

Stow Conservation Commission
Minutes
October 17, 2017

A meeting of the Conservation Commission was held at the Stow Town Building 380, Great Road, Stow, Massachusetts, on October 3, 2017 at 7:30 in the evening.

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

Comprising a quorum of the Commission

Also Present: Kathy Sferra, Conservation Coordinator

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

Minutes: *Cortni Frecha moved to approve the minutes of the October 3, 2017 meeting as amended. The motion was seconded by Nicki McGachey and carried by a unanimous vote.*

Coordinator's Report

Kathy Sferra updated the Commission on on-going activities in the Conservation Department.

- She will be meeting with Rep. Hogan and Allan Fierce concerning the Carver Hill grant application.
- She submitted an application for a Stow Cultural Council Grant for the Town Forest 50th Anniversary for advertising for the events and map printing.
- There is a huge amount of interest in the November 4th Owl Prowl, Night Hike and Campfire. She asked the members to assist that evening if they are available.

Public Hearing - Notice of Intent, Sam Hurwitz, 156 Barton Road

The Chair called the Public Hearing to order. Sam Hurwitz (the Applicant) described the project.

- Install a 30x50' driveway by removing the existing patio and installing a new slightly larger patio with paving stone in approximately the same location. The patio will be extended to a gravel area toward the street and a few feet toward the well. Because the Commission noted the scale on the sketch appears to be off the Applicant further described the patio extent to be where the bulkhead is.
- Repair steps going down to the lake. He will come back to the Commission with a plan when he has more detail.
- Repair the existing retaining wall that is falling apart with cobblestones from the old fire pit that he is taking apart. He will rebuild by tearing down two layers and building it up with the cobblestones. The design, shape or size of the retaining wall will not change.
- Construction of new shed to the left of the property. Existing brick on the site will be used for the walkway to the shed.
- Remove three trees that are hanging over the house.
- Install a driveway with 24" of crushed stone along the outside for drainage.

The Applicant said a landscape mason will be doing most of the work. They won't be using any big equipment. The most they should have is a couple of pickup trucks and a small bobcat to remove the patio. He doesn't plan on doing the work until the spring

Nicki and Cortni shared photographs from the site walk which show a very steep slope down to the Lake. The 35-foot buffer is up toward the top of the bank. The Applicant said he measured diagonally from the shoreline to the top of the steps to be 33-feet. The Commission said the 35' wetland buffer is a little back from the steps.

The Commission questioned how many trees were removed prior to submission of the Notice of Intent. The Applicant said total of 32 trees (many small) were removed comprising of 17 on the lake side of the street and 15 on the other side of the street. One of the trees was in the 35' buffer. The photograph shows the stump of about 8" to 12" diameter. The Commission explained that, when a tree is removed within the 35-foot wetland buffer, they require another tree to be planted in the 35-foot wetland buffer.

The Commission asked for more accurate measurements to be sure no work is occurring in the 35-foot wetland buffer unless it is an existing condition and discussed potential conditions for an Order of Conditions with the Applicant.

- A new tree shall be planted in the 35-foot wetland buffer to replace the one that was removed.
- The Patio foot print shall not be expanded into the 35-foot wetland buffer.
- Patio work in the 35-foot wetland buffer shall be limited to switching out brick to pavers.
- A detailed plan for the steps shall be provided.
- The shed must be located outside the 35-foot wetland buffer.
- Prior to commencement of work the 35-foot wetland buffer shall be staked for the Commission to confirm the location.
- Erosion control (straw bales) shall be placed for each stage of work. Each time the Applicant works on an area, the Applicant shall install erosion controls and call for an inspection prior to commencement of work.
 - Shed pad and patio work – Straw bales shall be placed at the top of the bank and at the base of the steps.
 - Retaining Wall- Straw bales shall be placed in a location below the work.
 - Location of straw bales for the steps will be determined when a detailed plan is received.

The Commission recommended that the Applicant work on the steps when the lake level is down.

Cortni Frecha moved to close the Public Hearing. The Motion was seconded by Sandra Grund and carried by a unanimous vote.

