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Conservation Commission Minutes 04/05/16

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Stow Conservation Commission
Minutes
April 5, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on April 5, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Serena Furman, Vice-Chair
Cortni Frecha
Ingeborg Hegemann Clark
Jeff Saunders
Sandra Grund
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 March 22, 2016 as drafted and amended. Sandra Grund seconded the motion and it was passed unanimously.

Abbreviated Notice of Resource Area Delineation (ANRAD) Stow Woodlands, LLC – 0 Gates Lane (R-10 #25B-1)

Andy Snow read the hearing notice for 0 Gates Lane. Sferra informed the Commission that the applicant requested a continuance and no testimony will be taken. Sferra noted that Dave Crossman has completed some of the field work and met with Sferra and Ingeborg Hegemann Clark onsite. An area previously delineated as wetland which was not included on the most recent plans was identified. The Commission requested that the area be revisited and transects be provided. Dan Wells, Goddard Consulting, has confirmed via that the 3 potential vernal pools have been confirmed in the field and requested more time to complete the requested field work and update the plans.

Cortni Frecha made a motion to continue the public hearing for an ANRAD filed by Stow Woodlands LLC to May 9, 2016 on or after 7:30PM. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.

Pre-Application Meeting – 0 Joanne Drive (Lundy) – Preliminary Plan Submittal

Frank Lundy, Rick Lundy and Rich Harrington, Stamski & McNary, Inc., were present to review the preliminary plan submittal for 0 Joanne Drive. Harrington reminded the Commission that an Order of Resource Area Delineation (ORAD) was issued in December 2015 for the site. Harrington noted that preliminary plan reviews are also scheduled with the Planning Board and Board of Health. Harrington described the proposed cluster development which includes seven house lots on a cul-de-sac road (Joanne Drive). The road is proposed to cross an existing fifteen inch culvert. Harrington noted that wetland filling will not be required to complete the crossing and the existing culvert will be replaced with an open bottom culvert. Harrington described the location of the seven lots which will all have individual driveways and septic systems. Stormwater basins are proposed along Joanne Drive. Harrington also described the locations of the intermittent streams identified on the property and noted that a culvert will be installed at the drainage channel which enters the property from 27 Sudbury Road. This "crossing" will be completed to connect Joanne Drive and Forest Road. Harrington described the location of the proposed 24 acres of open space which exceeds the 60% required by the Planned Conservation Development (PCD) bylaw.

Harrington also reviewed a conventional subdivision "proof" plan with the Commission. Harrington described the locations of the test pits and stated that Lot 6 would require a wetland crossing and development within the flood plain. Harrington noted that 9% of the allowable 10% of River Front Area would be altered with the conventional subdivision plan and also described the resource areas on Lot 7 including the inner and outer riparian zone. Harrington provided photos for the Commission showing an existing log and wooden board crossing of an intermittent stream used to access the area of proposed Lot 6. A temporary crossing is proposed using perforated piping and wooden planks to drive equipment over this area to complete test pits for Lot 6. Harrington noted that minimal disturbance is expected and the crossing will be witnessed by Stamski & McNary in the field. Harrington requested approval from the Commission to complete the temporary crossing and noted that the test pits are needed in order to complete the proof plan.

Harrington provided an existing drainage conditions plan and described the offsite drainage which flows onto the property including an irrigation pond on the Honey Pot Hill orchard property and stormwater from Robinwood Lane. Harrington also described the onsite stormwater drainage and proposed stormwater basins and roof drywells. Harrington noted that a complete set of drainage calculations will be completed. Harrington also provided the Commission with 40 scale plans and described the proposed 28 foot wide roadway extension connecting Forest Road and Joanne Drive and proposed parking spaces. Harrington noted that the majority of the work proposed within the 35' no disturb buffer and 100' buffer is associated with stormwater management. Harrington also reviewed the proposed site grading and filling at the existing culvert and cart path and proposed catch basins. A 50 foot right-of-way is proposed including grass shoulder on each side of the roadway. Harrington noted that the applicant will request that the Planning Board allow a narrower shoulder to avoid work within the 35' no disturb buffer. Joanne Drive is proposed as a future public road once the development has been completed. Harrington added that the cluster development is preferred by the applicant and Planning Board.

