

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

Minutes of Conservation Commission held on May 8, 2018

Members Present: Chairperson, Andy Harhay; Jessica Chaffee; Marcia Beal; Kathy McKenna; Sam Spratlin; Anne Hall; Chris McCooe

- **Clerk:** Ginger Buteau
- **Members Absent:** None
- **Meeting called to order at 6:35 pm by Andy Harhay**

Read and approve minutes:

- **Minutes of April 24, 2018: Jessica Chaffee made a motion to approve the minutes of 4/24/2018. Sam Spratlin seconded, all in favor, motion passed. Minutes approved.**

Email Correspondence:

- 4/25/2018: From Carol at Green Hill Engineering wanting to be on the agenda for 5/8 for 11 Leisure Drive.
- 4/27/2018: Andy forwarded email from Land Planning, Inc. regarding the revised plan for George O'Mara.
- 4/27/2018: Land Planning, Inc. sent field data forms for the amended plan for O'Mara's site. Previously Mark Stinson indicated in an email, dated 3/28/2018, that the revised NOI submittal may still be inadequate. He also had several questions regarding the revised plans. Andy responded to Land Planning regarding the 401 Water Quality Certificate likely to be required by Mass DEP. –Andy suggested a face-to-face meeting with Mark Stinson.
- 4/30/2018: Register now for MHP's Housing Institute on June 6 & 7 in Devens, MA.
- 4/30/2018: Forwarded message from Joy Duperrault regarding Mass. Division of Ecological Restoration. An issue of *Ebb and Flow* was forwarded electronically. This issue highlights habitat restoration projects that DER staff carry out in collaboration with towns, non-profit organizations, and state and federal agencies.
- 4/30/2018: Information on applying for flood mitigation grants. In Western, MA the contact person is Shelly O'Toole @ <Michelle.O'toole@MassMail.State.MA.US>
- 4/30/2018: Pat Beaudry with the Pioneer Valley Progress Report
- 4/30/2018: Andy Harhay to Land Planning, Inc. noting that both Cleo Guillette's and George O'Mara's meetings are on the agenda for 5/8/2018. Andy also told Land Planning about the abutters' concerns regarding Cleo Guillette's project.
- 5/1/2018: From Chris McCooe regarding grant applications for mitigation projects. She referenced Joy Duperrault's email from 4/30/2018.
- 5/2/2018: From Lindsay Martucci with the eMACC Education Update with dates for Fundamentals Training for Conservation Commissioners.
- 5/1/2018: Mass Wildlife Monthly Newsletter.
- 5/2/2018: Email from George Allen, 7 Davidson Road. He is interested in putting a floating dock at the bottom of Davidson Road for the purpose of parking his boat. He checked the online database which apparently indicated that nobody owns the property. (*Andy responded indicating that legal ownership or right-of-way required.*)
- 5/2/2018: From Joy Duperrault with a Hazard Mitigation ebrief.
- 5/2/2018: The Spring 2018, *Conservation Quarterly* is available for download for members with access and password.
- 5/3/2018: Paul Leone plans to build a single family residence on 8 Hisgen Road and wondered if he needed to come and see Conservation. (Andy responded that the property is not within ConComs jurisdiction.)
- 5/4/2018: From Joy Duperrault noting that if anyone has questions about Flood Insurance, the FloodSmart.gov site is back.

- 5/4/2018: From Joy Duperault regarding a call for professionals to help out in the Virgin Islands to interpret and enforce international building codes to help build stronger safer communities.
- 5/7/2018: From DEP—NOI #184-0349 for Kaufman Estate, 11 Leisure Drive
- 5/7/2018: From Laurie Bartkus with the Town Expenditure Report attached. Note: Attachment not printed.
- 5/7/2018: From Chris Haller to all Town Boards regarding corrected expenditure report.
- 5/8/2018: From MHP with information about upcoming trainings for Affordable Housing Trust Training.
- 5/8/2018: From MACC regarding a wetland Photo Contest.

Phone Calls/Messages: No new messages.

