

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

Minutes of Conservation Commission held on October 10, 2017

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

Meeting called to order at 6:32 pm by Andy Harhay.

Read and approve minutes:

- **Minutes of September 26, 2017:** Motion to accept and approve the minutes of September 26, 2017, as amended, made by Sam Spratlin, seconded by Marcia Beal. All in favor; motion passed.

Email /Correspondence:

9/29/2017: Val Lundin sent copies of the LOC Minutes from Dec. 6, 2016 through Aug. 24, 2017. Kathy McKenna printed them and put them in a file folder in the Concom office.

9/30/2017: Green Hill Engineering sent recording information for the COC issued for Joe Trentacosta, 8 North Leisure Drive.

10/01/2017: Confirmation form DEP of receipt of NOI application and payment for Robert Say, 36 Stoney Hill Road.

10/02/2017: From Ginger Buteau informing Concom members that Mr. Hemsworth stopped in and dropped off his 8A Request for Certificate of Compliance.

10/02/2017: Emails regarding the wall at Tim Martin's (29 Pine Tree Drive). Concom members have the OK to make a site visit.

10/03/2017: Andy Harhay emailed information to George O'Mara regarding the fact that intermittent streams do fall under the Wetlands Protection Act.

10/03/2017: Worcester T & G confirming the Legal Notices for the RDA Meeting for Kevin Polek, 1 Island Road and the NOI Public Hearing for Robert and Cathy Say, 36 Stoney Hill Road.

10/03/2017: DEP assigned the file number WE 184-0338 to Robert and Cathy Say, 36 Stoney Hill Road.

10/03/2017: Email from David Tremblay with questions about the minutes. (Kathy McKenna responded)

10/04/2017: Robert St. Jacques sent copies of the NOI that he filed with the DEP.

10/04/2017: From Gerald Galloway requesting participation in a brief survey on Urban Flooding.

10/04/2017: MACC Fall Conference Update with Fall training schedule.

10/05/2017: Barbara Newton sent the Holland All Department Summary as an attachment. (Attachment not printed)

10/05/2017: Joy Duperrault sent information for the Community Resilience Webinar Series which is free. This addresses flood management and flood insurance.

10/08/2017: Email from Andy Harhay indicating that Sam Spratlin was appointed to the Conservation Commission. Attached was an updated ConCom Roster for the Fiscal Year, 2018

Phone Calls/Messages:

None received

Order of Business

Develop OCC for DEP #:184-0337 Mark Farrell for Jim Blanchette – 3 Massaconnic Trail (New drilled well and septic system):

- **Andy shared his notes from the last meeting regarding with suggested conditions. He stressed that these conditions are for the revised plan that was presented to Conservation on 9/26/2017. Members suggested additional conditions and the OCC was drafted**
 - Silt fence and straw wattles per proposed/revised site plan (9/26/2017).
 - Place Silt fence on southwest side to protect the lake.
 - Wattles to remain around any freshly exposed areas to protect from soil washing into lake until proper ground cover is established.

- Well company to use a “spoils pit” when digging the new well in order to direct the water and allow it to absorb back into the ground.
 - No fill to be brought in for the new addition. Elevation to remain the same.
 - Inform Conservation when protective measures are in place.
 - Request a certificate of compliance from Conservation at the completion of the project(s) identified in the approved NOI.
- **Motion made by Kathy McKenna to approve the OCC and sign the NOI for DEP #: 184-0337 (Jim Blanchette, 3 Massaconic Trail). Second by Andy Harhay. All in favor; motion passed.**
 - **NOI signed and completed.**

Protocol for completing the RDA and NOI approval process: Review each prior to signing so that members know exactly what they are being asked to sign.

Tree Removal—Applicant Procedure: Marcia is concerned about replacing trees and proposed adding wording that requested the planting of one tree for every four removed. Jessica noted that every property is different. Marcia suggested that ConCom ask applicants about their planting plans. Jessica suggested a handout that gives information on all the indigenous plants and trees.

RDA and NOI Guides/Checklists—Discuss format and detail: Reviewed Jessica’s RDA/NOI write up in preparation for making a decision at the next meeting on how to proceed.

Open Meeting Law Review: You cannot email your opinion on a topic to a quorum. You can send general information to members, but cannot legally make any decisions or offer any opinions to a quorum outside of the posted meeting.

A digital voice Recorder was tested at this meeting. Kathy McKenna submitted an invoice for \$42.99 to be reimbursed for the digital voice recorder. This expenditure was previously approved.

7:00 PM—NOI Public Hearing

7:00 PM – NOI Public Hearing – George O’Mara (97 Leno Road) Installation of new stone driveway crossing intermittent stream.

Mark Farrell requested that this hearing be continued to next meeting, 10/24/2017.

CORRECTION: *After the close of this meeting, it was determined that the NOI had not yet been submitted by Green Hill Engineering for George O’Mara, so a continuance was not necessary. Mark Farrell had asked to have the meeting put on a future agenda.*

7:15 PM—NOI Public Hearing—DEP #184-0336

Public Hearing opened at 7:15 PM NOI Public Hearing—DEP #184-0336 Christopher Wszolek (95 Maybrook Road) Retaining wall at shoreline.

Persons attending: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Chris Wszolek

Discussion: Shared pictures of area in question. Christopher feels the best way to hold back the bank is by using interlocking blocks. He wants to place the wall in front of the grass, and back fill with rock. Discussed the distance out with the interlocking blocks. The abutters’ notices were submitted. Chris Dyer will be doing the wall construction.

