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Stow Conservation Commission Minutes December 20, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on December 20, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Serena Furman, Vice-Chair
Cortni Frecha
Sandra Grund
Doug Morse

Absent: Jeff Saunders
Ingeborg Hegemann Clark

comprising a quorum of the Commission

Also present: Kathy Sferra, Conservation Coordinator
Jacquelyn Goring, Conservation Assistant

The Conservation Commission meeting was called to order at 7:30 PM.

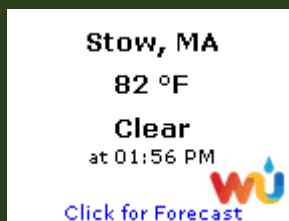
Minutes: Cortni Frecha made a motion to approve the minutes of December 6, 2016 as written. Sandra Grund seconded the motion and it was passed unanimously.

Coordinator's Report:

2017 Meeting Schedule: Jacquie Goring will email the final schedule to the Commission members. The January 3, 2017 Commission meeting may be cancelled if no action items arise.

Captain Sargent License Agreement – Tap Root Farm – The Commission reviewed the license agreement for Captain Sargent with Tap Root Farm. Sferra noted that Jesse Steadman and Jaime Aspenson reviewed and agreed to the terms of the license. Retail sales will not begin next year; the license agreement requires a plan developed with the Commission prior to selling trees. Sferra also noted that 2017 is the first year of the escrow agreement requirement. *Andy Snow made a motion to award and execute the Captain Sargent License agreement to Jesse Steadman and Jaime Aspenson of Tap Root Farm. Serena Furman seconded the motion and it was approved unanimously.*

Notice of Intent – 94 Pine Point Road – The Commission opened the public hearing. Greg Roy, Ducharme & Dillis, and homeowners Tim and Andrea Hill were present. Roy reviewed the resource areas including the 100' buffer to Lake Boon and the associated bank, bordering land subject to flooding, land under water and the 35' no disturb buffer. Roy also noted that the Hill's property extends across Pine Point Road outside the 100' buffer. The proposed work includes demolition and reconstruction of the existing single family home, construction of a porch, demolition and reconstruction of an existing deck, installation of a new drinking water well and reconstruction of the existing retaining wall and dock on Lake Boon. The proposed demolition and reconstruction of the house will also require a special permit and variances from the Zoning Board of Appeals (ZBA). A ZBA hearing is scheduled for January 8, 2017. Roy added that the proposed single family home and deck will have a similar foot print with the exception of a bump out on one side of the structure. The original plans for the proposed screened porch were revised to preserve the existing large maple tree. No



tree removal is proposed. The existing first floor deck will be replaced by a proposed second story deck of approximately the same footprint. The proposed well location was approved by the Board of Health in 2000 when the septic system was upgraded on the property and was located to meet the required 100' setback for all surrounding septic systems. The existing well is in the basement of the house.

The existing 1.5 to 2 foot retaining wall on Lake Boon will be replaced with a precast concrete block wall. Roy requested that the proposed wall be built in front of the existing wall which would be easier. Roy noted that he recognized that constructing the new wall in front of the old wall could require compensatory flood storage. Roy reviewed the performance standards for land subject to flooding which allow the Commission to determine that the loss of flood storage will not have an adverse impact. Roy added that building the new wall in front of the existing would create only approximately ten cubic yards of fill. Roy stated that the Hills are prepared to remove and replace the existing wall and recognized the precedent the Commission has set by not allowing similar requests in the past. Sferra noted that the bylaw does not allow the same discretion to the Commission, except perhaps under the waiver provision. Sferra added that many applicants on Lake Boon have made similar requests and the Commission has not allowed it due to concerns that if all Lake Boon residents expand their footprint into the lake it could impact lake levels. Roy confirmed that the proposed wall will also require stone to be installed behind it for drainage.

Roy reviewed the impacts to the 35' no disturb buffer including expanding the footprint of the house 7-8' to the west. The new structure will be 19' from Lake Boon at its closest point, four feet closer to the shoreline than the existing structure. The shoreline of Lake Boon curves in on the western side of the property therefore increasing the encroachment into the 35' no disturb buffer by four feet. Roy noted that there is a large patch of Japanese knotweed, approximately 50' x 80', outside the 100' buffer which the applicant would be willing to remove as mitigation for further encroachment into the 35' no disturb buffer. The Commission confirmed that the proposed well could not be located elsewhere on the property due to the distance to the surrounding septic systems. Roy also confirmed that additional erosion controls could be installed and a trench could be excavated to manage the sediment and water from the well drilling. The Commission confirmed the fencing shown on the plan is existing and will be removed during construction and replaced. Roy confirmed that the increase in footprint to the house will be 15'x6' and will be 26' from the western property line. Roy also noted that the retaining wall work will be completed during drawdown. Andy Snow conducted the site visit and provided photos for the Commission. Snow noted the location of the easement and confirmed with Tim Hill during the site visit that he was willing to plant on the western side of the property where there are currently garden beds as well as along the fence line. The proposed dock work includes repair of the existing permanent dock. Railroad ties along the beach area will also be removed and may be replaced with concrete blocks.