Order of Business

- **Certificate of Compliance/33 Island Road:** For wall installation completed in 1996.
 - **Chris McCooe made a motion to approve the COC for 33 Island Road. Jessica Chaffee seconded. All in favor; motion passed.**
 - COC was signed and hand-delivered.
- **Registered Wetlands Specialists:** Andy has a list of 20 wetlands specialists that Conservation could contact as possible “third party” consultants. He is in the process of verifying addresses, phone numbers and registered specialities.
- **Open Space Committee Update:** Twelve properties were previously donated to the town specifically for Conservation. The Senior Housing Committee is trying to move forward on 20 acres of the Sichel property. The plan is that Opacum Trust will purchase the open space land through LAND Grants, and the road front acreage will be purchased by the Town. Next week, Anne will attend a grant writing workshop. Chris asked Anne to bring in the map that shows the parcels, and also a list of the parcels.
- **Lake Oversight Committee Update:** LOC Meetings are now happening just after the Board of Selectmen meet. Last week there was a meeting with the engineering firm of Malone and McBruin, who will perform the feasibility study. They will be testing the water quality, the clarity, the sediment and mapping the lake bed. The whole study will be done by the end of October and will be started by mid-May. Larry Mandell is now the Selectman representative on the LOC.
- **Set date for extra meeting:** May 29, 2018 at 6 pm. Get back to Andy if this is a problem.
- **Member Comments/Roundtable:**
 - Kathy McKenna asked to take a break from the secretarial duties from June through September. Members agreed to help out and take turns recording the meeting minutes. A schedule will be developed and posted in the office. Kathy will also send out an email to all members with the schedule.

7:30 PM NOI # 184-0349 Public Hearing **Jeff Kaufman, 11 Leisure Drive** **Project: Replace septic holding tank**

Persons in Attendance: Chairperson, Andy Harhay; Jessica Chaffee; Marcia Beal; Kathy McKenna; Sam Spratlin; Anne Hall; Chris McCooe; Mark Farrell, Green Hill Engineering.

Public meeting opened at 7:31 pm for Kaufmann Estates represented by Mark Farrell.

- **Discussion:** There is not enough room for a leach field on the property. A new holding tank will replace the existing tank. If they were to put in a leach field, they would have to remove the existing garage. The corner of the driveway retaining wall is 291 ft., which is 2 feet above the FEMA 100 year flood level. The tight tank

will be 2000 gallons and will be rated so it can be driven over. This project is being done so that the house can be sold. The driveway will be repaved when the project is completed. All excess material will be removed from the site. Twelve inch straw wattles will be placed along the southwest side of the driveway to protect the neighbor's beach.

- **Public Hearing Adjourned at 7:45 pm:** Kathy McKenna made a motion to close the public hearing. Andy seconded. All in favor. Motion passed.
- **Motion:** Chris McCooe made a motion to accept the plan for 11 Leisure Drive with specific conditions. Anne Hall seconded. All in favor motion passed.
- **Decision:** To allow the installation of a tight tank at 11 Leisure Drive.
- **OOC:** The OOC was drafted and will be given to Mark Farrell at a later date. Mark Farrell will file the OOC with the Hampden County Registry of Deeds
- **Fees:** Ginger received a check for the Holland portion of the filing fee. Green Hill Engineering submitted the Legal Ads and did the abutters' notices.

8:00 PM NOI # 184-0343 Public Hearing
George O'Mara 97 Leno Road/Land Planning, Inc
Project: Construct Single Family Home/Septic System/Well

Persons in Attendance: Chairperson, Andy Harhay; Jessica Chaffee; Marcia Beal; Kathy McKenna; Sam Spratlin; Anne Hall; Chris McCooe; Norman Hill, Land Planning, Inc.; George O'Mara; applicant.

Note: Anne Hall recused herself from the voting on this project.

