing will be scheduled for April 24, 2018 at 7:00 pm.**

**Kenneth Moore, representing Green Hill Engineering will be doing a septic repair on 13 Leno Road for George Thompson:** The land is very restricted; the system failed and it will need to be repaired. The current leach field needs to be removed and a new leach field installed in the same location. The existing septic tank will need to be inspected because it is older and was re-used in 2001 when the previous repair was made. It

may need to be replaced. According to Kenneth the existing pump chamber should be fine. Kenneth will need to meet with BOH. The NOI paperwork will be filed by Green Hill Engineering. If Green Hill Engineering needs Ginger Buteau to do the newspaper and abutters' letters, they will contact her. **The NOI hearing will be set for April 24 at 7:30 pm.**

**Robert Maryyanek, 47 Lake Drive Holland:** The retaining wall is 15 feet from the edge of the water and 2 feet high. The existing wall is made of railroad ties and they are falling apart. Blocks will be carried by hand. No machinery will be used and all the digging will be done by hand. The wall will be approximately 60 feet in length and 3 feet high. Currently there are steps that lead toward the water, but the new steps will be recessed, so that nothing will be closer than 15 feet to the water. Robert Maryyanek completed the RDA paperwork this evening, and paid \$60 cash for the public newspaper notices. Ginger will give the cash to Linda tomorrow and email a receipt to Robert Maryyanek. **His RDA Public Meeting was scheduled for April 24, 2018 at 8 pm.**

#### Adjournment

**Motion made by Chris McCooe to adjourn meeting. Sam Spratlin seconded the motion. All in favor, motion passed. Meeting adjourned at 9:05 pm.**

Minutes respectfully submitted,

Kathy McKenna  
Conservation Commission Secretary

CC: Select Board, Town Clerk, Board of Health, Planning Board, Building Inspector, Highway Surveyor, Zoning Board of Appeals, File and HCC Chairperson, Board Clerk, File