

**Stow Conservation Commission
Minutes
September 15, 2020**

A meeting of the Stow Conservation Commission was held on September 15, 2020 at 7:30 in the evening by remote Meeting VIA Zoom Videoconferencing in accordance with the Governors' Executive Order on Remote Meeting participation.

There were present: Jeff Saunders, Chair
Serena Furman, Vice-Chair
Andy Snow
Ingeborg Hegemann Clark
Matt Styckiewicz
Andy Bass
Doug Morse
comprising a quorum of the Commission

Also present: Kathy Sferra, Conservation Coordinator
Tom Porcher, Associate Member

Minutes:

Serena Furman made a motion to approve the minutes of August 18, 2020 as drafted. Matt Styckiewicz seconded the motion and it passed 7-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye, Andy Snow - aye.

Andy Snow made a motion to approve the minutes of September 1, 2020 as drafted. Serena Furman seconded and the motion passed 7-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders-aye, Doug Morse – aye, Andy Snow - aye.

Andy Snow left the meeting.

227 Harvard Road – Request for Amended Order of Conditions

Jeff Saunders read the hearing notice. Kathy Sferra explained the history of the request. Present were homeowners Elizabeth Davis and Laura Regis. They are seeking approval to modify the permit to allow a dog fence within the 35' buffer to a bordering vegetated wetland. The fence was constructed and a wood-chipped path placed around it in 2019. These were discovered during the Certificate of Compliance (COC) site visit. The path has now been removed and the area has naturalized. Jeff Saunders did a site visit and displayed before and after photos showing the fence and formerly woodchipped area. Sferra explained that due to COVID, the Order of Conditions is still in effect and can be modified. If the Commission is in agreement with the request they can approve the amended Order and after it is recorded, they can issue a Certificate of Compliance. It was noted that the new owners are continuing the Japanese knotweed eradication work begun under the Order when the house was constructed. This is primarily hand pulling. There were no questions from abutters and no further questions from the Commission. Andy Bass moved to close the public hearing and Ingeborg Hegemann Clark seconded the motion. The motion passed 6-0 on a roll call vote: *Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

551 Sudbury Road – Certificate of Compliance

Jeff Saunders noted that he had done a site visit. The fallen tree has been cleaned up and the debris is gone. The required plantings are in. While some are not flourishing, other plants have been added and are doing well. He noted that there had been a previous COC inspection and that a short punch list remained. The work is now complete and he recommended issuance of a Certificate of Compliance.

Doug Morse moved to issue the Certificate of Compliance, Serena Furman seconded the motion and it passed 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.

18 Marlboro Road – Request for Determination of Applicability

Jeff Saunders read the hearing notice. Kirk Fitzpatrick of Civil Solutions presented a plan showing the proposed septic system replacement. The property owner, Iris Marcus, was also present. Fitzpatrick noted that the plan has been approved by the Board of Health and extends into the 100' buffer by about 7' for the leach field plus about five feet of overdig. It was noted that silt fence is proposed for erosion control. Kathy Sferra did the site visit and displayed photos of the site and the proposed construction area in the gardens at the rear of the house. She had previously recommended moving the erosion controls but that was based on a misunderstanding of where they were located on the plan. The Commission recommended replacing the silt fence with coir logs which would cause less disturbance to the site and could deteriorate naturally. *Serena Furman moved to close the public hearing. Andy Bass seconded and the motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye*

The Commission discussed issuance of a Determination of Applicability and agreed to recommend substitution of the erosion controls as discussed. *Ingeborg Hegemann Clark moved to issue a Negative 3 Determination. Matt Styckiewicz seconded and the motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

227 Harvard Road Order of Conditions

The Commission discussed issuance of an Order of Conditions for 227 Harvard Road and reviewed a draft prepared by staff. The ongoing management of Japanese Knotweed was added as a finding. *Matt Styckiewicz moved to issue the Order of Conditions as amended and Serena Furman seconded. The motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

68 Red Acre Road – Request for Determination of Applicability

Jeff Saunders read the hearing notice. Homeowner Chris Abatsis was present to describe the different elements of the project that he would like to do including replacing an existing fence along Red Acre Road, removal of 2 dead trees (one in the buffer and one in the wetland), continued management of several patches of Japanese Knotweed in the yard, and installation of a dog fence behind the house within the 35' buffer. Serena Furman conducted the site visit and displayed photos of the site. She described a drain line that takes water off Walnut Ridge and discharges to the wetlands in the rear of the property. She noted that that owner has been removing car parts from the wetland and doing a good job with the Japanese knotweed that is invading the edge of the wetland. She expressed concern that one of the trees might have Asian Long-horned beetle holes and asked staff to investigate. Sferra said she would follow up. The Commission thanked Abatsis for his thorough application and good stewardship of the property. The Commission discussed planting shrubs at the rear of the property as mitigation for the dog fence and the tree removal. It was agreed to ask Abatsis to plant 7 shrubs within the 35' buffer

behind or adjacent to the fence. Doug Morse suggested that they be planted no more than 4' on center. Good plants for the site include: sweet pepperbush, viburnum, highbush blueberry, winterberry – anything that like wet soils. The Commission asked how the fence posts will be installed and whether concrete will be used. Abatsis said that he wasn't sure but will check with the fence company and let the Commission know. Sferra discussed the knotweed work being done by Abatsis and recommended that he limit herbicide spraying to the late summer/fall which is when it is most effective. *Serena Furman moved to close the public hearing, Ingeborg Hegemann Clark seconded, and the motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

