

**Stow Conservation Commission
Minutes
January 16, 2018**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on January 16, 2018 at 7:30 in the evening.

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

Absent: Andy Snow, Chair
 Sandra Grund

 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: *Jeff Saunders made a motion to approve the minutes of December 19, 2017 as amended. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Coordinator's Report

- **Shepherd Memorial Woodlands Hike:** Sferra reminded the Commission that the Shepherd Memorial Woodlands opening hike will be held on January 21, 2018 at 2 PM. Sferra noted that the first bridge across the brook has been flooded due to beaver activity and the hike may turn around at that point.
- **Town of Hudson Bylaw Public Hearing:** The Town of Hudson Conservation Commission will be holding a public hearing listening session on January 18, 2018 at 7:30 PM to discuss a local wetlands bylaw.
- **Carver Hill Campaign:** The anonymous donor who agreed to match donations up to \$50,000 has extended their offer to match the \$65,000 raised by Stow Conservation Trust (SCT). To date \$320,000 has been raised with a remaining \$280,000 of fundraising needed. SCT is planning additional fundraising campaign ideas.
- **Maple Street Violation:** Alan DiPietro has filed a Request for Determination (RDA) in Bolton to determine if the stream located on the Bolton portion of the property is intermittent or perennial. The public hearing was scheduled for January 16, 2018.
- **New Projects:** Cortni Frecha will be the lead for the Town Center Park Notice of Intent (NOI) and Serena will be the lead for the septic system upgrade at 126 Gleasondale Road.

Town Center Park Update: The updated plans for Town Center Park have been completed and the Zoning Board of Appeals (ZBA) application has been submitted. The project will require ZBA site plan approval, a special permit and two variances and will be heard in February. The special permit and variances are necessary because the property is zoned residential and parking lots on nonconforming lots are required to be 30 feet from the lots lines and are required to have 30 feet of dense vegetation screening of which the parking lot will only have fifteen. Sferra noted that the parsonage is the closest residential building to the proposed parking lot. The parking lot could be moved but would reduce the area for the park. Sferra has contacted the three primary abutters to the park including First Parish Church and High Rock Church and the residential abutter to let them know of the filings.

New State Climate Projection Data: The Commission discussed the new State climate projection data and noted that the study found that more intense rainfall in winter and longer droughts in summer could occur. Sferra noted that the information will be presented at the upcoming Municipal Vulnerability Program public forum and added that

the new data could be considered by the Commission when discussing stormwater and flood plain issues as well as determining streams as intermittent or perennial. The Commission also discussed using plantings for restoration that are native to the Northeast and the impact of climate change on apple crops.

Cortni Frecha arrived at 7:46 PM

NOI continuation – 168 Barton Road Realty Trust – 168 Barton Road – Scott Hayes, Foresite Engineering, was present and informed the Commission that the proposed garage was relocated and the modified plan was approved by the ZBA. Hayes reviewed the proposed plans which include demolition and reconstruction of the existing house, construction of a new garage and driveway, construction of steps to the lake and installation of a floating dock and ramp. Hayes noted that the plans had been revised from the previous hearing to include switchback steps to provide more space near the edge of the lake. The proposed stair work includes leveling the area and building a stone and concrete block wall for slope stabilization. The existing pump house will also be removed, and the area filled, compacted, and stabilized. The existing two foot high fieldstone wall along the edge of the lake will be restored by replacing stones that have fallen off the wall over time. Mortar will not be used to reconstruct the wall. Hayes stated that restoring the retaining wall will provide stabilization for the bank. The wall work will be completed during drawdown and erosion controls will be installed between the edge of the lake and wall. Erosion controls will also be installed around the slope to contain any potential erosion from the work above the slope. Hayes confirmed that all work on the slope, including the footings for the stairs, will be completed by hand and equipment may be used to lower materials to the bottom of the slope but no excavation or tracking will occur on the slope.

The Commission confirmed with Hayes that a patio on the slope within the 35' no disturb buffer was not necessary and a 6'x6' landing would be sufficient. The Commission also noted that the existing observation deck and stairs were not permitted by the Commission and discussed incorporating approval of the deck with mitigation into the Order of Conditions for the current project. Jeff Saunders conducted a site visit and noted that the tree roots on the slope are being undercut. Hayes noted that the proposed work will include bringing the grade over the roots to help stabilize the trees and slope. Hayes confirmed that the slope will be stabilized using tamped gravel, loam, and jute or other netting and the exposed roots will be covered. Hayes also confirmed that brush will be removed on the slope in order to complete the stairs and no additional vegetation will be removed outside the limit of work. Hayes stated that the slope will not be converted to lawn and all trees proposed for removal are included on the plan. The Commission discussed requiring additional plantings to mitigate the proposed and unpermitted work within the 35' no disturb buffer and noted that there is no planting plan for the slope and or a limit of work included on the plan. The Commission also requested that the unused section of dock on the shoreline not shown on the plan be removed.

