

**HOLDEN CONSERVATION COMMISSION  
HOLDEN TOWN HALL  
JUNE 1st, 2022  
MEETING MINUTES**

**Members Present:** Kenneth Strom, Luke Boucher, Heather Parry, Elizabeth Parent, David Nyman.

**Not Present:** Michael Scott, Chairman; Sara Flagg, Recording Secretary

**Others Present:** Glenda Williamson, Conservation Agent; Clea Blair, Tom Larson and Julian Votruba for Greenwood Estates; Sue Delorme and Jennifer Crowley, 22 Harrington Drive; Pat and Jess Donohue, 16 Harrington Drive; Chuck Noyes, 16 Harrington Drive; MaryAnn DiPinto, Three Oaks Environmental; Jeffrey Lee, 80 Harris Street.

Kenneth Strom opened the meeting at 7:02 PM

**NOTICE OF INTENT – GREENWOOD ESTATES II**

DEP File #: 183-0694. Slope Reconstruction at the lower Deanna Drive crossing, wetland restoration at the upper Deanna Drive crossing, completion of the the subdivision including roadway, drainage and associated grading. A portion of the work is located within resource area and the buffer. Clea Blair, Jackson Woods Investments, LLC, Julian Votruba, NEED.

D Nyman stated that there was discussion at the last meeting as to whether we are able to open a new NOI given that there is already a current NOI for the project. G. Williamson explained that she has consulted with the MADEP on this and received guidance on the filing process. The MADEP recommended requiring a new NOI since there is a change to the original wetland delineation, new wetland impacts associated with the reconstruction of the wall as well as newly proposed wetland restoration areas. They also recommended that a partial COC be issued on the existing order of conditions. In MADEP's view, the proposed changes are not minor in nature and can not be covered under an amended Order of Conditions.

G Williamson stated that the Commission could open the public hearing but that they could not close and issue an Order for several reasons. The DEP file number and comments have not been received and there was a request from the Planning Board that a peer review be done on the NOI submittal and plans submitted by Julian Votruba.

Clea Blair stated that they would like to discuss the proposal so that they would know how to proceed and that if the Commission could provide direction at this time the project would not have to be delayed for another month. C. Blair explained what they would like to do and stated that they have submitted everything the Commission had asked for at the May meeting.

G Williamson read the legal ad into record as well as the letter the Planning Board prepared requesting that the Commission vote to approve a third party review of the new NOI and plans.

K Strom stated that he does not find the request for a third party review unreasonable. C Blair asked the Commission to let them know now what they need to do so they aren't delayed any longer. K Strom stated that the Commission requires a report from Art Allen on the regulatory requirements under the new filing, including implications on the previously approved 401 water quality certification. He stated that they received the plans only a week ago and that it was a long holiday weekend.

L Boucher stated that the Commission is generally on board with the proposal but that additional clarification is needed and that can be provided with the third-party review.

G Williamson stated that she received a call from Gary Dulmaine with the MADEP and that he had several questions and concerns about the NOI, that he will be issuing a file number and comments late next week. G Dulmaine stated since the developer proposed to fill additional outstanding resource waters, that a new 401 water quality certification may be required.

D Nyman stated that the applicant should provide a brief explanation of the proposal for the abutters that are in attendance. Pat Donahue, 16 Harrington Drive stated that they are directly behind some of the proposed homes on the development and they are concerned about potential impacts to their property. J. Votruba showed the abutters the location of the new work area and stated there will be no impacts to adjacent properties as a result of the project changes.

## **REQUEST FOR PARTIAL COC-GREENWOOD ESTATES II**

DEP File #: 183-0612. Construction of a residential subdivision, roadways, drainage, sewer and associated grading. Clea Blair/Julian Votruba.

J. Votruba provided an explanation of the work that has been completed under the original file number including portions of Deanna Drive, the pump station, drainage and temporary sediment basins. L Boucher explained to the abutters that the changes could not be permitted with an amended OOC since project changes are not considered minor in nature.

D. Nyman asked why the partial COC can not be limited to the portion of road between Station Number 48+50 to Sta. 50+50 along Deanna Drive and the associated construction easement on Lot 57R (just the area of Crossing number 2). G Williamson stated that there can be no overlap between the NOI's and work completed to date must be listed in the partial COC. L Boucher stated that the Commission should minimize what is included in the partial COC. D Nyman stated that he had concerns over signing off on work in areas that are not stabilized. C Blair stated that the only work that has been completed is the replication area and that the project is not ready for a COC.

