

**Stow Conservation Commission
Minutes
March 6, 2024**

A meeting of the Stow Conservation Commission was held on March 6, 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
Serena Furman
Liza Mattison
Ingeborg Hegemann Clark
Jeff Saunders

Absent: Holly Clack, Vice Chair
Stephanie Lynch

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

Minutes – *Ingeborg Hegemann Clark moved to approve the minutes of February 20, 2024 as amended. Serena Furman seconded and the motion was approved unanimously.*

Wetlands Permitting Issues:

- Request for Redline Change to Approved Plan – Lombardi – 206 Barton – A plan was not submitted, but the owner did confirm that the dimensions for the proposed removable stairs are 3' x 4'. *Liza Mattison made a motion to approve the redline change to the proposed dock for 206 Barton. Serena Furman seconded and the motion was approved unanimously.*
- Request for Certificate of Compliance – Siewierski – 178 Barton Road – In question were the areas shown on the plan as loam and seed but were plastic turf. There are two areas of turf material. One is in the 35' no disturb buffer; one is a little further away from the lake on the other side of the planting area. The Commission requested and received information from the property owner about the turf. The Commission agreed they didn't see anything in the information provided that the material is porous. The Commission discussed information from the Green Building Alliance and Architectural Digest, both say that the material only lasts 10 years maximum. During the lifetime it degrades and could result in microplastics. The two components of this model are polyethylene and polyurethane. It also creates a higher heat zone so any runoff could raise the water temperature. North Carolina will not allow it within 30' of the shoreline. The Commission discussed the possibility of allowing them to keep the upper area and removing it from the 35' no disturb buffer. The Commission discussed requiring them to loam and seed after the life span of the turf expires, but it's not easily enforced. The Commission agreed they are open to other options if the homeowner would like to suggest an alternative.

- Request for Extension of Order of Conditions – Mauch – 220 Great Road – Having no issues, *Liza Mattison made a motion to grant a three-year extension to the Order of Conditions for 220 Great Road. Jeff Saunders seconded and the motion was approved unanimously.*
- Review/Approve Stow Acres Tree Planting Plan – The Stow Conservation Trust required replacement of the 11 trees that were removed in the buffer zone. Sferra met with Stow Acres general manager Dave Carlson and recommended that they replace the 3 trees removed within the 35' no disturb buffer within 35' of the resource area. The remainder of the trees will be spread around the site, with some being placed along Randall Road to help protect the Mapledale Trail from golf balls. The Commission had no concerns.

Mark O'Hagan, MCO & Associates – Pre-application Discussion Proposed Residences at Stow Acres – Mark O'Hagan of MCO & Associates was present. O'Hagan reviewed site plans and noted there are some areas within the 35' no disturb buffer and retaining walls in areas that are closest to the wetlands. Testing was done when the groundwater was very low, but retesting was done and grades in certain areas had to be raised due to recent high groundwater levels. The flow downhill created more grading issues around units 40-50. O'Hagan thought they were closest to the wetlands in the front area and thought there was good separation from the wetlands in the back. Most of that area will be protected as part of the Zone 1 drinking water protection area for the wells. The front area is where they had to locate things closer to resource areas while trying to maintain a balance between the wetlands on the left and right. They pulled in the road and relocated the homes in front of the pond to the other side. They are not proposing to fill any wetlands.

Hegemann Clark asked about the alternatives proposed in the 35' no disturb buffer and how they tried to avoid them if feasible. O'Hagan said the entrance to the site is preset. The work in that area will remain inside the existing tee box. There will be two 12' openings for the Fire Department. No vegetation on the right side will be removed. 2-3 trees on the left side are proposed to be removed because of grading impact. O'Hagan stated there is a wetland area in that zone that's a pond part of the year. The road to the right of the isolated wetland was necessary to locate the treatment center, clubhouse, pool area, and provide a second access to the property for the Fire Department; it will be a gated access. The highest point of the retaining wall in that area is approximately 5.5'.

The building closest to the pond is the proposed wastewater treatment facility. O'Hagan stated they do have flexibility where the tanks go and could be moved further from wetlands. The Commission noted if the tanks were moved, it would be interesting to see how much earth disturbance and tree removal could be balanced with grading in existing lawn areas. Sferra asked how the drain lines that are underground will be treated during construction. O'Hagan said they will remain intact, protected, and maintained.

O'Hagan noted unit 48 is very tight within the 35' no disturb buffer. The wetland there slopes down and 2/3 of the site drains to that location. O'Hagan stated the roadway on the other side was tightened up as best they could while keeping the features they want, but proposed subsurface drainage in that area will provide substantial infiltration. He thinks that area is the most intensive development within

the site as it relates to the wetlands. O'Hagan stated of the 165 structures, 8 to 10 homes are in close proximity to wetlands.

A finger of wetlands and a swale runs behind lots 6, 7, and 8. There are no homes within the 35' no disturb buffer in that area, but there is some grading. Earlier plans had homes within the 35' no disturb buffer there but the plans were redesigned to pull out that section of the roadway and realign it as much as possible. There is the potential of the walking path having to cross a small section (possibly 40') of the wetlands by boardwalk. The Commission asked if they checked the groundwater elevations there because the hill upgradient of that bleeds and runs down into a swale. O'Hagan thought that the grading is a result of the work they've done based on where groundwater is. The lowest area for groundwater was at the front of the site. There are some areas in the final design where some infiltration is proposed, and spot testing will be done.

