


[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 10/18/16

[Printer-Friendly Version](#)

Stow Conservation Commission
Minutes
October 18, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on October 18, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Serena Furman, Vice-Chair
Cortni Frecha
Ingeborg Hegemann Clark

Absent: 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 October 4, 2016 as amended. Serena Furman seconded the motion and it was passed unanimously.

Appointment – Rachelle Vachon – 189 South Acton Road

Rachelle Vachon, 189 South Acton, was present to discuss resolution of the encroachment at Captain Sargent Conservation Area. Vachon provided a plan she received when she purchased the property. Vachon noted that the plan had led her to believe that she owned more property than she does. Sferra provided a septic plan and survey for 189 South Acton which showed the property line in the correct location. Sferra informed the Commission that during boundary posting of Captain Sargent it was discovered that some of Captain Sargent was being maintained and used by Vachon. Sferra and Goring scheduled a site visit with Vachon and taped of the property lines using an existing survey bound from the neighboring property. After taping out the property line it was confirmed that Vachon's portable garage, shed, compost bin and planting beds were on Captain Sargent land. Sferra has since worked with Vachon to propose a plan for removal of the encroachments including the shed which is large and would require a crane to be moved. Sferra noted that a survey would be required to be certain of the exact property lines. Vachon informed the Commission that after purchasing the property she was told by someone that the shed was likely not on her property and recommended that it be repaired rather than replaced because it would not be able to be put in the same location. Vachon made improvements to the existing shed and cleaned up junk left behind by the previous owner on Captain Sargent land.

The Commission discussed the items on Captain Sargent and noted that the portable garage could be removed. Vachon informed the Commission that she did not want a license agreement to keep the shed until the property is sold and said she had decided that she wanted it removed now. Vachon added that she would like a new shed and Sferra clarified that the Building Inspector could advise her if filing with the Zoning Board of Appeals would be necessary. The Commission noted that the shed was not put on Conservation land by Vachon and was there since she bought the property nine years ago. Sferra added that the shed and compost bin would likely not be removed before the spring. The Commission discussed the replanting of the area of Captain Sargent which was being maintained and decided that it should be allowed to revegetate naturally. The portable garage, stone wall and bushes will be removed by Vachon.

Coordinator's Report

- **New Projects:** Don McPherson submitted a Notice of Intent for alteration of the runway approach at Minute Man Air Field in the River Front Area. Jeff Saunders will conduct the site visit.
- **Bolton Conservation Commission:** The Commission hired a new Administrator, Rebecca Longvall.
- **Hudson Solar Project:** The Hudson Solar project is scheduled to begin construction.
- **Captain Sargent Farm License:** Lenny Rodriguez has removed one of his tractors.
- **Potential Violation:** Sferra and Goring conducted a site visit to review a potential violation off Wheeler Road. Because the reported violation was not visible from a right of way, Sferra will follow up by sending the property owner a letter. Sferra will also contact another property owner on Wheeler Road regarding work being conducted within the buffer to Elizabeth Brook.
- **Lower Village Mobil:** Andy Snow inquired about the work going on at the Mobil Station in Lower Village. Goring reviewed the most recent report submitted to DEP and clarified that the work is outside the Commission's jurisdiction.
- **Crescent Street Violation:** Sferra contacted Jim Boyd regarding the October 15th completion deadline. Boyd updated Sferra with the progress and stated that the work will be completed this fall.
- **184 Barton Road:** Sferra and Goring conducted a site visit and confirmed not all of the plantings have been completed. Dennis Murphy will be submitting a Request for Certificate of Compliance and would like to discuss the plantings with the Commission.
- **Dunn Property:** Stow Conservation Trust (SCT) has renamed the Dunn property the "Shepard Memorial Woodlands." Sferra participated in a meeting with SCT, the Acton Conservation Trust and Acton Conservation Commission to discuss trail connections across the town line. It was agreed that a winter-only trail which would connect Stow and Acton due to the amount of wetland, and that Stow can design a loop trail that includes a portion of the Dunn land in Acton. Additional field work will be done in the fall.
- **323 Great Road Clean Up:** The cleanup is scheduled for November 5 with a rain date of November 12.



Stow, MA

82 °F

Clear

at 01:56 PM

[Click for Forecast](#)

- **Historical Lecture:** A historical lecture about land takings and preparation for World War II in Stow will be held at Stow Town Hall on October 22. Sferra assisted by creating GIS map overlays of historic property maps for the presentation.

Notice of Intent – Stowaway Realty Trust – 121 White Pond Road – Sferra informed the Commission that Stowaway requested a continuance of the public hearing. Dave Burke, consultant for Stowaway Realty Trust, informed Sferra that a meeting was conducted at Stowaway to discuss maintenance plans for the course but they are still working on the survey plans. *Cortni Frecha made a motion to continue the public hearing for the Notice of Intent filed by Stowaway Realty Trust to November 15, 2016 on or after 7:30PM at the request of the applicant. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Cortni Frecha recused herself at 8:10 PM.