K Strom asked if there were any additional comments or questions in regard to the partial COC. The Commission did not vote to issue the partial COC as additional information is required, including a third-party review.

D Nyman stated that the DPW has to be on board with the proposed slope reconfiguration. C Blair stated that the new 2:1 slope does require inspections from a structural engineer and that Weston & Sampson would be conducting the inspections. C Blair stated that the Planning Board has to agree to the proposed reconstruction as well.

D Nyman stated that the MADOT has developed a plan for vegetating rip rap on steeper slopes and asked if this was still in effect. He stated that the voids are filled with soil and then the slope is planted so you end up with a vegetated wall. D. Nyman asked C Blair to consider a vegetated slope. C Blair stated that the structural engineer stated that grass would work better on a 2:1 slope due to the roots and that the structural engineer would like to loam and seed the rip rap. L Boucher stated that some sort of mesh or jute would be required in order for the plants to take root.

K Strom asked for additional comments from the Commission. There was no additional discussion. The hearing was continued to the Commission's July 13<sup>th</sup> meeting.

Motion by L. Boucher, seconded by D Nyman to APPROVE A THIRD-PARTY REVIEW BE CONDUCTED FOR THE NEW NOI FILING AND PARTIAL COC. Approved by a vote of 5-0-0.

**REQUEST FOR DETERMINATION OF APPLICABILITY – 80 HARRIS STREET.** Assessing Map 120, Parcel 10. The proposed work consists of the construction of an attached garage. A portion of the work is located within the Riverfront Area. Rep: Liz Dupre, Clearwater Environmental, MaryAnn DiPinto, Three Oaks; Owners Jeffrey Lee & Emma Hughes.

Jeffrey Lee stated that they would like to add an addition to their home for their parents and that they have an existing three-car garage. The existing garage would be repurposed as a living area with a kitchen, one-bedroom and an exercise area. J. Lee stated that the Quinapoxet River lies behind the home and that a portion of the work is located within the secondary zone for the Watershed Protection Act. The new addition will sit on top of the location of the existing driveway and that there will be a net decrease in the amount of impervious area. He stated that no trees on the woods line will have to be removed as a result of the project.

K. Strom asked if this house had previously required a Notice of Intent. G. Williamson stated that she would double check to make sure there is not an outstanding Order on the property. J. Lee stated that an in-ground pool was constructed in 2005 by the previous owners.

M. DiPinto requested that the Commission issue a Negative 2 Determination for the works which states that the project is within an area subject to protection under the Act,

but will not alter an area subject to protection and that the work does not require the filing of a Notice of Intent. M. DiPinto stated that the applicant received an exemption under the MA DCR Watershed Protection Act. K. Strom asked for a copy of the letter from the DCR.

The Commission and representative discussed the topography of the property and determined that the yard is very flat. Steeper breaks in topography occur closer to the Quinapoxet River.

K. Strom asked for comments from the Commission; there were no further questions or comments from the Commission members.

Motion by B Parent, seconded by L Boucher to ISSUE A NEGATIVE 2 DETERMINATION FOR RDA-80 HARRIS STREET WITH NO SPECIAL CONDITIONS. Approved by a vote of 5-0-0.

**REQUEST FOR EXTENSION - CRA – HOLDEN BASEBALL**

439 & 459 Main Street (Assessing Map 211, Parcels 1 & 51). DEP File# 183-0659. Removal of an existing parking lot for the construction of a new baseball field, the construction of a new parking lot and an additional baseball field. Site grading and stormwater management system. OOC expires June 18, 2022.

G Williamson stated that they received a request for an Extension on the Order of Conditions from Scott Verrier with Holden Baseball. She stated that Scott did not specify a time period ( 1, 2, or 3-year) for the Extension. The current order is set to expire on June 18, 2022. There was discussion among the members in regard to the time period for the extension.

Motion by B Parent, seconded by L Boucher to ISSUE AN EXTENSION FOR A PERIOD OF THREE YEARS FOR CRA-HOLDEN BASEBALL, 439 & 459 MAIN STREET, DEP FILE NUMBER 183-0659. Approved by a vote of 5-0-0.

**REQUEST FOR FINAL COC – 22 HICKORY CIRCLE**

DEP File #: 183-039. Assessing Map 209, Parcel 77. Construction of a single family home within the 100-foot buffer of a resource area. Sameh & Nancy Said, owners.