Harrington reviewed the comments from Sue Carter which were submitted to the Commission on April 5, 2016. Harrington addressed each comment including concerns about Total Maximum Daily Load (TMDL) for the Assabet River, waivers, the feasibility of Lots 6 and 7, fire protection and requested plan revisions. Harrington elaborated on the proposed fire protection and noted that the applicants will be working with all necessary Town Boards and the Fire Department and would like to avoid installing a 30,000 gallon cistern. Harrington also described the proposed 28 foot wide extension of Forest Road and the accommodation for parking for residents of Forest Road and Joanne Drive. Harrington added that all of the



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comments provided in the letter from Sue Carter will be addressed throughout the permit process. The Commission confirmed with Harrington that a Notice of Intent (NOI) will likely be filed within a few months following the preliminary plan decision from the Planning Board. The Commission confirmed that drainage from Forest Road is currently not entering the site and Harrington reviewed the grades. The Commission recommended that if the Forest Road discharge is currently draining into the Assabet River it could be directed to the proposed basins on the site to provide public benefit for the proposed work.

The Commission discussed the temporary stream crossing for test pit activities on Lot 6 and confirmed with Harrington that the crossing will be used only once to enter and exit the area. Harrington said he will notify Sferra when the test pit work will be completed. The proposed temporary crossing will be completed using perforated pipe parallel with the flow of water. Harrington confirmed that the proposed test pit work on Lot 6 would be completed in one day and a rubber tire back hoe would be used to complete the work. The Commission agreed to allow the temporary stream crossing for the purpose of completing test pits on Lot 6.

Sferra noted that the Planning Board would like the Commission to confirm Lot 7 is feasible. Harrington confirmed that the septic for proposed Lot 7 is located 350 feet away from the structure. Proposed Lot 7 includes a building circle within the 35' no disturb buffer, 100' buffer and 200' River Front Area. Harrington stated that they believe that Lot 7 is feasible and is located on a high knoll and a house and well can be located 100 feet from the leaching area. The Commission discussed proposed Lot 7 and the 35' no disturb buffer impacts and requested that Harrington provide a detailed plan for the lot including the proposed house, well location, septic, and yard. The Commission inquired about future access for the public to the open space and Sferra noted that the Planning Board will review ownership and trails issues. Harrington said that a waiver for the 35' no disturb buffer, stream crossings and grading of the drainage basins will be submitted with the NOI and added that the majority of the proposed lots are outside of the Commission's jurisdiction. The Commission questioned the need for the connection of Forest Road and Joanne Drive. Harrington will work with Sferra to determine the most appropriate procedure for filings for the house lots.

Stow Conservation Commission – Proposed Draft Conservation Land Regulations

Bruce Trefry, Land Steward, joined the Commission for this discussion. The Commission reviewed the comment letters, summary, and revised draft Conservation Land Regulations. The Commission discussed the proposed horseback riding permits. Sferra clarified that the current regulations require permits for horseback riding at some properties while not allowing horseback riding at others. Sferra also noted that with the limited number of horseback riders using Stow Conservation land, compiling contact information to notify riders about trail conditions and suggesting the best places to ride would be helpful. Requiring mountain bike riders to obtain permits was not considered when drafting the regulations and staff noted the difficulties of permitting mountain bikers. The Commission clarified with Bruce Trefry that horseback riding was not permitted in Spindle Hill Conservation Area because of the limited trails that are safely accessible to horses and the narrow trails. The Commission also discussed horseback riding at Heath Hen Conservation area and concerns about horses crossing boardwalks, and riding into wetlands and horse waste. Trefry also noted that bike riders are able to cross boardwalks and carry their bikes to avoid wet areas. The Commission noted the value of outreach to horseback riders and would like information to be made available on the website for horseback riders including best places to ride, boardwalks, and updating trail conditions on the Conservation Commission Facebook page. The Commission agreed that horseback riding permits should not be required and all horseback riding should be restricted to colored, marked trails.

