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## Conservation Commission Minutes 05/23/17

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Stow Conservation Commission  
Minutes  
May 23, 2017

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on May 23, 2017 at 7:30 in the evening.

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

Absent: Doug Morse  
Ingeborg Hegemann Clark

comprising a quorum of the Commission

Also present: Kathy Sferra, Conservation Coordinator  
Jacquelyn Goring, Conservation Assistant  
Nicki McGachey, Associate Commission member

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

**Minutes:** Cortni Frecha made a motion to approve the minutes of April 18, 2017 as written. Sandra Grund seconded the motion and it was passed unanimously. Cortni Frecha made a motion to approve the minutes of May 10, 2017 as amended. Serena Furman seconded the motion and it was passed unanimously.

### Coordinator's Report

- **Weldon Lane:** Sferra visited the site on Friday May 19, 2017 to review the removal of the tree left in the wetland. Sferra agreed to allow them to leave the pieces of tree trunk on the berm. The homeowners association still plans to pursue a future filing to deal with the dam repair and maintenance.
- **Maple Street Violation:** The hearing on the Maple Street violation will be held May 24, 2017.
- **New Projects:** Cortni Frecha volunteered to conduct a site visit for the filing for 98 Gleasondale

**Public Hearing – Notice of Intent (NOI) – 37 Bradley Lane –** The Commission opened the hearing. Steve Poole of Lakeview Engineering was present on behalf of the property owner Joe Quinn. Poole displayed a plan of the site which includes driveway construction and grading as well as construction of a single family house and septic system located outside of the 100' buffer. Poole noted that the project had been before the Commission in 1990 and 2001. The proposed single family house is in the same location from the 2001 plan and the proposed septic system location was moved outside of the 100' buffer. Poole noted the location of the 35' no disturb buffer and 100' buffer and added that there were questions about the delineation during the site visit and proposed a follow-up site visit with the botanist that completed the delineation. Sferra confirmed that they did complete soil auger holes during the site visit and thought that the delineation of the pond was low in the area closest to the proposed work. Poole noted that that location of the septic system and house could be adjusted to remain out of the 100' buffer if the delineation changed and still maintain the required zoning setbacks. Sandra Grund conducted the site visit and expressed concerns that Quinn seemed uncertain about the final location of the proposed house. Poole clarified that the final location will be provided on revised plans for the next hearing and the corners of the house will also be staked for the follow-up site visit. The Commission reiterated the work must follow the approved plan and Poole stated that Quinn is aware that any changes to the plan would require a plan amendment approved by the Commission.

The Commission discussed the wetland shown on the plan that is believed to be a pond. Poole provided the Commission copies of the Assessors map for the property and stated that the area was a wetland that was once dug out by the fire department to create a fire pond and has no outlet that could be located. Sferra reviewed previous filings from the area and found that the water body on the property was discussed as a pond in the past and that an intermittent stream from the pond under Bradley Lane was discussed in a filing from 2001. There is an intermittent stream mapped across the street at 40 Bradley Lane which is also shown on the DEP data layer. Poole noted that the Stow Wetland bylaw 200' buffer to ponds would apply. Poole reviewed the infiltration system for the proposed driveway. An existing shared driveway ends at the property line for the property. The Commission discussed continuing the hearing to define the location of the house and review the delineation. Poole described the proposed clearing which will all be within the proposed erosion control line. Dave Phoenix, 232 Great Road, was present and noted that there is a steep grade to the water and that the area was dry last year due to drought. Phoenix confirmed with Poole that the driveway will be gravel as a continuation of the common driveway. Phoenix also confirmed that the easement from DeVincent Drive will not change as a result of the proposed work. *Serena Furman made a motion to continue the public hearing for 37 Bradley Lane to June 20, 2017 on or after 7:30 PM. Cortni Frecha seconded and it was passed unanimously.*

**Continued Public Hearing – Notice of Intent – 148 Hudson Road –** Homeowner Matthew Fanning, Lizett Frias, mother of homeowner Nicole Fanning, and Bob Valchuis, site contractor, were present and provided plans for the Commission. Andy Snow reviewed the hearing procedure and noted that she and Grund, Cortni Frecha, Ingeborg Hegemann Clark, and Sferra did a site visit. Valchuis informed the Commission that he will be doing the site work and described his experience working near wetlands. Valchuis discussed the issues with the current driveway including lack of parking and the inability to safely turn around. Valchuis described the proposed snow storage to the far right and back of the driveway away from the wetland. Valchuis also described the proposed tree removal and noted that he contacted David Calwell, wetland scientist for Hancock Associates, to review the wetland line and to determine if there were invasive species that could be removed which there are not. The Commission agreed that the area does not have any invasive species and noted that the proposed clearing area is good quality habitat. Valchuis stated that they would be willing to replant stumps to create more habitat, install bird and bat houses, and plant blueberry bushes if allowed to complete the proposed tree clearing. The Commission described the 35' no disturb buffer and Valchuis confirmed that trees will not be cut beyond the red tape that was used in the field. Valchuis added that the proposed clearing would go within 36 to 37 feet of the wetland allowing for space for erosion controls on the 35' no disturb buffer line. The Fanning's propose to replant along the edge of clearing then plant grass and may transplant small pines from the clearing area.