G. Williamson stated that she received a request from an attorney for a final COC on this property as they would need it for the final sale of the home. Hickory Circle is located in the Fox Hill Subdivision off Salisbury Street. G Williamson stated that there is a recorded Order of Conditions that was issued on February 5, 1986 and that she did a site inspection on May 26<sup>th</sup>. The Commission viewed photos of the home and surrounding yard and determined that the property is fully stabilized at this time.

Motion by L. Boucher, seconded by H. Parry to ISSUE A FINAL CERTIFICATE OF COMPLIANCE FOR 22 HICKORY CIRCLE, DEP FILE # 183-039. Approved by a vote of 5-0-0.

**PROJECT UPDATES****Sunshine Ridge Bailey Road**

K. Strom opened the discussion section. G. Williamson stated that the entire site has been cleared and that the forestry company is mulching the tree tops and branches. She stated that tree logs are still stockpiled on the site and that they will be taken off site very soon. G. Williamson stated that the limits of work were not clearly marked on the site and that there was a very small area of encroachment into the 25 foot no-disturb zone. G. Williamson stated that once all of the logs have been removed from the site, the contractor is to install entrenched siltation fencing and staked straw wattles. She will then do a site inspection to ensure that the erosion controls are installed correctly.

**Main St. Drainage Improvements**

G. Williamson stated that the erosion controls were installed two weeks ago and that the structures (i.e. manholes) were delivered and placed along the edge of Powers Road. She stated that construction is set to start on June 6<sup>th</sup>. G. Williamson stated that they are still waiting on the DPW to clear downed logs and trees from the stream along 54 Powers Road.

**Bob Elms Trail (Phase 2)**

G. Williamson stated that the NEMBA was not awarded the American Trails Grant, but that they would be pursuing ARPA (American Rescue Plan Act) funds from the Town in hopes that a portion of this fund could be used for the trail improvements.

**OTHER BUSINESS****Town Forest Stewardship Plan**

G. Williamson stated that she is waiting on the forestry consultant to forward a draft copy of the Forest Stewardship Plan for the Commission's review. She stated that the submittal deadline to the DCR is June 15<sup>th</sup>, but that they would accept plans up until the end of June if requested by the Town.

**Puffer/Heininger Property CR**

K. Strom reported that the WOLCS has decided to change the number of proposed lots along Salisbury Street from six to four ANR lots as they had received negative feedback from abutters in regard to the number, size and location of the lots. K. Strom stated that they would be selling a bit of land to adjacent property owners and that Steve Gallo would be developing the house lots. K. Strom stated that the Puffer parcel needs to be pulled out of Chapter 61 A.

**OSRP Update**

G. Williamson reported that the CMRCP has submitted the final copy of the Plan to the State for review and approval. G. Williamson stated that the final Plan would be posted on the Town's website for public viewing.

**OTHER ITEMS DISCUSSED****1490 Main Street**

G Williamson stated the DEP was informed of a potential wetland violation at 1490 Main Street and that they asked her to check the site for a violation. G. Williamson stated that she did an inspection to the site and met with the property owner. The owner told G. Williamson that his father-in-law was doing some work on the site and ended up filling a small portion of the marsh at the front of the property. She stated that the owner agreed to pull the debris back out of the resource area and said that he would have the work done in 30 days. Once the debris is removed, erosion controls are to be installed and then the area would be graded and seeded.

G. Williamson stated that the DEP also asked her to look at two properties off Main Street with yards that back up to Eagle Lake. G Williamson stated that one of the properties had done no work in their back yard and that the other property had just added topsoil and seeded the area in order to establish a lawn. Neither of the Main Street properties were in violation of the MA Wetland Protection Act.

**APPROVAL OF MINUTES****April 6th, 2022**

This item will be continued to the Commission's Wednesday July 13<sup>th</sup> meeting as there was not a quorum.

**May 4<sup>th</sup>, 2022**

Motion by L Boucher, Seconded by H Parry TO APPROVE THE MAY 4TH, 2022 MINUTES AS AMENDED. APPROVED BY A VOTE 5-0-0.

As some of the members would be away over the fourth of July holiday, the Commission discussed an alternate date for the July meeting. It was decided that Wednesday July 13<sup>th</sup> would work best for everyone.

Motion by L Boucher, Seconded by E Parent TO ADJOURN THE JUNE 1ST, 2022 CONSERVATION COMMISSION MEETING. APPROVED BY A VOTE 5-0-0.

Meeting adjourned at 8:26 PM.

APPROVED: \_\_\_\_\_