


[Site Search](#)
[RESIDENTS](#)
[BUSINESSES](#)
[VISITORS](#)
[HISTORY](#)
[Home Page](#)
[About Stow](#)
[Minutes & Agendas](#)
[Department & Boards](#)
[How Do I..?](#)
[Town Calendars](#)
[Town Documents](#)
[Council on Aging](#)
[Recreation Department](#)
[Stow Public Schools](#)
[Public Safety](#)
[Library](#)
[Stow TV](#)
[Opportunities](#)
[Town Meeting & Election](#)
[Online Tax Payments](#)
[Subscribe to News](#)
[Send Us Comments](#)

Conservation Commission Minutes 12/06/16

[Printer-Friendly Version](#)

Stow Conservation Commission
Minutes
December 6, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on December 6, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Serena Furman, Vice-Chair
Cortni Frecha
Sandra Grund
Jeff Saunders
Ingeborg Hegemann Clark

Absent: Doug Morse

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 November 15, 2016 as amended. Andy Snow seconded the motion and it was passed unanimously.

Coordinator's Report

- **Captain Sargent Invasive Species Management:** The Highway Department conducted field edge invasive species removal flail mowing last week. Land Steward, Bruce Trefry will go over the area with a mower and chain saw for cleanup. Sferra provided photos from before and after the Highway Department mowed back the field edges. Politian Ecological will be out next week for bittersweet treatment and removal.
- **Marble Hill Dog Incident:** Jim Garreffa, Nashoba Board of Health Director, and Phyllis Tower, Animal Control Officer, recommended the Board of Health hold a dog hearing as a result of the incident. The dog owner was since seen walking her dogs at Captain Sargent Conservation area. Sferra noted that the owner was mailed tickets from the Animal Control Officer but they were returned after being damaged in the mail. Tower will be resending the tickets. Sferra called the owner and requested that she not walk her dogs on town land until after the dog hearing. The owner was saddened by the request and noted that she had recently changed from a cloth to a metal muzzle and that she walks her dogs in Stow because the trails are less crowded than Acton.
- **2017 Draft Meeting Schedule:** The Commission reviewed and approved the draft 2017 meeting schedule.
- **New Projects:** A Notice of Intent was filed for 94 Pine Point. Andy Snow will conduct a site visit.

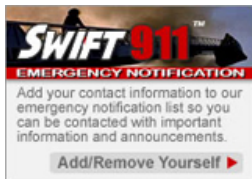
Estimate – Town Forest Tree Pruning – Story Brook Tree Service provided an estimate for removal of the two dead limbs on the large oak that are over the trail on Town Forest. The Commission reviewed the invoice and agreed to proceed with the work. *Serena Furman made a motion to approve the estimate from Story Brook Tree Service. Ingeborg Hegemann Clark seconded the motion and it was approved unanimously.*

Invoice - 323 Great Road Dumpster – The Commission reviewed the invoice for the dumpster from the 323 Great Road clean up. *Ingeborg Hegemann Clark made a motion to approve the invoice from Maynard dumpster company. Serena Furman seconded the motion and it was approved unanimously.*

Captain Sargent Leaf Dumping – Sferra provided a draft letter to the Acton resident who was witnessed by two people dumping bags of leaves at Captain Sargent. Stow Police questioned the individual and he denied dumping the leaves. The Commission discussed the pros and cons of ticketing the person. Sferra noted that Stow Police also recommended sending the person a certified letter requesting that they stop dumping leaves on Captain Sargent property. *Ingeborg Hegemann Clark made a motion to send the letter to the Acton resident as written. Cortni Frecha seconded the motion and it was approved unanimously.*

Notice of Intent – 126 North Shore Drive – The Commission opened the public hearing. Homeowner Jennifer Jarzynka was present and provided history of the property which was previously owned by the Dawes family and was unoccupied for a few years prior to the Jarzynka's purchasing it. Proposed work includes adding railings to the existing stairs to the lake, adding a four foot knee wall foundation to the existing porch, an eight foot by fifteen foot addition, removal of six trees, and installing a removable dock. Jarzynka displayed a plan and confirmed the dimensions and location of the proposed addition. Three of the trees proposed for removal are growing out of the existing retaining wall within the 35' no disturb buffer, including two white pines and one oak. The trees will be flush cut. The three trees have caused rocks to fall out the existing retaining wall which will be repaired. A three and a half foot wide by ten foot long removable dock will be placed on top of an existing concrete slab which extends six feet into Lake Boon.

Cortni Frecha conducted the site visit and noted that the addition is almost entirely outside the 100' buffer and that the yard is very level up until the retaining wall and would allow enough room to complete the foundation work inside erosion controls. Sferra noted that the erosion controls are not shown on the plan but could be required at the top of the slope. Jarzynka confirmed there are no plans to change the existing stairs apart from adding a railing. Frecha added that there is a lot of natural vegetated shoreline on the property and the proposed tree removal will not significantly change the shoreline habitat. The Commission discussed the wooded nature of the lot and the requirement to replace trees cut within the 35' no disturb buffer with plantings. Jarzynka added that planting shrubs may be helpful to prevent erosion. Frecha noted that the architect has not completed the plans for the addition. Sferra stated that the building department would provide the architectural drawings with the building permit sign off and that the Order of Conditions could require that the addition be built substantially as shown on the plan and no closer to the lake.