Appointment - Mike Clayton, Superintendent of Streets – Susan Lawrence Park discussion

Superintendent of Streets Mike Clayton met with the Commission to discuss plans for Susan Lawrence Park. Cemetery staff, now part of the Highway Department, has been clearing snow at town properties and had some issues at the town building lower parking lot. Because the grade change is so dramatic, the plow gets stuck. That area also washes out. They wanted to build a retaining wall and flatten out the area a little. Once they brought the stone in, they were advised that they were encroaching onto conservation land. This morning he received a copy of a letter from DEP from about 6 or 7 years ago about the well when the Town had to get a variance to install the parking lot. Based on that letter, he changed his mind about the project, however he would like to add a little crushed stone along the edge

of the turn to limit erosion. Part of the DEP letter also says they are supposed to minimize snow storage in the Zone 1 of the well.

The Commission discussed the wetland buffer to the Pond and noted the guardrail area is in the buffer. The Commission asked if they use salt. Mike responded yes, but they try to minimize the use of salt. Mike said they probably will end up hauling the snow out during major storms.

Mike said the rocks will be removed, however, he was thinking about leaving a few for landscaping in the triangle area.

Ingeborg Hegemann Clark arrived.

Certificate of Compliance Request - 63 Robert Road (299-526)

The Commission discussed a request for Certificate of Compliance for 63 Robert Road. Kathy Sferra explained that the 2010 Notice of Intent was for a pool and pool house, which was filed after-the-fact, and a retaining wall to help hold the side yard. The Order of Conditions allowed the pool, pool house and the retaining wall and required them to put in five shrubs between the retaining wall and wetland. The Applicant advised Kathy that they decided not to do the retaining wall. Kathy noted that they did create a landscaping planting bed up against the fence that is definitely in the 35-foot wetland buffer. Kathy also observed at least five shrubs that were planted, however a list of what they are was not provided as required by the Order of Conditions. The Applicant told Kathy she could get the list from the Landscaper. The Applicant told Kathy they want to keep the natural habitat as much as possible. Kathy drafted a Certificate of Compliance with the perpetual condition that there shall be no discharge of pool water into the stream. Although not included in the Order of Conditions, Commissioners asked Kathy to remind the Applicant that there shall be no dumping of yard waste.

Cortni Frecha moved to issue a Certificate of Compliance for 63 Robert Road. The Motion was seconded by Nicki McGachey and carried by a unanimous vote.

Public Hearing Continuation - Frank Lundy-Off Forest and Sudbury Roads (Notice of Intent for proposed subdivision roadway, drainage, utilities, site work (aka "Joanne Drive"))

The Chair opened the continued Public Hearing. Rich Harrington of Stamsky and McNary, representing the Applicant, reported that they closed the Public Hearing with the Planning Board. They had some discussion with the Planning Board of some of the issues under discussion with the Commission. Rich asked if the Conservation Commission would be comfortable with closing the hearing this evening and conditioning plan modifications, or if they want to continue the hearing until the modified plan is received. Once the Planning Board Decision is issued, if approved, it will require plan modifications. Those Plan modifications will talk about the location of the cistern, whether the road connection will be an emergency access only and retaining the cul-de-sac pavement on Forest Road. They do need to keep 20-foot pavement for the road connection as required by subdivision rules for dead end road length purposes. Other outstanding issues include the replication area, changing the headwall structure on Lot 1, invasives on Lot 1, and allowance for additional plantings in the 35-foot wetland buffer for screening.

The Commission discussed outstanding issues and concerns with the Applicant and how to proceed.

The cul-de-sac will not be narrowed due to neighbor concerns. The Applicant confirmed that this change is accounted for in the drainage design.

There will be no change in the limit of work as shown on the initial plan.

The Commission questioned if there is a sense of what trees will be removed or saved. The Applicant stated there will be a separate filing for most of the lots. He reviewed the plan for Lot 1 indicating the tree lines to be either saved, or removed and additional plantings. The Plan shows trees to be saved on Lots 3, 4 and 5. There is an opportunity to save additional trees on Lots 3 and 4. In the Riverfront Area, there will be transition grading for the roadway and they are seeking permission for driveways. He suggested that the Commission comment to the Planning Board that they would like to see additional trees saved on Lots 1, 2, 3 and 4.