The Commission requested additional information on the slope stabilization plan. Hayes stated that the sand removed for the construction of the landing and wall could be used to back the retaining wall at the shoreline. Hayes confirmed that the work may begin this winter. Hayes also confirmed that there is no Japanese knotweed on the property as stated in the NOI filing. The Commission discussed mitigation plantings for the unpermitted work and noted that trees were likely removed to install the unpermitted steps and deck. Hayes confirmed that the matting has not been specified but agreed plantings could be placed within the matting to help stabilize the slope. Hayes described the retaining wall specifications and confirmed it will be no higher than 18 inches. David Siewierski, 178 Barton Road, confirmed with Hayes that the wall will be stacked stone without mortar. Siewierski added that he has a stacked retaining wall which was designed to be backed with filter fabric but was built without it and recommended filter fabric be used to prevent washout. The Commission discussed the two trees proposed for removal and proposed work within the 35' no disturb buffer and mitigation plantings. Ron Ham, owner of 168 Barton, stated that he was willing to plant what the Commission requested. Hayes added that plantings that would not block the view of the lake would be preferred. The Commission discussed placing plantings within the 35' no disturb buffer along the deck and the narrow area above the retaining wall to soften the view from the lake. *Ingeborg Hegemann Clark made a motion to close the public hearing for 168 Barton Road. Cortni Frecha seconded and it was passed unanimously.*

Siewierski added that he had concerns about bringing materials down the slope and the installation of the footings at the bottom of the slope.

NOI – William Gerecke and Kelly Pryor – 16 & 20 Davis Road – Greg Roy, Ducharme & Dillis, was present and displayed plans for the properties and identified the 100' buffer, 35' no disturb buffer and 100 year flood plain. Roy stated that the applicants currently live at 20 Davis Road and purchased 16 Davis Road in 2013. Roy described the existing conditions for 20 Davis Road which include the existing dwelling, gravel driveway, stone steps, patio, first floor deck, various retaining wall structures, trees, and a leaching pit installed in 1968. The existing conditions for 16 Davis include an existing dwelling, first floor and basement level decks, paved driveway and septic system installed in the 1990s. The proposed plan includes demolishing the house at 16 Davis Road and not replacing it but expanding the outdoor living space for 20 Davis Road. The house will be removed and the deck will remain in place. The concrete slab will also be removed and replaced with a pervious surface. An addition will be constructed at 20 Davis Road and the existing deck and patio will be removed and replaced with a new deck and screened in porch on the basement level. An existing timber wall will be reconstructed. There will be an additional bedroom added at 20 Davis but a net decrease from seven bedrooms to four with the demolition of the dwelling at 16 Davis. The existing leaching pit on 20 Davis Road will be replaced to meet Title V requirements and the offset to Lake Boon and the surrounding drinking water wells. A portion of the driveway at 16 Davis will be removed during the construction of the new leach field and the new driveway will connect to 20 Davis with a bluestone walkway.

A portion of the concrete foundation for 16 Davis will remain to better match the grades of the new outdoor living space for 20 Davis. Roy noted that the previous owner of 16 Davis obtained ZBA approval for the basement level deck but had not filed with the Commission. Roy added that the benefits for the proposed project include reducing the number of bedrooms on the lake, reduction in impervious cover and replacement of the septic system. Four trees will be removed to complete the addition at 20 Davis of which three are within the 35' no disturb buffer. Two additional trees within the 35' no disturb buffer will be removed as part of the septic system replacement. Roy noted that the applicant will try to keep the clump of birch trees which are close to the excavation for the septic tank. The Commission noted that they may stump sprout if cut. Proposed plantings include rhododendrons and hemlock. Roy added that they are proposing to minimize excavation near the lake and will use a small excavator to install plastic septic tanks which can be slid down the hill rather than placed with a boom truck. The ZBA has not yet issued a decision on the proposed plans and the Board of Health has provided comments which are being addressed and Roy stated they anticipate approval within a few weeks.