Stow, MA

79 °F

Clear

at 11:56 AM



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The Commission noted their concerns about encroachment issues within the 35' no disturb buffer including dumping of yard waste. Fanning stated that they do not bag their grass clippings and have a service for spring and fall cleanups and pay for the yard waste to be removed. The Commission also noted not all of the trees proposed for removal are dying as described during the previous hearing. They noted that they confirmed that the wetland delineation was still accurate on the site visit. The Commission noted that the grade drops beyond the existing lawn and inquired if the area would be leveled after clearing. Valchuis stated that they could have the area surveyed and provide grading on a revised plan for the lawn and driveway expansion. Frias added that Nicole Fanning would like to plant maple, cherry and crab apple trees in the area of clearing. The Commission requested that a planting plan be submitted that includes species and requested that any planting within the 100' buffer be native to Massachusetts. The Commission asked if the Fannings plan to install fencing. Sferra noted the exemption in the Wetland Protection Act (WPA) for fencing 50 feet away from wetlands which allows the passage of wildlife.

Sferra added that if the clearing is right up to the 35' no disturb buffer logically the homeowner would want fencing up to that point and should be included in this permitting process if that is the intent. Frias confirmed with the Commission that the permit would be good for three years and an extension could be granted if all of the work is not complete. Valchuis asked if the Fannings could come back with a new application for fencing and the Commission confirmed they could but added that they typically do not allow fencing at the 35' no disturb buffer which would leave an area of grass behind the fence to maintain if the clearing is approved.

The Commission clarified that they would like details on the proposed work including grading, a planting plan, the proposed area for clearing and fencing, if desired. Jeff Saunders asked why the Fannings would like to clear the proposed area to replant more trees and recommended that some trees be left to reducing the need for replanting. The Commission added that the WPA is designed to protect the resource area and expressed concerns about converting the area to lawn and the use of pesticides and herbicides near wetlands. Fanning stated that they are financially conscious but would like to remove the trees that are a safety issue for the house and want to replant with low lying plants. Fanning added that mowing the lawn at the rear of the yard is difficult because of the steep slope. The Commission clarified the flagging used to mark trees for the site visit and noted that if the one outlier tree marked in red was left the area of clearing would be 50 feet from the wetland and require less replanting and lawn and fencing could be installed to the 50 foot buffer without further permitting. Valchuis stated that they will accurately mark the 35' no disturb buffer line in the field and will include grading, the area for clearing, a planting plan, potential location for a swing set and any other proposed work including fencing and hardscaping for the next hearing. *Cortni Frecha made a motion to continue the public hearing for 148 Hudson Road to June 6, 2017 on or after 7:30 PM. Serena Furman seconded and it was passed unanimously.*

**Extension Request – Lake Boon Weed Treatment Order of Conditions #299-317 and Lake Boon Drawdown Order of Conditions #299-490A**  
 – The Commission discussed the request to extend the Orders of Conditions for the Lake Boon weed treatment and drawdown. The Commission discussed the drawdown procedure and requested that staff include in the extension notification the request that one member of the Lake Boon Commission be designated as the drawdown coordinator to work with Conservation and Highway Department staff. *Sandra Grund made a motion to extend the Order of Conditions for the Lake Boon Weed Treatment #299-317 until three years beyond the expiration date to 7/10/2020. Jeff Saunders seconded and it was passed unanimously. Cortni Frecha made a motion to extend the Order of Conditions for the Lake Boon Draw Down #299-490A until three years beyond the expiration date to 11/18/2020. Sandra Grund seconded and it was passed unanimously.*

**Comments to Natural Heritage Program on Revisions to Stow Maps** – Hegemann Clark is working on drafting the comment letter to Natural Heritage.

**Steve Mong – Annual License Renewal – Noonan Field** – *Cortni Frecha made a motion to renew the annual license agreement with Steve Mong for Noonan Field. Sandra Grund seconded and it was passed unanimously.*

**FY18 Work Plan Discussion** – Sferra previously provided the Commission a copy of the draft Fiscal Year 2018 work plan. The Commission discussed the draft work plan and wondered if that the Town Forest trail "master plan" could be included as an existing commitment and discussed the priority of the Head Life Course at Marble Hill. It was agreed that these two items were a lesser priority to moving forward the projects approved at Town Meeting and might wait until mid-year if needed.

**Adjournment** – *Serena Furman made a motion to adjourn the meeting at 9:45 PM. Cortni Frecha seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring  
 Conservation Assistant

**Materials Used during May 23, 2017 Conservation Commission Meeting:**

Conservation Filing Plan 37 Bradley Lane  
 Assessors Map for 37 Bradley Lane  
 Notice of Intent Plan 148 Hudson Road, revised 5/9/17  
 5/23/17 Agenda  
 5/23/17 Meeting and Coordinator's Report  
 Draft 4/18/17 and 5/10/17 Minutes  
 Wetland Impact Summary 37 Bradley Lane  
 Email Correspondence regarding 37 Bradley Lane Site Visit  
 License Agreement – Phillip Noonan Field at Arbor Glen  
 Draft FY 18 Work Plan

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