

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

**Minutes of Conservation Commission held on April 10, 2018**

- **Members Present:** Chairperson, Andy Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Chris McCooe; Anne Hall
- **Clerk:** Ginger Buteau
- **Guest Present:** Kaitlin Desmarais
- **Members Absent:** None
- **Meeting Called to order at 6:33 pm by Andy Harhay.**

**Read and approve minutes:**

- **Minutes of March 27, 2018:** Sam Spratlin made a motion to approve the minutes of 3/27/2018 as amended. Chris McCooe seconded, all in favor, motion passed. Minutes approved as amended.
- **Andy will get dates for a meeting to discuss a “cooperative experience.”**

**Email Correspondence:**

- 3/27 & 3/28/2018: Notification about conference on April 27 —Making Sustainable History—held in. Plymouth, MA
- 3/28/2018: From Mark Stinson regarding the revised plan for O’Mara (NOI 184-0343). The wetlands delineation still appears to be inadequate.
- 3/28/2018: From Joy Duperault with a notice about the National Flood Insurance Program’s Community Rating System course offered in CT in June.
- 3/29/2018: Free Wetlands Forums—Western Region Thursday, April 29 from 6-8 pm in Hadley. Central Region, Tuesday, April 24 from 6:30 -8:00 pm in Worcester
- 3/27/2018: Information on Active Threat Response Training Seminar open to town employees will be held on April 18, 2018 at the Holland Community Center. Contact Brenda at the Community Center no later than 4/16/2018 to register.
- 4/2/2018: Mass Wildlife Monthly Newsletter
- 4/2/2018: Email from Mark Stinson regarding Jay MacCione’s NOI submittal. NOI Submittal received; no plans included.
- 4/3/2018: Email with and introduction and contact information from Christopher Capone. He has taken over the role of Service Forester from Kate Marquis.
- 4/3/2018: Worcester T & G with confirmation of legal notice for Jason MacCione to drill new artesian well at 2 Collette Dr.
- 4/4/2018: Worcester T & G with confirmation of legal notice for Robert Maryyanek of 47 Lake Drive repair/replace retaining wall.
- 4/4/2018: From Andy Harhay a copy of the letter he sent to Scott Goddard/Goddard Consultants about including his name on the Wetlands Specialists’ List
- 4/4/2018: Worcester T & G with confirmation of legal notice for David Buccelli for tree removal along property line on Brandon St.
- 4/4/2018: From Roger Woods who will be filing a NOI for a failed Septic System at 41 Craig Road. Also requesting placement on the agenda for the 4/10/2018 Meeting. (*Andy to contact him by phone*).
- 4/5/2018: eDep notification of NOI #184-0346 for Joseph Niemiroski, 25 Old County Rd.
- 4/5/2018: Notice about upcoming training opportunities for affordable housing trusts. April 28 is a Housing Trust Conference and May 18 is Affordable Housing Trust Training.
- 4/5/2018: From Joy Duperault regarding EPA loans for municipal water and wastewater infrastructure.
- 4/9/2018: Division of Fisheries and Wildlife sent an alert regarding Black Bear sightings and what to do.
- 4/9/2018: From the Accounting Dept. with attached Revenue and Budget Reports and important memo.

- 4/9/2018: MHP is offering 6 Workshops this spring.

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

- 4/4/2018: Voice mail from Brenda Gagne, abutter of 25 Old County Road. She wanted information on what is being planned. (*Andy returned her call and left a message*).
- 4/5/2018: Voice mail from Troy Stillson who is an abutter of 25 Old County Road and wanted to know if his view would be blocked by the building project. (*Andy returned his call*).

### **Order of Business**

#### **Registered Wetlands Specialists:**

Andy is creating a list of about 20 Wetlands Specialists that we can review. Once this is done names of Certified Wetlands Specialists will be given to George O'Mara.

**DB Tree/Mike Hairpin:** His RDA meeting will take place on April 24, 2018. The Agenda for 4/10/2018 incorrectly listed his meeting for tonight.