Decision: Kathy McKenna made a motion to accept the NOI for the proposed retaining wall. Marcia Beal seconded. All in favor. Motion passed.

Order of Conditions

- NOTE: The Order of Conditions was drafted with Christopher Wszolek present at this meeting:
 - Work to be done at drawdown
 - Silt fence and straw wattles to protect the lake between wall construction and waterline.
 - Wall height to be no more than 2 feet above the river/lake bed and not to exceed 2 feet in distance from the existing bank.
 - No equipment to be placed in the lake bed.
 - Conservation to be notified when protection is in place and prior to construction.
 - Request a Certificate of Compliance from the Conservation Commission at the completion of the project identified in the approved NOI.
- **Received a check from Christopher for the Public Notice. Provided the abutters' list.**
- **Hearing adjourned at 7:32 pm.**
- **NOI and OCC approved and signed by ConCom Members.**
- **Marcia Beal made a motion to close the Public Hearing. Kathy McKenna seconded. All in favor; motion passed.**
- **Public Hearing closed at 7:28 pm.**

7:30 PM – RDA Public Meetings

Public Meeting opened at 7:30 PM—Tighe & Bond (25 Pine Tree Drive)—Utility Pole Installation:

Persons attending: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Steve Ecrement

- **Discussion & Determination:** Tighe and Bond is doing the RDA for a utility pole installation to be performed by National Grid. There needs to be another pole to prop the wires up because they are too low. The property owners for 25 Pine Tree Drive are Jeffrey and Margaret Candito, and they have been notified of the proposed work. Work to be done is entirely in the buffer zone. The pole is less than 2 feet from the shoulder of a gravel road and within 100 feet from the bank of Hamilton Reservoir.
- **Decision: Kathy McKenna made a motion to accept this RDA with a Negative Determination #3. National Grid will use best management practices while installing the utility pole. Sam Spratlin seconded motion. All in favor, motion passed.**
- **RDA reviewed and signed by ConCom Members**

Public Meeting opened at 8:00 PM—RDA—Kevin Polek (1 Island Road—R10/A/14)—Removal of one distressed pine tree:

Persons attending: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Kevin Polek

- **Discussion & Determination:** He wants to remove 1 dead pine tree that is next to a healthy tree. The tree is probably 20 feet from the water. East Coast Tree will do the work. Andy made a site visit and confirmed that the tree is dead.
- **Kathy McKenna made a motion to accept the RDA with a negative determination #3, with the conditions that the stump and roots remain in place, no tree debris in the water and the tree debris removed from the property. No heavy equipment to be used when taking down the tree. Jessica Chaffee seconded. All in favor. Motion passed.**
- **Kevin Polek submitted payment for the legal notice.**
- **RDA reviewed and signed by ConCom members.**

7:45 PM —NOI Public Hearing—DEP #184-0338

Public hearing opened at 8:14 PM—NOI Public Hearing—DEP # 184-0338—Robert and Cathy Say (36 Stoney Hill Road)—Replace rotting wooden retaining wall with interlocking stone wall.

Persons attending: Chairperson Andrew Harhay; Marcia Beal; Kathy McKenna; Jessica Chaffee; Sam Spratlin; Robert Say, and Robbie Say.

- **Discussion:** Marcia wondered whether the wall should be done behind the current wall. The wall will be exactly the same height (36” at one end and 39” at the other end). The plan is to use interlocking blocks (Technoblocks) with rocks behind the wall for drainage.
- **Jessica made a motion that we approved the NOI with specific Conditions. Andy seconded. All in favor, Motion passed.**
- **Order of Conditions:**
 - Work to be done at drawdown
 - Silt fence and straw wattles to protect the lake between wall construction and waterline.
 - Wall height to be no higher than 39 inches above the river/lake bed and 50 feet in length.
 - No equipment to be placed in the lake bed.
 - Conservation to be notified when protection is in place and prior to construction.
 - Request a Certificate of Compliance from the Conservation Commission at the completion of the project identified in the approved NOI.
- **Motion to adjourn the public hearing made by Kathy McKenna, Marcia seconded. All in favor, motion passed.**
- **NOI Reviewed and signed by ConCom members.**

Round Table Discussion

- Jessica questioned the drawdown because the dam was open all weekend. It was tentatively supposed to start the day after Columbus Day. The Select Board was supposed to issue a Code Red for the drawdown, but this apparently has not happened. Andy will follow-up on these items with the Executive Secretary.
- Marcia asked about the camper/trailer at Blodgett Farms. Andy noted that this is not a violation of Wetlands Protection Act or the town bylaw, Andy suggested Marcia talk with Kelli if she has questions about the bylaw.

Walk-ins

Paul Pannier, 41 Shore Drive: Has been granted a special permit for a garage which is across the street from his house and well; the garage would be over 200 feet from the water and outside of the buffer zone. The garage is 67 feet off the road and beyond the leach field. Jack Keough had asked him to come to Conservation for a sign off on the Procedure Sheet. Andy Harhay was familiar with the location and signed the procedure sheet.

Adjournment

Motion by Kathy McKenna to adjourn meeting. Jessica Chaffee seconded the motion. All in favor, motion passed. Meeting adjourned at 9:20 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