


[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 11/01/16

[Printer-Friendly Version](#)

Stow Conservation Commission
Minutes
November 1, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on November 1, 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 October 18, 2016 as amended. Andy Snow seconded the motion and it was passed unanimously.

Coordinator's Report

- **MassWorks Grant:** Stow was awarded an \$850,000 MassWorks grant for Lower Village streetscape improvements. Sferra noted that the portion of the project addressing stormwater drainage to a wetland in the area of White Pond Road may be within the Commission's jurisdiction.
- **Lake Boon Drawdown:** The Lake Boon Commission will be meeting on November 7, 2016 to revisit the vote on drawdown. The lake level is currently higher than it usually is this time of year. Sferra noted that without the drawdown the retaining wall work at 279 Sudbury Road cannot be done and there are additional concerns about ice damage to docks and retaining walls if the drawdown does not occur.
- **323 Great Road Clean Up:** The 323 Great Road clean up is scheduled for Saturday 11/5/16. The Highway Department has provided two dumpsters and one additional dumpster was rented for the clean up.

Serena Furman arrived at 7:42PM

Sferra noted that the Request for Certificate of Compliance (COC) for 176 Barton Road was not properly listed on the agenda and would be included on the 11/15/16 agenda.

Request for Certificate of Compliance – 136 Hudson Road – Serena Furman conducted another site visit and noted that the grass had not grown in sufficiently and there was significant erosion on the slope. The straw wattle had failed and Sferra contacted the engineer and the current and previous homeowners requesting that additional erosion controls be added. The COC will not be issued until the site is stable.

Request for Certificate of Compliance – 148 Hudson Road – Sferra conducted a site visit and displayed an as-built plan and photos from the site visit. Sferra noted there were no erosion issues found during the site visit and the turnaround driveway was not constructed. The homeowners may plan to expand the existing driveway which will require a filing with the Commission. The house was constructed slightly larger than shown on the approved plan but the driveway was made smaller therefore footprint did not change. Sferra recommended the COC be issued. Cortni Frecha made a motion to issue a Certificate of Compliance for 148 Hudson Road. Serena Furman seconded the motion and it was passed unanimously.

Public Hearing - Notice of Intent – Minute Man Air Field – 302 Buxboro Road – The Commission opened the hearing. Property owner Don McPherson and Maryann Dipinto, Three Oaks Environmental, were present. Dipinto provided plans for the project and informed the Commission that McPherson is looking to remove the rock pile from the Phase II runway expansion project and would like to expand the safety area using some of the material. Dipinto described the goal of the project to square off the safety area which can be deceiving to pilots from the air. The proposed plan was modified to allow filling wetlands. Dipinto provided a sketch of the project on the Phase II improvement plan. Dipinto described the location of the isolated and bordering vegetated wetland, 100' buffer and River Front Area (RFA). Dipinto added that the wetland delineation was included in the Vegetation Management Plan and was reviewed and approved by the Commission.

The Commission reviewed the proposed plan and clarified that the edge of fill is within seventeen feet of the wetland and will be finished with a 45 degree slope. Approximately 1/3 of the rock pile will be used for the project. The Commission discussed the wetland delineation completed for the Order of Resource Area Delineation (ORAD) issued as part of the vegetation management plan. The proposed work area will be filled with the existing rock and then topped with soil and loam and seeded to allow access for safety vehicles. The face of the slope will not be loamed and seeded. Snow fence will be installed as a limit of work and straw bales and straw wattles will be used for erosion control. Small trees and multiflora rose will be removed. Debi Estey, 228 Taylor Road, confirmed that the proposed work is outside of the flood plain. Sferra noted that McPherson requested a waiver for stormwater and drainage calculations because the project does not include any pavement or changes to runoff. McPherson confirmed that there is no sediment in the rock pile which could cause potential erosion issues. The Commission requested that extra erosion controls be left onsite throughout the project. The Commission also recommended compacting while filling the area in lifts and using the smaller stones for the top layer of the slope to prevent the loam from washing down into the rock. Cortni Frecha made a motion to close the public hearing. Doug Morse seconded the motion and it was approved unanimously.

Public Hearing - Notice of Intent – B.J. Homes – 40 Bradley Lane – The Commission opened the public hearing. Seth Donohoe, Ducharme & Dillis, was present. The proposed project includes rehab of the existing single story house, addition of a second floor, replacing the existing septic



Stow, MA

82 °F

Clear

at 01:56 PM



[Click for Forecast](#)

system, removing the existing screened porch and replacing it with a patio and replacing an existing deck. The existing lawn area will not be expanded and trees will be removed for the septic near the driveway outside of the 35' buffer. Donohoe displayed the proposed plan for the project and agreed to extend the proposed straw wattle erosion control line around the deck area to prevent erosion during sonotube installation. Andy Snow conducted the site visit and displayed photos for the Commission. Snow noted that there is a pond in the rear of the property and stream along the side of the house. Snow expressed concerns about the location of the existing oil tank which Donohoe confirmed would be removed and the new tank installed inside the basement. Snow also noted that trees were down in the stream and suggested that a condition be included in the Order of Conditions (OOC) about no further dumping in the stream. Donohoe confirmed that no work is proposed on the barn and agreed to using the erosion control line as the limit of work. The Commission requested that the plans be revised to include the existing oil tank to be removed and the additional erosion controls. Donohoe confirmed that the status of the septic approval with the Board of Health was pending. The hearing could not be closed because a DEP file number had not been issued.