Stow, MA

82 °F

Clear

at 01:56 PM



[Click for Forecast](#)

Sandra Grund arrived at 8:10PM.

Maggie Bodkin, 116 North Shore, confirmed with Jarzynka that the proposed addition would not be built on the septic system and expressed concerns about the proposed garage and her privacy. The Commission noted that the proposed garage is outside of their jurisdiction. The Commission discussed replacement plantings for the three trees proposed for removal in the 35' no disturb buffer and concerns about disturbing the already naturalized buffer. The Commission agreed to request that six native shrubs be planted within the 35' no disturb buffer. Frecha added that Jarzynka would like to manage and remove the bittersweet on the bank and they discussed how properly to do so during her site visit. *Cortni Frecha made a motion to close the public hearing. Sandra Grund seconded the motion and it was approved unanimously.*

Request for Determination of Applicability – 28 Harvard Road – The Commission opened the public hearing. Homeowner Nickole McGachey was present and informed the Commission that there is an intermittent stream that crosses their front yard and wetland plants are growing along the ditch. McGachey stated that last winter a large white pine snapped in half in their front yard. McGachey contacted an arborist who recommended that additional white pines be taken down which she was unaware were within the Commission's jurisdiction. McGachey added that they intend to replant trees in the area and displayed a planting plan. McGachey noted that she had discussed stump grinding the remaining stumps but may not. Invasive plants including multiflora rose and bittersweet are growing in the wetland ditch which McGachey noted they have been trying to remove using landscaping fabric and hand pulling. Split rail fencing is proposed around the stream at the edge of the lawn. McGachey has already planted 25 fruit trees on the property. Ingeborg Hegemann Clark and Sferra visited the property after the tree work was observed and noted the great work McGachey has done on the invasives and the benefits of the split rail fence around the resource area. McGachey reviewed the proposed planting plan. Hegemann Clark added that although mature trees were removed the McGachey's have been working hard to improve the property and complete invasives removal. The Commission confirmed that the fence will be on the edge of the wetland where the lawn ends. McGachey confirmed that the existing driveway crossing is a metal pipe. Sferra displayed an aerial image of the area and noted that the intermittent stream appears to be a water conveyance ditch with wetland vegetation. McGachey also noted that mosquito control had cleared the ditch in the past. *Cortni Frecha made a motion to close the public hearing. Ingeborg Hegemann Clark seconded the motion and it was approved unanimously.*

Appointment – Bob Wilber – Stow Conservation Trust – Bob Wilber and Janet Moffat were present to provide the Commission an update on Stow Conservation Trust's (SCT) agricultural initiative. Wilber noted that SCT will be in their 40th year in 2017 and have recently discussed increasing their efforts to protect farms in Stow due to the many benefits they provide. SCT will be taking proactive steps to protect Stow farms including creating new signs, bumper stickers and promotional videos and plan to hold various events such as a farm to table dinner. Wilber noted that SCT's focus will be for the Town or SCT to encourage them to prevent development through either Agricultural Preservation Restrictions (APR) or Conservation Restrictions (CR) such as the recent APR on the Sullivan Property. Wilber informed the Commission that an agreement has been reached with Dwight Sipler for a CR on Small Farm for \$300,000. Wilber noted that an appraisal has not been done on the property, but will be done in the next couple of months. SCT has approached the Community Preservation Committee (CPC) for \$275,000 for the Small Farm CR with SCT raising the remaining \$25,000.

Wilber added that SCT and Sferra have had discussions and are hoping to reach agreement to protect one of Stow's orchards. After an initial offer was rejected, SCT and Sferra met with the CPC in executive session to discuss the project and hope to have a formal proposal to discuss with CPC in January. Wilber noted that he was not naming the orchard to be respectful of the owners. Wilber requested that the Commission consider supporting the proposal as they formally go to CPC and at Town Meeting, potentially by cosponsoring the articles to demonstrate to residents that it is a public-private initiative. Wilber confirmed that SCT and the Commission would co hold a CR on the orchard and that SCT is committing to raise \$100,000 and is working with Sferra to secure potential State grants. Sferra noted that the preliminary deadline for CPC applications was December 1st and if the Commission would like to cosponsor she can indicate that to the Committee. *Ingeborg Hegemann Clark made a motion to cosponsor the Community Preservation Committee applications for both farms. Cortni Frecha seconded the motion and it was approved unanimously.*

