

**Stow Conservation Commission  
Minutes  
May 1, 2018**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on May 1, 2018 at 7:30 in the evening.

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

comprising a quorum of the Commission

Also present:            Kathy Sferra, Conservation Coordinator  
                              Jacquie Goring, Conservation Assistant

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

**Minutes:** *Sandra Grund made a motion to approve the minutes of April 17, 2018 as amended. Serena Furman seconded the motion and it was passed unanimously with Cortni Frecha abstaining.*

**Coordinator's Report**

- **New Projects:** Two new projects are expected for the May 22, 2018 meeting including an addition at 10 Dawes Road which Andy Snow will lead and invasive species removal at 165 South Acton Road which Cortni Frecha will lead.
- **Upcoming Meeting Schedule:** The Commission discussed the July 3 meeting and agreed to cancel.
- **Town Forest 50<sup>th</sup> Anniversary Celebration:** The Commission discussed the date for the Town Forest 50<sup>th</sup> Anniversary celebration and agreed on Saturday July 21, 2018 contingent on the availability of the Lords.
- **Kirkland Drive Complaint:** Sferra informed the Commission that she received a complaint about a dirt bike track at 165 Kirkland Drive in wetlands. Sferra will send a letter and Snow and Furman will contact the property owner.
- **Mylar Balloon Social Media Campaign:** Sferra informed the Commission about a mylar balloon citizen science social media campaign collecting photos of mylar balloons found in the woods and uploading them to social media sites.
- **Trails:** Frecha mentioned that she had been approached by Margie Lynch recently and had highlighted the need to re-build trust between the mountain biking community and the Commission as an important first step to working together. She expressed a willingness to help with this.

**Appointment – Jesse Steadman – Taproot Farm** – Jesse Steadman and Jaime Aspenson updated the Commission on the 2017 farm season. Trees have been planted on the front field on Tuttle Lane and trees that have died were replaced on the back field on South Acton Road. Steadman noted that the monofilament deer fencing on the back field was removed and replaced with metal poles and netting which sustained damage this winter. After consulting with local farmers, Steadman and Aspenson installed fencing on the front field with a different design using wooden posts and netting hung from wires. This design allows for longer stretches without posts and prevents the fencing from collapsing inward due to the weight of snow. Steadman stated that the fields are planted with 2,000 trees per acre and the front field should be fully planted within three planting seasons. Trees on the back field will likely be ready for sale at that same time, expected to be in 2021. Steadman added that they are still looking to have a gate installed on Tuttle Lane to prevent people from driving into the field but allowing trail users to access the fields. The Commission discussed the new fencing on the front field and confirmed with

Steadman and Aspenson that they will regularly loosen the hooks in the trees along Tuttle Lane to prevent damage to the trees. Steadman also confirmed that their bee hive did not survive the winter and they plan to get more bees. Sferra noted that the escrow requirement included in the license begins this year and would need to be revisited to include the trees in the front field after four years of planting. Aspenson confirmed trees sales will likely begin in 2021 and Steadman added that a small sign could be posted with information about the tree farm and deer fencing.

**Appointment – Allan Fierce – Assabet River NPDES Permitting/Comments on Draft Hudson Wastewater**

**Permit** – Allan Fierce, President of OARS Board of Directors, informed the Commission that the Board of Selectmen agreed to cosign a comment letter with the Conservation Commission regarding the draft Hudson Waste Water Treatment Plant permit. Fierce added that if the Commission votes to approve the draft letter the Board of Selectmen will vote to sign the letter at their May 7 meeting. The Town similarly submitted comments on the draft Marlborough Wastewater flow increase permit from the Commission and Board of Selectmen in 2008 which did not go into effect. Fierce added that comments from the Town carry significant weight and there will be additional comment letters submitted by OARS, Sudbury Assabet Concord Wild & Scenic River Stewardship Council, and U.S. Fish and Wildlife Service. Fierce added that by submitting a comment letter the Town will be able to participate in the appeals process. The Commission discussed the 2013 fish kill on the Assabet River and suggested it be included in the comment letter. Fierce provided the Commission a whitepaper written by OARS regarding a study on endocrine disruptors and the impact on fish.