66 Hiley Brook Road – Request for Determination of Applicability

Jeff Saunders opened the public hearing. Due to an issue with the newspaper notice, consideration of this application will need to be deferred to the next meeting. *Ingeborg Hegemann Clark moved to continue the hearing to 9/29/20 at or after 7:30 pm. Andy Bass seconded the motion and it was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

54 Pine Point – Continued Notice of Intent Hearing

Jeff Saunders opened the continued public hearing. Bob Leveille was present on behalf of the owners. Sferra noted that a DEP file number has been received and that additional correspondence was provided after the last hearing by abutter Janet Stiles which is in the Commission's packet. Leveille said that there was no further information that he wanted to offer. *Serena Furman moved to close the public hearing. Matt Styckiewicz seconded and the motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- aye, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – aye.*

The Commission reviewed a draft Order of Conditions provided by Sferra. There was discussion of the proposed method of erosion control with agreement to require that straw wattle be fastened to the edge of the deck while the work on the bank was being completed. An opening should be made in the deck so that any dirt or gravel from the bank work can be swept behind the retaining wall. This should occur daily or more often as needed. All debris should be removed from the site and not stockpiled below the house. The applicant should submit photos when requesting a Certificate of Compliance, along with a certification that the work was done in accordance with the plan. Also, knotweed on the shoreline should be addressed to the extent that it is on the property and plants and soil should be disposed of properly. *Serena Furman moved to issue the Order as revised, Matt Styckiewicz seconded and the motion was approved 4-0-2 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- abstain, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – abstain.*

68 Red Acre Road Determination of Applicability

The Commission discussed the draft decision. Seven shrubs will be required. The owner should provide a plant list prior to planting and confirm the type of footing for the deck. *Ingeborg Hegemann Clark moved to issue a Negative 3 Determination with conditions as discussed. Andy Bass seconded and the motion was approved 6-0 on a roll call vote: Matt Styckiewicz - aye, Andy Bass- abstain, Serena Furman - aye, Ingeborg Hegemann Clark - aye, Jeff Saunders - aye, Doug Morse – abstain.*

Coordinator's Report

- **Municipal Vulnerability Project Grant:** Sferra noted that the LBC has been successful with their request for an MVP grant to assess water quality and pollution inputs to Lake Boon.

- **Hallock Point:** A presentation was made to the Selectmen last week and to CPC on Monday night. CPC was in favor of the application with the exception of the Finance Committee representative. It was agreed that the working group will present to the Finance Committee at an upcoming meeting. Sferra noted that the MVP project and Hallock Point are planned to be connected as elements of a Healthy Lake Boon Campaign.
- **Arbor Glen Signs:** The wetland buffer signage is completed and has been provided to the Arbor Glen Condo association. The remaining signs can be made available to applicants at cost where wetland buffer marking is needed.
- **New Projects:** Matt agreed to take 66 Hiley Brook, Jeff will take Lake Boon drawdown, and Doug will take 220 Great Road.

Beaver Management at Town Forest

Sferra explained the status of the Beaver work at the Stow Town Forest Bridge. Mike Callahan of Beaver Solutions has installed exclusion fencing to keep beavers from building under the bridge under Emergency Permits from the Board of Health and Conservation Commission. It is unclear if this will be a permanent solution, but staff and Mike are monitoring the situation and he can install a flow control device if needed. He was concerned, however, about the size of the watershed and whether one pipe would be sufficient. Sferra noted that once the water level gets low enough, she and Styckiewicz planned to look at the bridge headwalls and assess whether it appeared that any repairs or further inspections are needed.

White Pond Road Wetland and Conservation Land Violation

Sferra and Tom Porcher met with Rick Marshall at the site last week and discussed the process of removal of the material. Rick will remove everything by working from his side of the river and doesn't see the need for heavy equipment to cross the brook. The culverts will be removed from the site. Marshall understands that the work needs to be completed by September 30th per the Enforcement Order. Sferra will arrange with Highway to remove the boards. Once the work is complete, Sferra suggested a site meeting with the Land Steward to talk about discouraging access at this point, and thought perhaps a sign indicating that access was via Heritage Lane might be considered.

Adjournment – *Serena Furman made a motion to adjourn the meeting at 9:05 PM. Andy Bass seconded the motion and it passed 6-0 on a roll call vote: Andy Snow – aye, Andy Bass – aye, Matt Styckiewicz – aye, Ingeborg Hegemann Clark – aye, Serena Furman – aye, Jeff Saunders – aye, Doug Morse – aye.*

Respectfully submitted,

Kathy Sferra
Conservation Coordinator

Materials Used during the September 15, 2020 Conservation Commission Meeting:

Application and Supporting Materials for 18 Marlboro
Application and Supporting Materials for 68 Red Acre Road
Application and Supporting Materials for 227 Harvard
Emails from Janet Stiles re 54 Pine Point Road
Draft Decisions for 227 Harvard and 54 Pine Point
Photographs of 227 Harvard, 68 Red Acre, 18 Marlboro and Town Forest