Continued Public Hearing – Notice of Intent – Stowaway Realty Trust – 121 White Pond Road – Dave Burke, wetland resource specialist, and John Melone Jr. and Peter Melone, Stowaway Realty Trust, were present. Burke provided copies of the revised plans for the Notice of Intent which was filed following a complaint regarding tree removal within the River Front Area. Burke also provided the golf course maintenance plan and noted that the course has been in disrepair for five years and the Melones hope to open it again next year. Burke reviewed the maintenance plan which includes work to improve the existing tees, greens and fairways, tree planting, installation of a replacement drinking water well, a proposed stone wall near the existing parking area and invasive species management and removal. The existing club house will also be repaired but will not be expanded. The Commission requested that the revised plans also include the green numbers, the 35' no disturb buffer, the revised wetland and bank flags, parking area and a legend. John Melone clarified that the fairways and green will not be expanded into the 35' no disturb buffer beyond the existing clearing. The Commission discussed the parking area and the recommendation that a split rail fence or a line of bird boxes be installed to limit the parking but allow the area to continue to be mowed to prevent the spread of invasives. The Commission also recommended the Melones hire an invasive species removal contractor to help with the invasives work which Burke noted he has experience with and could provide the Melones a timeline. John Melone noted the request to top trees at hole nine would allow them to continue to play over the wetland area. The Commission noted that other golf courses in Stow play over wetlands and specific language could be included in the OOC to allow for vegetation management in that area.

The Commission also requested that the plans clearly show the parking area, preferably outside of the 35' no disturb buffer. Burke confirmed that there is an existing stone wall that partially delineates the parking area and that there is minimal grass parking and it will remain unpaved. The Commission requested that Burke and the Melones evaluate pulling the parking out of the 35' no disturb buffer and recommended that a filter strip of plantings could be used to protect the resource area. Burke added that the proposed well must be moved 100' from the existing septic system and also showed an area of native grasses that the Melones plan to only mow one to two times a year. Burke requested a continuance to January 17th and Sferra noted that the revised plans should be submitted one week in advance to the hearing date for review. Sferra also noted that the Melones requested a partial bylaw fee waiver since the golf course work is only on a portion of the 110 acre site. *Serena Furman made a motion to approve the fee waiver request. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Cortni Frecha made a motion to continue the public hearing for the Notice of Intent filed by Stowaway Realty Trust to January 17, 2017 on or after 7:30PM. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.

Cortni Frecha recused 9:15 PM.

Regency at Stow, Boxboro Road – Sferra informed the Commission that she had received the final plans for Regency at Stow and confirmed they are complete. Seth Donahoe, Ducharme & Dillis, was present. Hegemann Clark noted that they have begun working and she had observed mud in the road. Donahoe confirmed that he would remind the site contractor to install the tracking pad and sweep the street. The Commission reviewed the draft minor modification OOC. Sferra noted that the proposed pipe gate detail on the plans shows a gate 60' in from the road and the draft includes a request that the location of the gate be moved toward the road at a location to be determined in the field to avoid vehicle parking in front of the gate. The Commission discussed the OOC and requested that a perpetual condition be added that no dumping shall occur within the 35' no disturb buffer. *Serena Furman made a motion to issue the Order of Conditions minor modification. Andy Snow seconded the motion and it was passed unanimously.*

Cortni Frecha returned 9:25 PM.

CPC Project Applications for 2017 Annual Town Meeting – Sferra provided the Commission the two CPC project applications discussed with Wilber and an application for funding for Town Center Park. Sferra noted that the costs for Town Center Park were higher than expected due to the required site grading and that the Committee identified a few items to be included in a second phase of the project. The Town Center Park work would be required to go out to bid and, if approved, would likely break ground in either the Fall 2017 or Spring 2018.

Order of Conditions – 126 North Shore Drive – The Commission reviewed and revised the draft OOC for 126 North Shore Drive. The Commission confirmed that they would require that six shrubs be planted within the 35' no disturb buffer and requested that a perpetual condition be included that the lake shore remain in a natural state. *Ingeborg Hegemann Clark made a motion to issue the Order of Conditions as amended for 126 North Shore Drive. Sandra Grund seconded the motion and it was passed unanimously.*

Determination of Applicability – 28 Harvard Road – The Commission discussed the Determination of Applicability for invasive species management, tree removal and landscaping at 28 Harvard Road. The Commission will request that the plantings be native to the northeast. *Ingeborg Hegemann Clark made a motion to approve and issue a Negative #3 Determination. Cortni Frecha seconded the motion and it was passed unanimously.*

Jacquie Goring left the meeting

Review FY18 Budget – The Commission reviewed a draft of the fiscal year 2018 budget and cover memo. Sferra discussed her recommendation to classify the Conservation Assistant position. She presented a comparison of salaries for similar positions both inside and outside Town Building. The Commission discussed the draft and expressed strong support for the recognition that the Assistant's duties are far more than clerical. Ingeborg Hegemann Clark made a motion to recommend the classification of the Conservation Assistant position. Cortni Frecha seconded the motion and it was approved unanimously. Sferra will bring the final budget to the next meeting.

Adjournment – Ingeborg Hegemann Clark made a motion to adjourn the meeting at 10:03 PM. Cortni Frecha seconded the motion and it was passed unanimously.

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Stow Town Building 380 Great Road, Stow, MA 01775
Phone: (978) 897-4514 Fax: (978) 897-4534
[Website Disclaimer](#)

Virtual Towns & Schools Website