Werner Fritz, 14 Bradley Lane, noted there is a blocked culvert on the abutting property and had concerns about flooding. Francis Smith, 30 Bradley Lane, added that the ditch along the property line was blocked and repaired by the Town after washing out. Donohoe clarified that no changes are proposed to the ditch. The Commission recommended that Smith and Fritz contact the Highway Department with their concerns about the blocked culvert. Smith clarified with Donohoe that the septic system is proposed between the house and road and the existing screened porch will be replaced with a patio. Joanne Veracka, 56 Bradley Lane, expressed concerns about the proposed driveways and an illegal in-law apartment and confirmed with Donohoe that the two existing driveways will remain. Curtis Clark, 39 Bradley Lane, confirmed with Donohoe the location of the septic system and that there are no proposed changes to the grade. *Cortni Frecha made a motion to continue the public hearing for the Notice of Intent filed by B.J. Homes to November 15, 2016 on or after 7:30PM. Sandra Grund seconded the motion and it was passed unanimously.*

Appointment – Dennis Murphy – Certificate of Compliance Discussion – 184 Barton Road – Homeowner Dennis Murphy and Todd Stout, Perfection Landscaping, were present. Sferra provided the Commission the list of plants provided by Stout compared to the list on the approved plan. Murphy noted that Commission members are welcome to visit the property at any time and stated that his goal is to have a sustainable yard which provides habitat for birds and prevents erosion into the lake. Murphy added that there was a delay in planting and some of the plants were affected by the drought and he now believes the yard is complete and does not want the plantings to be dense or overcrowded. The Commission reviewed the comparison list of plantings and clarified that there were not as many trees planted between the shoreline and the steps as proposed. Stout noted that the walls were moved and did not allow much room for planting. Murphy stated that the topography is steep and difficult to plant and feels that between the retaining wall and existing plantings there is no erosion to the lake. Sferra clarified that 21 trees were removed without a permit including five within the 35' no disturb buffer. The Commission added that they required 5 trees planted within the 35' no disturb buffer of which two were planted. Murphy added that the planting around the fire place was limited because it emits heat and will be difficult to keep plants alive. The Commission also clarified with Murphy that stumps along the shoreline provide bank stabilization and limit erosion into the lake. Sferra noted that the OOC did not require that all of the plantings be native but did require that they survive two growing seasons. Commission members will visit the site prior to the 11/15/16 meeting to review the planting and requested an as-built for the retaining wall prior to issuance of a COC.

Request for Certificate of Compliance – 38 Edson Street – Snow conducted a site visit and Sferra displayed an as-built plan and photos from the site visit. Snow confirmed that no additional brush dumping has occurred within the wetlands and the required trees and additional trees were planted. Snow added that the homeowners may want to plant more trees and install fencing and are aware the work may require a permit. Snow recommended the COC be issued. *Serena Furman made a motion to issue a Certificate of Compliance for 38 Edson Street. Sandra Grund seconded the motion and it was passed unanimously.*

Order of Conditions – Minute Man Air Field – 302 Boxboro Road – Sferra provided the Commission a draft OOC for Minute Man Air Field and the Commission discussed and revised the draft. The Commission confirmed there has not been any other alteration to the RFA on this lot. The Commission requested that snow fence be used to delineate the limit of work and extra erosion controls are available onsite. The Commission also recommended filling the area using lifts and compaction. *Serena Furman made a motion to issue the Order of Conditions as amended for 302 Boxboro Road. Cortni Frecha seconded the motion and it was passed unanimously.*

Marble Hill Dog Incident – Sferra informed the Commission of the recent dog bite incident at Marble Hill. The same owner and dogs were involved in an incident in April at Captain Sargent. Sferra and Bruce Trefry also had an encounter with the owner and dogs at Captain Sargent in April. The dogs were leashed but not under direct control and were able to drag the owner across the parking lot and were acting aggressively. As a result of the two incidents in April, the Stow Police issued a ticket for dogs not under control which the owner paid. On October 27th Sferra was informed by Board of Health staff that a person was bit at Marble Hill by the same dog from the April incident. The person who was bit by the dog provided a written statement to the Animal Control Officer, Phyllis Tower. Tower will fine the owner for the second offense. Sferra spoke to Tower about the Commission's options to prevent further issues. Tower recommended that the Commission request a dog hearing and could also request that the owner not walk her dogs on Stow Conservation land. Sferra contacted the individual who was attacked in April and confirmed that she is willing to testify at a hearing. The person informed Sferra that they are very anxious now when approached by a dog while walking on the trails and appreciated that the Commission has followed up. The Commission discussed requesting a dog hearing with the Board of Health and their concerns about additional incidents that could occur. Sferra will write a letter to the owner regarding the violation of the conservation land regulations and request that she not walk her dogs on Conservation Commission property until the hearing occurs. *Cortni Frecha made a motion to request a dog hearing from the Board of Health and/or send a letter requesting the owner refrain from walking her dogs on Stow Conservation Commission property. Serena Furman seconded the motion and it was passed unanimously.*

Adjournment - *Cortni Frecha made a motion to adjourn the meeting at 9:45 PM. Doug Morse 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