**Appointment – Bob Collings – Drainage Modifications for Museum Project Discussion – #299-588 – Bob**

Collings was present and informed the Commission that erosion from the museum building gutter down spouts occurred next to the building during recent heavy rain. Collings displayed a plan with two potential modifications recommended by the building's architect. Collings described the first modification proposed to collect water along the east side of the building and piping it to rip rap swales outside to the 100' buffer to the fire pond. Collings stated that the option would be outside of the 100' buffer however would likely flow from the rip rap swale towards the fire pond and expressed concerns about silt entering the pond due to erosion. Collings stated that the second proposed modification would include running a pipe to the edge of the fire pond into a rip rap swale which Collings stated would not result in silt entering the pond. Collings added that the work within the 35' buffer for the second option would include a two foot ditch, rip rap and would not require tree removal. Sferra noted that the approved plans with the Commission do not show any provisions for roof drainage however the Building Department plan shows roof drainage that is designed to be piped and discharged to a detention basin at the lower end of the site. Collings reviewed the roof pitch and the existing gutter system and confirmed the roof runoff is currently infiltrating at the foundation. Sferra noted that the original proposed plans in 2015 included roof runoff draining to the fire pond which the Commission did not allow. The plan was modified to discharge roof runoff to a detention basin. Collings stated that through their process with the Planning Board from 2015 to 2017 the roof drainage from a portion of the building had not been addressed and stated that this runoff could not be piped around the building due to the existing propane tank and septic line.

The Commission noted that the area where erosion occurred is loose fill and has not been loamed or seeded which likely contributed to the erosion issue. Collings stated that if the roof runoff is not able to be discharged to the pond the alternative would be to discharge in five locations toward the pond. Collings added that he has concerns that the roof run off could wash out the road and does not believe that the detention basin could provide enough storage capacity. Collings confirmed that the detention basin has been built but could be expanded. The Commission recommended that Collings review the issue with the engineer for the project rather than the architect and a more localized solution, such as a CULTEC chamber, could be used. Collings stated that he believed that the roof is metal and the Commission requested that he confirm that because other roofing materials would limit the ability to directly discharge to the fire pond due to concerns about pollutants. Sferra added that the decision states that the roof run off could not be discharged to the fire pond and in order to amend the decision the public hearing would have to be reopened and the decision amended. Sferra also clarified that the Commission's jurisdiction is within 200 feet of the fire pond so both proposals would require approval from the Commission. The Commission clarified that they have concerns about the two proposals for modifying the drainage and recommended Collings review the issue with his engineer and come back with a revised plan.

**Appointment – Rich Harrington, Stamski and McNary – Concept Plan for Contractors' Yard – Quirk Property/Athens Lane** – Rich Harrington of Stamski and McNary and Michael French, Frank French, Tim Shannon, and Harry Boucher of F.E. French Construction, Inc. were present to review the concept plan for a contractor's yard at the Quirk Property on Athens Lane. Harrington displayed plans for the property and reviewed the various areas depicted on the plan including Athens Lane, Goshen Lane, areas one and two, gates one and two, structures one through six and fields one through four. Harrington described the resource areas on the site which include a perennial stream, pond and wetlands as shown on the DEP wetland layer and delineation completed many years ago which had not been reviewed and approved by the Commission. Harrington also described the location of the proposed equipment material storage areas in areas one and two. Harrington added that a portion of the site is within the Water Resource Protection District which limits the square footage of pavement. Harrington stated the existing gravel drive and culvert on the property will be sufficient for the proposed use of the property and confirmed there has not been recent beaver activity at the crossing. The proposed equipment material storage areas will include storage bins, car ports, loading and offloading of equipment, nursery stock storage and potentially equipment storage inside the existing buildings. The site would be mostly gravel with the exception of a paved area for equipment storage and would be designed with catchbasins and earthen berms to meet the stormwater standards. Harrington reviewed the Riverfront Area on the site and a potentially isolated wetland in the area of the stone building. Michael French confirmed there will be no fuel or other chemical storage on the site.

Michael French reviewed photos of current contractor's yards used by F.E. French in Belmont and Cambridge and stated that they have been there for 7 years and have maintained good relationships with the abutters. Michael French stated that equipment stored at the facilities includes trench boxes, road plates, snow plows, trailers, jersey barriers, and curbing. Michael French noted that they have a modern fleet of equipment to avoid spills and that both facilities have spill kits available. Tim Shannon described the 25 foot by 30 foot storage bins constructed using concrete blocks set on concrete pads and covered with quonset huts. Shannon added that their facilities have surveillance systems and are fenced using jersey barriers with fencing on top of the barriers for security. Shannon also noted that the Quirk property would be an annex to their main facility in Belmont. Frank French stated that the property would not be used to store salt and that the sanding trucks would be emptied and cleaned at the Belmont facility. Frank French added that F.E. French does a lot of stormwater management work and understands the sensitivity of wetlands and have employees trained in hazardous waste and stormwater pollution prevention plan (SWPPP) reporting.