Bill Byron, 469 Gleasondale, expressed concerns about the location of the well in proximity to the lake and suggested moving the well five feet further from Lake Boon to prevent erosion. Sferra confirmed with Roy that the well location was approved by the BOH in 2000 and does not require additional approval. Dan Barstow, 99 Pine Point Road, noted that the neighboring septic system was installed after 2010 which Roy stated he would research with the BOH to confirm the well at 94 Pine Point was shown on that approved plan. The Commission recommended that a trench be dug to contain the water and that the existing retaining wall remain in place and be lined with filter fabric during the well installation. Roy agreed to provide a detail for the well installation erosion controls. The Commission discussed the proposed knotweed removal and the option for the homeowner to complete the removal themselves or hire a professional. The Commission also noted the additional square footage in the 35' no disturb buffer and plantings. Roy stated that the initial design of the building was larger but cut back due to cost and to save the large maple tree. The Commission noted that proposed plan still includes additional impact to the 35' no disturb buffer and noted concerns about water quality and keeping a natural buffer along Lake Boon. The Hills agreed to the planting of five shrubs native to New England within the 35' no disturb buffer between the raised garden beds and the fence. *Sandra Grund made a motion to close the public hearing. Cortni Frecha seconded the motion and it was approved unanimously.*

Order of Conditions – 94 Pine Point Road – The Commission reviewed and revised the draft OOC for 94 Pine Point Road. The Commission confirmed that they would require that five two gallon shrubs be planted within the 35' no disturb buffer, knotweed be removed as proposed, and the dock remain within the same footprint. *Serena Furman made a motion to issue the Order of Conditions as amended for 94 Pine Point Road. Sandra Grund seconded the motion and it was passed unanimously.*

FY18 Budget – *Serena Furman made a motion to approve and the final FY 18 Budget as proposed by Sferra. Cortni Frecha seconded the motion and it was passed unanimously.*

Coordinator's Report – continued

- **Conservation Coordinator – Pesticide License:** Sferra has started the process of getting her pesticide applicators license. Sferra hopes that will give the Commission the flexibility to address small invasive species projects on Conservation Commission land without hiring a consultant.
- **Mountain Biking on Conservation Land:** Sferra noted that she was approached by a resident about biking on conservation land after the Commission revised its regulations last year. Two bikers met with staff and expressed concerns about limiting riding to colored marked trails which Sferra clarified was unchanged from the previous regulations. Sferra noted that staff is planning to map all the trails at Town Forest using GPS to better understand what trails should remain and which might be closed to minimize habitat fragmentation and visitor confusion. Sferra added that if there is a particular unmarked trail that is important to and suitable for mountain biking it could be made a formal trail. Sferra thought perhaps staff might create a working group with a couple of mountain bikers, and a member of the Commission to work on this over the coming year. She noted that there are other issues relating to biking that also need to be addressed. Goring observed biking tracks in the snow on an unmarked trail in Town Forest on a very narrow section of trail as well as jumps and a makeshift bridge across Elizabeth Brook. The Commission noted that although they recognize the concerns, they are concerned about the work involved in this project relative to other priorities. They offered to meet with the mountain bikers if necessary but did not support creating a working group at this time.
- **Headway Life Course Inspection:** Sferra provided an update on the life course inspection with staff and Craig Martin, Building Commissioner and background information on the course which was built in 1977 in memory of a family lost in a fire. The course was renovated and rededicated in 1997. During the inspection missing signs and damaged elements were identified. Sferra was also contacted by Alyson Toole, Council on Aging Executive Director, and Laura Greenough, Recreation Director, regarding the use of the life course as part of new programming for the Council on Aging and Recreation Committee. Bruce Trefry, Land Steward, has ideas to improve the entrance to the life course and Marble Hill to make the area more accessible for seniors. The Commission discussed revisiting the life course use and elements as part of the improvements and discussed ways to make the course more passive and safe. Sferra will reach out to SCT about this.
- **Land Steward:** Sferra recognized Trefry for performing a tremendous amount of work in the last week or two on behalf of the Commission
- **Census Mailing:** Sferra noted that she has drafted a half page flyer to be included in the 2017 Census mailing about the Conservation Commission.
- **Stow Acres:** Snow noted an increase in activities within the Commission's jurisdiction at Stow Acres Golf Course including tree cutting along the stream. Sferra noted that a Notice of Intent (NOI) filing may be required which includes a golf course management plan and will contact the course owners.

Adjournment – Cortni Frecha made a motion to adjourn the meeting at 9:35 PM. Sandra Grund seconded the motion and it was passed unanimously.

Respectfully submitted,

Jacquie Goring
Conservation Assistant

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