The Commission reviewed the proposed bike riding regulations. Trefry clarified that biking should be limited to colored, marked trails and noted that mountain bikers can cause trail damage and described passive biking. Snow noted that Callahan State Park in collaboration with Sudbury Valley Trustees (SVT) has limited portions of the property to hiking only and similar policies could be considered for conservation land in Stow in the future. Goring informed the Commission of numerous trails made by mountain bikers in Town Forest. The Commission discussed biking and the challenge of implementing speed restrictions and agreed to restricting bike riding on colored, marked trails. The Commission discussed passive bike riding and encouraged the regulations to include good bike etiquette including yielding to other trail users and horseback riders. Trefry recommend the use of small signs for horse and bike riders with hash marks for unmarked trails. The Commission also discussed the historic reasons for leash requirements at Flagg Hill and Heath Hen Conservation Areas. Trefry clarified that both properties have sensitive natural resource areas and a portion of Flagg Hill is located in Boxborough which jointly developed regulations with Stow. Goring added that Susan Latham, Animal Control Officer, is a proponent of a leash requirement. The Commission discussed the proposed changes to the dog regulations and agreed that dogs should be leashed in parking lots, agricultural fields, and community gardens and should remain within sight while off leash.

Ingeborg Hegemann Clark made a motion to adopt the proposed draft Conservation Land Regulations as amended. Cortni Frecha seconded the motion and it was passed unanimously.

Coordinator's Report

Land Stewardship Updates – Sferra informed the Commission that vests were purchased for staff to wear while in the field. Signs were also purchased for Flagg Hill/Heath Hen to notify trail users of the leash requirement.

Captain Sargent – Agricultural Field – Sferra informed the Commission that Lenny Rodriguez contacted the office on April 1, 2016 stating that his greenhouse had been vandalized. The previous day had been very windy. Sferra followed up with Rodriguez on April 4, 2016 at which time Rodriguez stated that he thought the door was kicked in and the wind damaged the plastic. Rodriguez also confirmed that he would be removing his belongings from the property by the time his license was up.

Chapter 61 Withdrawals – Sferra informed the Commission that the current submittal to withdraw 241 Boxboro Road from Chapter 61A was found to be inadequate by Town Counsel. Sferra informed the Commission that the withdrawal notice from Chapter 61B was received for 0 Boxboro Road.

41 Hale Road – Sferra provided the Commission the landscaping plan for 41 Hale Road and comments provided by Doug Morse. The Commission reviewed the landscaping plan and requested that the meandering six foot path, wildflower mix, and specific plant locations be added to the plan and clarification of the mitigation area be provided.

Planning Board Request for Comments – Joanne Drive – Sferra provided the Commission draft comments to the Planning Board regarding Joanne Drive. The Commission reviewed the draft and requested that waivers for sidewalks and a 50 foot right-of-way be considered to avoid impact to the 35' no disturb buffer. The Commission would also like a plan detail for Lot 7 to ensure all work will be outside of the 35' no disturb buffer.

Request for Proposals (RFP) – Captain Sargent Farm Land – The Commission reviewed the draft RFP provided by Sferra. The Commission discussed how it would be advertised including through the website, Facebook, the Ag Commission and online resources including New England Landlink. The Commission discussed the deadline set for early June and the preference not to include animals. The Commission also recommended site visits with prospective applicants and including information on the process following application submittals.

Annual License Renewal – Jesse Steadman – Captain Sargent – The Commission reviewed the draft license for Jesse Steadman. *Cortni Frecha made a motion to issue the License Renewal for Jesse Steadman as written. Serena Furman seconded the motion and it was passed unanimously.*

Annual License Renewal – Steve Mong – Philip Noonan Field – The Commission reviewed the draft license for Steve Mong. *Ingeborg Hegemann Clark made a motion to issue the License Renewal for Steve Mong as written. Cortni Frecha seconded the motion and it was passed unanimously.*

Vernal Pool Certification – Discussion/Policy – Sferra noted that vernal pool certification has been included as a condition in Order of Conditions (OOC) previously. The Commission reviewed and discussed a draft policy provided by Sferra stating that applicants may be required to evaluate vernal pools and submit documentation to Natural Heritage pursuant to the Program's Guidelines for the Certification of Vernal Pool Habitat. *Cortni Frecha made a motion to adopt the Vernal Pool Certification Policy as written. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Work Session – Draft Template Order of Conditions – Sferra provided the Commission with a draft template OOC which the Commission will review and provide comments for the next meeting. The Commission recommended that a reduced plan be recorded at the Registry of Deeds as an additional requirement of the OOC.

Adjournment

Ingeborg Hegemann Clark made a motion to adjourn the meeting at 10:05 PM. Doug Morse seconded the motion and it was passed unanimously.

The Commission adjourned at 10:05 PM.

Respectfully submitted,

Jacquelyn Goring
Conservation Assistant

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