#### **Member Comments/Roundtable:**

- Members are having difficulty getting into the Cox Business Email from home. Kathy can get in on her old computer. It was suggested that we send Ginger an email with regard to our problem and see if we can get it resolved.
- **Tree Letter:** Dave Buccelli had earlier asked Andy about the status of the letter to be sent to tree removal companies. Ginger has put together mailing labels and Andy will stuff and mail the letters.
- Andy mentioned that there will be a Public Hearing in Warren on April 11 at 8:15 pm if anyone is interested in attending. Warren's Conservation Commission is holding a hearing on a 4.9 MW solar array.
- Anne wants ConCom to make up solar policies prior to anyone coming to ConCom for a solar project. She feels we need a policy in place. Andy suggested that Anne come in with some examples; she agreed to research solar policies in other towns and bring examples to ConCom.
- Chris wants to revisit the action tracking worksheet; Chris and Jess said they would review status.
- Marcia will take care of making sure that we have people signed up for site visits and send out an email reminder to everyone. Ginger keeps a record of what is being done for each file and they can be viewed by Ginger's desk in the main office. However, the record is not in a spreadsheet format.
- Chris spoke about the list of unrecorded COCs. For Conservation you register your OOC and need to file the COC with the Hampden County Registry of Deeds. Kaitlin feels that a ConCom member needs to track COCs to make sure they have been filed with the Registry of Deeds. It is worth following up on the ones that have not been filed or recorded with the Registry.

### **7:00 PM Public Hearing**

**Joseph Niemiroski, 25 Old County Road—NOI # 184-0346**

**Project: Construct 14 ft. x 20 ft. outbuilding—shed/gazebo; remove 2 trees**

**Persons in Attendance:** Chairperson, Andy Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Chris McCooe; Anne Hall; Kaitlin Desmarais, Guest; Mark Lamontagne, contractor; Joe Niemiroski, Applicant; Carolyn Haley, 7 Candlewood Ct., Abutter.

## **Public Hearing Opened at 7:10 pm**

**Discussion:** The project is for an outbuilding that will be used as a shed/gazebo (14 ft. X 24 ft). The set back is more than 30 feet from the lake. Plans were shared. A large Oak tree with a rotted core will need to come down and one pine tree will also need to come down. Stumps will remain in place, but ground down. Dirt will be taken from the back end of the footprint and reused to level the front. The floor will be stepped up to accommodate the hill. Mark spoke with Mike Thibeault about mitigation. Mike suggested planting a Red Bud tree and some clethra, which is a native flowering shrub. Kaitlin suggested that shrubs with fruit be considered. Joe Niemiroski said that the people on the North Side of his property are on board with the plan. Jessica asked about covering the excavated area if we get an unusual rain storm. The digging will probably take place over a couple of days. Abutter, Carolyn Haley asked where the access point was for the construction project. Mark said that he will plan to go to the end of Lake Drive and then come down the property. A mini-excavator will be used, and the project will start as soon as the weather permits. The cement for the slab foundation will be pumped as far as possible, so that the staging will be as far away from the lake as possible. Applicant will abide by the planting plan presented on 4/10. If changes need to be made, they will return to ConCom to update planting plan. Anne asked about using fertilizer. Joe said he irrigates but does not use fertilizer. Mark Lamontagne will stop by to pick up the OOC's from Ginger tomorrow.

**Motion:** Kathy McKenna made a motion to close the public hearing at 7:38 pm. Chris McCooe seconded. All in favor, motion passed.

**Decision:** NOI accepted with mitigation plan. If planting plan changes, then Joe will come to us with a revised plan. OOCs were developed and signed.