The Commission noted that the Quirk property has a long history of enforcement orders and expressed concern about the adequacy of the wooden box culvert under Athens Lane. Harrington confirmed the culvert under Athens Lane needs to be reviewed and Michael French stated that they anticipate having to do work on the culvert. Shannon stated most of the equipment entering and exiting the site will be rubber tire and empty. The Commission also noted that there are invasives on the property including Japanese knotweed which should be carefully managed to avoid spreading the plant to their job sites. Shannon confirmed that they would not have any problem entering and exiting the site with trailered equipment. Michael French stated that Mary Trudeau, conservation agent in Belmont and Lexington, will be completing the wetland flagging for the site. The Commission noted the significant amount of resource area and alteration on the site and recommended that blue bird boxes could be installed in the area of the field habitats. Frank French stated that some alteration has taken place and they are willing to use the areas that have been previously disturbed rather than clearing trees or altering the wetlands. Shannon stated that Trudeau recommended installing berms to protect the resource areas. The Commission noted that the limit of work should be clearly delineated and noted that fencing should allow for wildlife passage and recommended leaving gaps in the jersey barriers. Frank French added that natural screening will be used as much as possible. Sferra noted that the Open Space Committee has identified the property as part of the Emerald Necklace particularly the north portion of the property. Shannon stated that only six acres of the 60 acre site are proposed to be used. Harrington stated that they will be meeting with the Planning Board and a Notice of Intent will be filed with the Commission which will include the contractor's yard, mitigation area, berms, and screen plantings.

**Approve Invoice – Avery Associates - Kunelius Appraisal** – Sferra informed the Commission that the Community Preservation Committee voted to use administrative funds to cover the cost of the appraisal for

Kunelius. *Ingeborg Hegemann Clark made a motion to approve the invoice for \$3,500 for Avery Associates for the Kunelius survey. Cortni Frecha seconded and the motion was approved unanimously. Furman did not vote.*

**Discussion/Site Visit Follow Up – Jillian’s Lane Site Stabilization and Restoration** – The Commission discussed the Jillian’s Lane site visit and noted that more silt needs to be removed from the wet meadow. Sferra noted that the Planning Board has not received a sufficient construction sequence. The Commission added that the sediment should be removed from behind the check dams, more stone should be added to the swales, the inlet into the basin should be maintained and the basin which has been rough graded needs to be cleaned out because the capacity has been comprised with the heavy silt. Sferra noted that the site contractor has requested that the Enforcement Order (EO) be released and the Planning Board allow site work to continue. The Commission noted that the EO could not be closed until the site is stable and the restoration work is complete.

**Modification Request – 126 North Shore Drive Tree Removal – #299-625** – Goring informed the Commission that the property owners of 126 North Shore Drive requested the removal of three storm damaged trees, one dead tree and one tree to access one of the damaged trees. Three of the trees are located within the 35’ no disturb buffer. The Commission discussed the request and will request that each tree removed within the 35’ no disturb buffer be replaced with either one 1 ½” caliper tree or two one gallon shrubs all of which must be native to the northeast. *Cortni Frecha made a motion to approve the redline change to the plan to allow the removal of up to five trees at 126 North Shore Drive. Sandra Grund seconded and it was passed unanimously.*

**DiPietro/Maple Street Wetland Violation** – *Ingeborg Hegemann Clark made a motion to approve the invoice for \$126 from Mirick O’Connell. Cortni Frecha seconded and it was passed unanimously.*

**Discussion/Vote – Arbor Glen Permit Conditions relating to Road Salt** – The Commission discussed the request to allow Arbor Glen to use road salt and the idea that a letter could be included in the file allowing for the use of road salt.

**Discussion/Vote - Town Meeting Warrant Articles** - *Ingeborg Hegemann Clark made a motion to approve the Kunelius warrant article. Cortni Frecha seconded and the motion was approved unanimously. Furman recused herself from the vote.*

**Adjournment** – *Ingeborg Hegemann Clark made a motion to adjourn the meeting at 9:54 PM. Cortni Frecha seconded and the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring  
Conservation Assistant

**Materials Used during May 1, 2018 Conservation Commission Meeting:**

OARS whitepaper  
Collings Museum drainage modification plan  
Collings Museum site photos  
Quirk property Contractor’s yard concept plan and photos  
5/1/18 Agenda  
5/1/18 Meeting and Coordinator’s Report  
Draft 4/17/18 minutes