O'Hagan stated that homes in Alley C are close to the connecting lane between the single-family homes and the cottages in the back. The back of the garages are on the 100' buffer line. Sferra had a concern about the proximity of grading to the ponds in Alley C and behind some of the units. O'Hagan said they are a reasonable distance from that pond, but they are close to the small isolated wetland and may be able to take out a little space between the homes and the garages to move further away. Sferra said the big issue is the potential for erosion and sediment to the pond during construction and said the isolated wetland is no longer isolated from the pond with the recent high groundwater levels. She would like to see it pulled back a bit or have more firmed-up erosion controls in that area and to do the same behind unit 43 which looks like the toughest lot.

Sferra also commented on the 2 infiltration basins and the pond that runs along the back of the development to the south. She had a concern with the constructability and impact to the pond. Unit 43 is turned sideways and there's a retaining wall behind it that comes almost down to the edge of the pond. Sferra asked the Commission if the 35' no disturb buffer was going to be waived as part of the local bylaw, was there a minimum buffer the Commission would recommend to the Zoning Board of Appeals (ZBA) that they should try to hold. The Commission suggested looking at some of the areas in the field and would rather be more site specific.

There was discussion on how the Order would be issued since it is such a large project. O'Hagan confirmed there are 124 single-family homes that will be conveyed. There are 40 rental cottages in the back and 25 apartments in the multi-family building. The rental cottages and multi-family building will be owned by one person. The Commission discussed requiring Notices of Intent for each unit that is jurisdictional. O'Hagan will prepare a markup showing the 100' buffer and 35' no disturb buffer and what the impacts are for the upcoming ZBA meeting. He will also bring this feedback to his team.

Goring asked about floodplain. O'Hagan said the floodplain elevation on the site is approximately 208.5, and the general wetland elevation approximately 209. O'Hagan stated floodplain is within the resource areas; it doesn't infringe on the property beyond what is already wetlands. He will confirm it and refer to it on the plan.

O'Hagan identified the potential vernal pool on the plans and didn't think it would impact the site development. O'Hagan stated their intent for the open area is for a low intensity passive recreation zone. There was talk of a potential area for a kayak and canoe launch and parking area, but he didn't think parking was allowed within the Zone I.

Sferra clarified her comment in the draft comment letter regarding the area on the plan marked "local bylaw wetland only." Sferra noted that now we know there is an underground pipe connecting the pond to the rest of the river and pond system on the west, it is no longer isolated. The wetland is now a bordering vegetated wetland and is not just a local bylaw wetland only. If the ZBA waives the local bylaw they will still have to deal with the impacts to that area under the Wetlands Protection Act. Sferra said the wetlands at the front of the site, more to the east side of the project, are probably less important than the bordering wetlands along Elizabeth Brook or Dog Bone Pond, or even the system that's flowing into the Assabet. The Commission discussed the need to qualify the wetlands at the entrance, because from a regulatory point of view, they are avoiding, minimizing, and mitigating impacts as they have no choice but to be in the 35' no disturb buffer there. A site visit will take place on March 16th with the time to be determined.

Wetlands Permitting Issues (continued):

- Wedgewood Tree Removal Violation – Sferra has not yet done a site visit. The golf course manager didn't want to do a site visit without the owner present, and the owner is out of the state. Sferra would like to confirm how many trees were cut down and where they were. She hopes to get a dialogue going with the golf course manager, so he understands he needs to be filing with the Commission for work like this.

Staff and Commission Member Updates:

- Sferra attended the Massachusetts Association of Conservation Commissions annual conference and attended a workshop on the progress the City of Northampton is making on restoring the golf course they acquired, and a workshop on invasive species.
- The Massachusetts Society of Municipal Conservation Professionals will hold their annual meeting at Stow Acres in May.
- Sferra and Land Steward Bruce Trefry will be reviewing the forest cutting plan for Jeff and Iva Kimmelman's property on Boxboro Road along Heath Hen Meadow Brook before bringing it to the next meeting for the Commission's review.
- Goring has been working with a Nashoba High School National Honor Society student who wants to plant a pollinator garden at the Community Gardens. They will be meeting with the Garden Stewards next week.
- The deadline in the Enforcement Order for 47 Gates Lane to file a Notice of Intent has passed. They have formally requested an extension.
- Sferra has been moving forward with the Woodhead Land acquisition and will be putting a proposal together for the Community Preservation Committee to cover costs since they would have to authorize the expenditure from an existing fund for land acquisition.

- Goring is working with Jim Henderson on a small project to manage some of the woody invasives that are coming in around the Community Garden field edges.

At 9:23 PM, Serena Furman made a motion to adjourn. Ingeborg Hegemann Clark seconded and the motion was approved unanimously.

Respectfully submitted,
Melanie Rich, Minutes Clerk

Materials Used at Meeting

Meeting Packet

Residences at Stow Acres site plans