Cortni Frecha and Nicki McGachey completed a site visit. Frecha noted concerns about leaving part of the foundation of the house which is designed to be supported by the rest of the structure. Property owner Bill Gerecke was present and stated that he spoke with the Building Commissioner and confirmed that analysis of the wall by a structural engineer will be required to receive a demolition permit for the project. Gerecke stated that tie backs may be required or the wall could be leveled at four feet. Frecha noted that the trees between the two properties that are proposed for removal must be removed for a new septic line. Frecha added that the timber wall is falling down and the deck needs to be replaced as well. McGachey also noted that the deck at 16 Davis was replaced and went from 6' x 36' to 12' x 59'. The Commission discussed the decrease in impervious surface and bedrooms by removing the house from 16 Davis and the proposed tree removal. Roy confirmed that no trees will be removed between the house and lake for view enhancement and hemlock trees will be planted to replace the trees proposed for removal. Gerecke stated that a planting plan has not been completed but they plan to plant more than the rhododendrons and hemlocks shown on the plan. The Commission confirmed with Gerecke that the foundation area on 16 Davis will be converted to peastone with a small fire pit. Gerecke also confirmed that work on the wall against the deck at 16 Davis will not be done as part of this filing. Gerecke explained that the septic line for 20 Davis cannot be relocated elsewhere because of where the line enters the house. Gerecke also clarified that the well located on 16 Davis will not be used for irrigation as stated in the NOI filing.

The Commission confirmed that the two lots will be combined and the ZBA will not allow another house to be built on 16 Davis. The Commission also requested that all hardscaping be added to the plan. Gerecke described the proposed fire pit and stated that 10 to 15%, or a ten by fourteen foot area, of the existing foundation of 16 Davis will remain in place for the fire pit. The Commission requested that be added to plan and a planting plan be submitted.

Goring confirmed that DEP had not issued a file number. *Cortni Frecha made a motion to continue the public hearing for 16 and 20 Davis Road to January 30, 2018 on or after 7:30 PM. Nicki McGachey seconded and it was passed unanimously.*

NOI – Brian and Catherine Smith – 216 Barton Road – Steve Poole, Lakeview Engineering, and Scott Hartwell, general contractor, were present. Poole displayed a plan for the project and described the project which includes an addition to the existing house on the footprint of an existing deck and reconstruction of stairs to the lake. A porch will also be added onto the front of the house which is partially inside the 100' buffer to Lake Boon. Poole noted that the existing stairs are unevenly spaced and difficult to walk on. Hartwell described the construction of the steps which will be made of prefabricated pieces of granite and will be six to eight inches narrower than the existing stairs. Serena Furman conducted a site visit and noted that the purpose of the addition is also structural. Poole stated that there are steel cables in the attic of the house holding the structure together. Furman also noted that the existing plantings will be removed and replanted. The Commission discussed the existing stairs to the lake which are uneven and unsafe. Poole noted that the 35' no disturb buffer is currently lawn and the retaining wall along the lake is in good condition. Property owner Catherine Smith stated that all plantings within the 35' no disturb buffer will be native to the Northeast. Sferra noted that the plan includes nine inch straw wattle for erosion control and confirmed with Hartwell that haybales and silt fence will actually be used. All concrete washout will occur across the street and materials will be stored outside the 100' buffer. DEP had not issued a file number. *Cortni Frecha made a motion to continue the public hearing for 216 Barton Road to January 30, 2018 on or after 7:30 PM. Nicki McGachey seconded and it was passed unanimously.*

NOI continuation – Frank Lundy – Off Forest and Sudbury Roads – *Cortni Frecha made a motion to continue without testimony the public hearing for Joanne Drive to January 30, 2018 on or after 7:30 PM. Jeff Saunders seconded and it was passed unanimously.*

Decision – 168 Barton Road Realty Trust – 168 Barton Road – The Commission reviewed a draft decision and requested that the Order include that the proposed patio be no larger than six feet by six feet, two 1 ½ inch caliper trees and six two gallon shrubs native to the northeast be planted within the 35' no disturb buffer, and that all work on the slope must be completed by hand. The Commission also requested that a revised plan be submitted which includes a planting plan and specifics on the type of filter fabric that will be used to stabilize the slope.

Adjournment – *Ingeborg Hegemann Clark made a motion to adjourn the meeting at 9:40 PM. Nicki McGachey seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during January 16, 2018 Conservation Commission Meeting:

168 Barton site visit photos
16 & 20 Davis site visit photos
216 Barton site visit photos
Draft Order of Conditions – 168 Barton Road
1/16/18 Agenda
1/16/18 Meeting and Coordinator's Report
Draft 12/19/17 minutes