Public meeting opened at 8:00 pm

- **Discussion:** Norman Hill addressed questions about his qualifications as a Wetlands Specialist. He has taken classes on how to flag wetlands based on soils. Mark Stinson wanted more information than Norman gave him initially. Norman presented more information tonight regarding the wetlands delineation. Marcia asked whether Mark Stinson had seen this information. Andy said that Mark Stinson had indicated that we either get a third party review or DEP will require a 401 Water Quality Certificate which is very costly. Andy noted that no one on our commission is qualified to do the wetlands delineation. George put together a write up on how he intends to build the house. The backhoe will be digging the footings when the ground is frozen. Norman Hill asked the members to approve this plan tonight, because he feels that DEP won't require the 401 Water Quality Certificate. Andy disagrees and is frustrated with this process. Andy has asked that Land Planning and George O'Mara sit down with Mark Stinson to go over the plans together. George O'Mara is concerned that Mark Stinson will require a 401 even if a third party does the wetlands delineation. Norman left the current plans with ConCom. Andy will attempt to set up a meeting with Mark Stinson and George O'Mara at the site in the hope of better understanding concerns relative to the wetlands delineation.
- **Motion:** Chris McCooe made a motion to continue the hearing. Jessica Chaffee seconded. 6 members voted in favor, Anne Hall abstained due to recusal.
- **Public Hearing Continued at 8:25 pm**
- **Decision:** Extend the Public Hearing until after site visit with Mark Stinson, George O'Mara and ConCom members.

8:30 PM NOI #184-0342 Public Hearing
Cleo Guillette, 17 Roberts Park Road/Land Planning, Inc.
Project: Elevate House above existing FEMA Flood Level/increase depth of existing well

Persons in Attendance: Chairperson, Andy Harhay; Jessica Chaffee; Marcia Beal; Kathy McKenna; Sam Spratlin; Anne Hall; Chris McCooe; Norman Hill from Land Planning, Inc.; Cleo Guillette, applicant. George Gally, abutter.

Note: Jessica Chaffee recused herself. Her parents are abutters.

Public Hearing opened at 8:31 pm

- **Discussion:** For increasing the depth of his existing well, Cleo will have Charlton Well Company utilize a small specialized rig on tracks that will apply very little pressure to the surrounding ground. Andy was under the impression that the wells were in the same location, but they are not as close as he initially thought; Cleo's well is about 15 feet from the closest other well. George Gally wants Cleo to post a surety bond to guarantee repair should George's well, water line or electric cables be damaged. Cleo will avoid getting close to the neighbors' wells by having equipment access the site by going down a hill on his property rather than down to the common beach area. Jessica noted that the water line and the electrical line for John Morrelli are just below the surface in the right-of-way, and have previously been dislodged by a snowplow. Andy said that the town will have nothing to do with the surety bond. Cleo said that he is certainly responsible for repairing any damage that might result from his work. Andy talked with DEP who also thought any potential dispute as to repairs would be a civil matter and would have nothing to do with the Town or any of the Town Boards. To mitigate the possibility of disturbing the ground on the right-of-way, Cleo will put down plywood to better distribute the weight of heavy equipment. The footings will be dug 4 feet underground. Anne thought it was a complicated project given the site, and feels that George Gally's concerns have merit. Marcia is concerned about protecting the stream. -Since 3 trees are being cut down, mitigation will be required. Mitigation was agreed upon— 16 plants in two locations (8 on each side). It was noted that Mark Stinson was here for the initial presentation, and gave his input. Andy suggested that ConCom vote on the project, and that Cleo and George Gally get together and agree on financial assurances if any damage results from the project.
- **Public Hearing Adjourned 8:54 pm:** **Chris McCooe made a motion to adjourn the public hearing. Sam Spratlin seconded. Jessica Chaffee abstained because she recused herself. All in favor. Motion passed.**
- **Motion:** **Marcia Beal made a motion to approve the project with specific conditions. Chris McCooe seconded. 5 yes/ 1 No /1 Abstained due to recusal—Motion passed.**
- **Decision:** **The project for Cleo Guillette was approved with specific conditions. Cleo Guillette and George Gally will privately work out details for assurances in the event of damage to George's property.**
- **OOC:** **The OOC was drafted.**

Walk-ins:

Clarence Soper/ 1 Leno Road: He wants to build a house on the corner of Leno and Sturbridge Road across from the dam. There is an OOC done by a third party, but we cannot change or alter the conditions. Clarence wants to be sure all is OK before he moves forward. Andy noted that the OOC issued was for Elias Hanna and if Clarence buys the property, he may need to re-file all the paperwork. The site is quite problematic with regards to wetlands. Andy will check on this and call Clarence with the information. [Andy subsequently spoke with the DEP and found that the plan and OOC follows the property and not the person. He contacted Clarence with this information.]

Adjournment

Motion made by Anne Hall to adjourn this meeting. Marcia Beal seconded the motion. All in favor, motion passed. Meeting adjourned at 9:16 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