Appointment – Greg Roy – Regency at Stow, Boxboro Road – Greg Roy, Ducharme & Dillis, was present to provide an update regarding the request for minor modification for Regency of Stow. Roy noted that since he last attended the Commission meeting on 9/6/16, the Planning Board closed their hearing. Roy added that changes requested by Sue Carter have not been completely incorporated in the plans and Toll Brothers does not want to have two separate decisions and plan sets. Roy also noted that Toll Brothers had reviewed the draft decision from the Commission and had no comments. Roy requested to be on the November 15, 2016 agenda.

Cortni Frecha returned at 8:15 PM.

Request for Certificate of Compliance – 136 Hudson Road - Serena Furman did a site visit and confirmed that the septic system was built to plan but the grass has not grown. The Commission reviewed the photos and confirmed that they would not issue the COC until the site is stable.

Request for Certificate of Compliance – 33 Hale Road - Cortni Frecha did a site visit and showed photographs of the site. Frecha noted that the owner decided not to install an asphalt pad for plowing and used gravel which they understand will degrade over time and need to be replenished. Frecha recommended that a Certificate of Compliance be issued. *Serena Furman made a motion to issue a Certificate of Compliance for 33 Hale Road. Cortni Frecha seconded the motion and it was passed unanimously.*

Request for Certificate of Compliance – 249 Sudbury Road - Sferra reminded the Commission that an outstanding Order of Conditions from 2002 was found when the property owners of 249 Sudbury recently filed a Notice of Intent. Sferra did a site visit and showed photographs of the site and the as-built plan. Sferra noted that a stone wall around the outside of the house was rounded on the corner to make a planting area but is more than 35' from the Lake and is in a lawn area. Sferra recommended that a Certificate of Compliance be issued. *Ingeborg Hegemann Clark made a motion to issue a Certificate of Compliance for 249 Sudbury. Cortni Frecha seconded the motion and it was passed unanimously.*

Certificate of Compliance Reissuance – Minute Man Air Field - Sferra informed the Commission that Don McPherson requested a reissuance of COC 299-67 for work at Minute Man Air Field. The original COC was never recorded and was lost. *Ingeborg Hegemann Clark made a motion to reissue Certificate of Compliance 299-67. Cortni Frecha seconded the motion and it was passed unanimously.*

Appointment – Scott Hayes – Gates Lane – Scott Hayes, Foresite Engineering, was present to discuss site access for perc testing. Hayes provided a letter to the Commission. Hayes reviewed the Abbreviated Notice of Resource Area Delineation filed by Stow Woodlands LLC and the various resource areas on the site including Elizabeth Brook, Wheeler Pond, wetlands and vernal pools. Hayes displayed plans for the property and showed the Commission where perc testing had begun along the cart path outside of jurisdictional areas. Hayes noted that there are many stone walls on the property and road infrastructure and that the property was the site of a mill and dam, and more recently a recreation camp. Hayes informed the Commission the property will likely be developed as a Planned Conservation Development (PCD) and that 40 acres of the property are zoned Recreation-Conservation which reduces the number of lots available. Hayes described the process of a PCD development which includes demonstrating what is feasible for a conventional subdivision and the need for perc testing for each conventional subdivision lot to complete a proof plan. Hayes noted that the intent of the project is to develop about 20 acres of the upland portion of the property with 35 homes with the remainder as open space.

Hayes described existing cart paths on the site plan and informed the Commission that two wetland crossings will be required to access portions of the property for perc testing to complete the proof plan. Hayes noted that the cart paths are dry and passable by a small pickup truck. No tree clearing will be required and a small rubber track excavator will be used to clear fallen trees from the path and complete the perc testing. Hayes identified the proposed areas for perc testing which are outside the Commission's jurisdiction. Sferra added that perc testing is exempt from the Wetlands Protection Act (WPA) except for crossing resource areas and noted that the office has received calls concerning wetlands and the archeological significance of the site. Hayes noted that the main entrance for the development will likely be from Great Road with emergency access to Gates Lane. Hayes added that he would like to put a small turnaround on the property at the end of Gates Lane for staging during perc testing to avoid disturbing the neighbors with street parking. The Commission discussed the proposed crossings and clarified that each lot on the proof plan must have a perc test. Sferra confirmed with Hayes that the lots shown with only a small portion outside of the 100' buffer will be perc tested outside the buffer. Sferra also noted that in previous PCD development proposals the Commission required that the applicant prove that the house, well and septic could all fit on the lot outside the buffer. Hayes agreed and confirmed that the plans would go through staff review and that he feels that a thoughtful design for the development is possible. He will meet with staff before filing with the various Boards and Commissions. Hayes noted that perc testing is scheduled for October 26th through October 28th. The Commission agreed that the perc testing could go forward as planned as no resource areas will be altered and all perc testing is outside jurisdictional areas.

Adjournment

Ingeborg Hegemann Clark made a motion to adjourn the meeting at 9:10 PM. Serena Furman 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