

**Stow Conservation Commission
Minutes
March 19, 2024**

A meeting of the Stow Conservation Commission was held on March 19, 2024 at 7:30 pm remotely VIA Zoom Videoconferencing in accordance with the Governor's Executive Order on Remote Meeting participation.

There were present: Matt Styckiewicz, Chair
Liza Mattison
Ingeborg Hegemann Clark
Stephanie Lynch

Absent: Holly Clack, Vice Chair
Serena Furman
Jeff Saunders

Also Present: Kathy Sferra, Conservation Director
Jacquie Goring, Conservation Assistant

Continued – Bruce Wheeler, Trustee, Cottages at Wandering Pond R.T. – Notice of Intent for 141-Unit Active Adult Community Development – DEP #299-734 – Liza Mattison made a motion to continue the public hearing without testimony to April 16, 2024 on or after 7:30 p.m. Stephanie Lynch seconded and the motion was approved unanimously.

Minutes – Liza Mattison made a motion to approve the minutes of March 6, 2024 as written. Stephanie Lynch seconded and the motion was approved unanimously.

Annual Town Meeting 2024 Warrant Articles – Sferra explained that there are three standard financial Articles: (1) transfers of the garden and farm receipts into the Conservation fund, (2) transfers of the wetland fee monies to the Conservation fund, and (3) \$5,000 appropriation to the Conservation fund. Liza Mattison made a motion to approve the Warrant Articles for the Conservation Commission as written. Stephanie Lynch seconded and the motion was approved unanimously.

Request for Extension of Enforcement Order Deadline – 47 Gates Lane – Greg Smith – Smith asked for an extension to submit the Notice of Intent. Liza Mattison made a motion to extend the Enforcement Order deadline for 47 Gates Lane to March 27, 2024. Stephanie Lynch seconded and the motion was approved unanimously.

Review/Approve Comments for Zoning Board of Appeals for Residences at Stow Acres – Hegemann Clark gave an overview of the site visit from Saturday attended by Mattison, Lynch, herself and developer Mark O'Hagan. They looked at the grading for Alley C and the location of Units 43-48 and 5-8. There is an area at Alley C that grades down towards a wetland area. O'Hagan didn't know how many

trees were coming down but believes all the work is outside the 35' no disturb buffer in that location. There was conversation about preventing people from walking through the cleared area to get to the other side. O'Hagan thought with the natural decline that people wouldn't tend to do that, plus there are other access points. The Commission needs to see a final plan with the tree clearing associated with the grading to see how the area will be mitigated.

There is an area at Units 5-8 that is immediately adjacent to two ponds that are connected by a pipe. Those two ponds are buffered from golfing and will remain that way from future homes as a result of the prickly vegetation which will remain as is, but some thought should be given about what it will look like in the future. The proximity of the tanks will be set back from the pond bordering the vegetated wetland. The road between the wooded wetland will be 20'. Hegemann Clark asked during the site visit if the large basins on the west side of the development are going to be fenced. The Commission is awaiting comments from the peer reviewer, Dillis and Roy. Sferra will include language in the draft letter to the Zoning Board of Appeals (ZBA) about proposed landscaping within the 35' and the Commission's desire not to have the stormwater basins fenced in. *Liza Mattison made a motion to approve the comments in the draft letter to the ZBA as discussed. Stephanie Lynch seconded and the motion was approved unanimously.*

Review/Approve Comments on Forest Cutting Plan – Kimmelman – 269 Boxboro Road – Sferra, Goring, Land Steward Bruce Trefry, State Forester Chris Pryor, and representatives of Sudbury Valley Trustees (SVT) and Stow Conservation Trust (SCT) walked the property with property owner Jeff Kimmelman. Kimmelman is required to cut to maintain his Chapter 61 status. There are 3 stream crossings on the plan. Sferra noted it doesn't make sense to cross the stream at SC-2 because there is a potential vernal pool located nearby, the stream is very wide at that point, and the terrain is very steep and rocky. In addition, wetland crossing 1 only accesses one harvestable pine tree. The potential for encroachment on Flagg Hill in that area is high because of the acute angle of the property line. The Conservation Restriction says timber harvesting is allowed, but not within 200' of a river unless SCT and SVT find that it's necessary to advance the purposes of the Conservation Restriction.

Goring reviewed the memorandum of understanding (MOU) between the Department of Conservation and Recreation and the Department of Environmental Protection that includes a provision that forest cutting plans do not require wetlands permitting. The MOU is not clear if filing under local wetlands bylaws is not required for forest cutting plans. Goring went on to explain that in the filter strip, which is within 200' of the stream, they are not allowed to cut more than 50%. The forest cutting plan states that the seed bank will reforest the area. There is concern about invasives and deer browse, and the lack of seed bank. A forester has not been selected yet.

Sferra revised the draft letter to include the changes the Commission would like to see: (1) remove the wetland crossing that leads to one tree; (2) a NOI would be needed if any of the crossings are being left in place; (3) ask if there are filter strips on both sides of the brook as only one is shown; (4) ask that SC-2 and WC-3 be removed from the plan; (5) request that a 10' buffer be maintained to the Flagg Hill boundary; and (6) note that there is invasive wisteria on the property and truck traffic could drag it down the slope and across the brook. Sferra would propose waving the requirement for a filing under

the local bylaw if they would make changes (1) and (4) to the plan. If they don't, the Commission may ask for a filing. *Ingeborg Hegemann Clark made a motion to approve the draft comments as amended. Liza Mattison seconded and the motion was approved unanimously.*

Associate Member Cortni Frecha – Stow Comprehensive Plan “Meeting in a Box” Discussion – The purpose of the discussion was to get feedback on specific activities for envisioning the Stow Comprehensive Plan 2035. Activities discussed tonight were Activity 1-Special Places and Activity 5-Protecting & Adapting Stow. Tonight's list of suggestions/thoughts will be sent to Frecha.

1- Special Places that if lost would change the characteristics of Stow could include Pilot Grove Farm, Small Farm, Assabet River/Assabet Wildlife Refuge, West School, Town Hall, Honey Pot Hill Orchard, Carver Hill, Shelburne Farm, Derby Farm, Town Forest, Lake Boon, Ministers Pond, Stowaway Golf Course, Crow Island, the trolley shelter, Randall Library, First Parish Church, Historic Town Center, Gleasondale Mill, Rock Bottom Church, Perkins Farm, Delany WMA, and South Acton Road Woods/Gateway to Stow.

5- Protecting and Adapting Stow is about the Town's ability to adapt to climate change and the future of Stow's historic and natural systems. Suggestions were to make the lower village less impervious, more green, more pedestrian friendly, improve stormwater management, culvert improvements, more resources for historic house homeowners, historical plaques, desire to live in a more diverse community, adapt the Stow Acres model to other large projects, support the Green Advisory Committee, look for ways to work with other towns, work with OARS on watershed issues, inform the residents about the importance of wetlands and floodplain and protecting those areas from a climate change perspective, supporting local farmers, healthy soils, protecting groundwater, zoning changes to recognize climate vulnerability, and working with schools. Lastly there was the suggestion about making conservation land more accessible.

Staff and Commission Member Updates:

- Two new projects are coming in, a septic for 18 Whitman Street and an Abbreviated Notice of Resource Area Delineation for 0 Maple Street.
- The ZBA closed the hearing on the Stow Acres driving range project; there will be a decision within the next few weeks.

At 9:05 PM, Liza Mattison made a motion to adjourn. Stephanie Lynch seconded and the motion was approved unanimously.

Respectfully submitted,
Melanie Rich, Minutes Clerk

Materials Used at Meeting
Meeting Packet