Kathy Sferra recommended that the Commission weigh in on issues that should be considered by the Planning Board in their deliberations. It was noted that there will be an opportunity to review the Plan after the Planning Board Decision is issued and before the Plan is endorsed by the Planning Board. Because the Planning Board Decision is not likely to be issued until December, she suggested that the Public Hearing be continued to an earlier date so they can review a detailed replication plan, which has not yet been submitted. She wanted to be sure that the Commission would have an opportunity to request additional changes as the hearing discussions continued. The applicant said that they would.

There was no public comment.

Serena Furman moved to continue hearing for the Frank Lundy Notice of Intent for property located off Forest and Sudbury Roads (aka "Joanne Drive) to November 21, 2017 on or after 7:30 PM. The motion was seconded by Cortni Frecha and carried by a unanimous vote.

Invoices

Land Stewardship, Inc. – Invasive Species Management

Kathy presented an invoice from Land Stewardship, Inc. for work at the Captain Sargent Farm Conservation Land, explaining that although funds are coming from Community Preservation Fund, Conservation Commission approval is also required. In response to the Commission's inquiry about the buckthorn work between the fields and South Acton Road. Kathy explained that the Highway Department did some cutting and Bruce Trefry did some mowing. The buckthorn is still persistent and the contractor has done some spraying. Kathy Sferra reported that she passed the Pesticide Applicators Licensing exam and will soon receive her License so that she will be able to assist with ongoing projects.

Cortni Frecha moved to approve the Invoice from Land Stewardship, Inc. The motion was seconded by Serena Furman and carried by a unanimous vote.

Sudbury Assabet Concord Cooperative Invasive Species Management Area (SuAsCo CISMA)

The Commission received a request for donations to the SuAsCo CISMA group. Kathy Sferra explained that this is a regional group that works to manage invasive spaces. They have existed in large part from funds from US of Fish and Wildlife Service and an environmental damages settlement. She serves on the Steering Committee and feels it is a useful group for sharing information and invasive species management educational projects. Stow has been the recipient of small grants for the Town Forest and

Flagg Hill. She said fundraising is ending and they are looking for ways to become self-sustaining and have approached all of the member agencies and organizations.

The Commission felt that it would not be appropriate for a municipality to make a donation. They further noted that if it was in the form of an invoice for dues and there was a stated benefit to the municipality for dues, they could consider including it in a future budget. Kathy agreed and noted that most of the donations to date have been from non-profit organizations and not municipalities. She will carry this back to the group.

Order of Conditions – 156 Barton Road - Hurwitz

Commissioners reviewed a draft Certificate of Compliance for 156 Barton Road and noted the following findings or conditions that should be added.

- The Patio shall not extend into the 35-foot wetland buffer.
- No heavy equipment except a bobcat.
- The new tree to be planted in 35-foot wetland buffer shall be at least 2” diameter.
- Encourage removal of invasives (bittersweet) and attach a factsheet.

Cortni Frecha moved to the Order of Conditions for 156 Barton Road as drafted and amended. The motion was seconded by Sandra Grund and carried by a unanimous vote

Pine Bluffs –The Commission discussed the existence of BMX trails in the woods near the dog beach. It appears to be linking into an old cart path and houses on the lake. Sferra will follow up with the Rec. Dept.

Trash Receptacles for Dog Waste - Sferra reported that she received a complaint about people leaving their dog waste bags at Pine Bluff Recreation Area and passed this on to the Rec Dept. Members discussed the pros and cons of trash receptacles.

Community Preservation Committee Signs – Cortni Frecha reported that the Community Preservation Committee purchased new metal signs to be used for projects that are underway for which they would like to draw attention to. They plan to place signs at Pine Bluffs Recreation Area and Randall Library. It was agreed that it would not be appropriate to place a sign on projects where fundraising is still ongoing such as Carver Hill and Small Farm.

Executive Session: *Serena Furman recused herself and left the meeting.*

Cortni Frecha moved to enter into executive session for purposes of discussing real estate negotiations and to adjourn the meeting at the conclusion of executive session. The motion was seconded by Sandra Grund and carried by a unanimous roll call vote (Andy Snow, Jeff Saunders, Cortni Frecha, Nicki McGachey, Sandra Grund and Ingeborg Hegemann Clark)

Respectfully Submitted,

Karen Kelleher