**Fees:** Mark submitted a check for \$ 159.50 for DEP fee, abutters' notices, and newspaper ad

**Public Hearing Adjourned:** 7:38 pm

### **7:30 PM Public Hearing Continuation:**

#### **Cleo Guillette, 17 Roberts Park Road—NOI # 184- 0342**

#### **New House Construction—Elevate house/new foundation/new dug well/remove 3 trees**

**Persons in Attendance:** Chairperson, Andy Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Chris McCooe; Anne Hall; Kaitlin Desmarais, Guest; George Galley, 2 & 4 Roberts Park Rd., Abutter

**NOTE: Discussion and Abutter's feedback copied from the Conservation Commission Meeting Minutes date 3/27/2018:**

**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 stair-way 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 Galley 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 3 1/2 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 Galley 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 Galley about his well which is located near Mr. Galley'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.*

**Discussion, 4/10/2018:**

Bryan Hill of Land Planning, Inc. had been expected to attend for Cleo, but apparently there was a miscommunication, as no one attended. The Public Hearing will need to be continued to a later date. George Galley, abutter owns 2 wells and he asked the BOH to see that a Surety Bond be issued for one year. He wanted the owner to call Charlton Well. George still feels that he needs the Bond and wants the town to hold it. Andy wants ConCom to check with Kelli Robbins as to how this is done. Andy noted that they were talking about using a Bobcat which should not impact the right-of-way. The well permit has already been issued. Well contamination is not part of ConComs jurisdiction.

Andy will speak with BOH about wells and speak with Kelli Robbins about the Surety Bond. Andy will try to determine jurisdiction for well testing by contacting Mark Stinson.

**Motion:** Chris McCooe made a motion to continue this public hearing to a later date, May 8, 2018. Marcia Beal seconded. All in favor, motion passed.

**Decision:** Public Hearing Continued to May 8, 2018

**Fees:**

**8:00 PM Public Hearing Continuation**  
**George O'Mara—NOI # 184-0343**  
**Project: Construct Single Family Home/Septic/Well**

**Persons in Attendance:** Chairperson, Andy Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Chris McCooe; Anne Hall; Kaitlin Desmarais, Guest

**Public Hearing Opened at 8:05 pm**

**Discussion:** On 4/7/2018 George O'Mara asked to have the Public Hearing be continued to a future date.

**Motion:** Sam Spratlin made a motion to continue O'Mara's Public Hearing to a later date. Andy Harhay seconded. All in favor, motion passed.

### Walk-ins:

**Jim Blanchette, White Road:** Previously came in about a project (septic system and a garage) that was out of Concom's jurisdiction, but the project never got signed off on the pink, procedure sheet. A new drilled well was completed on an NOI and the water is being pumped up to the garage. The pink, procedure sheet was signed, for the work done that was out of ConCom's jurisdiction.

**Next Meeting: April 24, 2018**

### **TO DO LIST FOR APRIL 24, 2018:**

- **7:00 Steve Bressette for MacCione at 2 Colette for a well:** Sam will draft conditions. Sam and Marcia will make a site visit.
- **7:30 pm. Green Hill Engineering for George Thompson for 13 Leno Drive.** Septic Repair. Sam and Marcia will do site visit.
- **8:00 Pm Robert Maryyanek 47 Lake Drive. RDA** for repair/replace existing retaining wall that is 15 feet from the water. Chris and Jessica will take a look at the wall and take pictures and submit any needed special conditions.
- **8:15 pm. Roger Wood for Corey Jovan, 41 Craig Road.** Project: To rebuild part of the house, to construct a new septic system to replace failed system, and drill a new well. Needs to have this done before the house sale closing at the end of May. Marcia, Andy and Kaitlin will make a site visit. If Jessica is available she will also go along. Kaitlin will email everyone to set up time.
- **8:30 pm DB Tree for Mike Hairpin 8 Brandon St. RDA for tree cutting.** Checked out the pictures and DB tree will take a picture of the tree with a nest. Area needs stabilization. Chris will call DB tree to have the trees marked by Thursday so a site visit can be made. Marcia and Anne will make the site visit.

### **Adjournment**

**Motion made by Chris McCooe to adjourn meeting. Jessica seconded the motion. All in favor, motion passed. Meeting adjourned at 9:00 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