

**Stow Conservation Commission  
Minutes  
June 5, 2018**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on June 5, 2018 at 7:30 in the evening.

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

Absent:                     Andy Snow, Chair  
                                  Jeff Saunders  
                                  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:** *Cortni Frecha made a motion to approve the minutes of May 22, 2018 as written. Nicki McGachey seconded the motion and it was passed unanimously.*

**Coordinator's Report**

- **Farm Fest:** The Farm Fest event at Carver Hill was a huge success with an estimated 400 attendees.
- **Kunelius Update:** Sferra informed the Commission that the closing for Kunelius occurred on May 31<sup>st</sup>. The Conservation Restriction (CR) must be completed and the trail which connects the Community Gardens to the Kunelius property will require a boardwalk. The boundaries for the property will also need to be posted. A local boy scout is interested in building a kiosk at the Gardens for his Eagle project.

**Execute Conservation Restrictions – Carver Hill, small farm, Ministers Pond –** The Commission reviewed the CRs for Carver Hill, small farm, and Ministers Pond included in the meeting report. *Cortni Frecha made a motion to accept and execute the Conservation Restriction for Carver Hill. Nicki McGachey seconded the motion and it was passed unanimously. Ingeborg Hegemann Clark made a motion to accept and execute the Conservation Restriction for small farm. Cortni Frecha seconded the motion and it was passed unanimously. Nicki McGachey made a motion to convey the Conservation Restriction at Ministers Pond to the Stow Conservation Trust. Ingeborg Hegemann Clark seconded the motion and it passed unanimously.*

**Vote to Accept Regency Open Space Deed –** With Cortni Frecha recusing herself, the Commission did not have a quorum. The Commission will vote on the Regency Open Space Deed at their next meeting.

**Request for Extension of Order of Conditions #299-589 – Stow Recreation Department – Pine Bluff –** Laura Greenough, Recreation Director, was present and informed the Commission that they are still working on removing the invasives at Pine Bluff. The Recreation Department will be working with Bransfield Tree Company on a three year plan to eradicate Japanese knotweed. Greenough stated Bransfield Tree will be submitting a plan to the Commission which will include cutting the knotweed in late June or early July then chemically treating in the fall. Greenough requested a three year extension to the Order of Conditions which expires in July 2018. Sferra confirmed that the Order requires at least three seasons of invasive treatment and a plan must be submitted to the Commission 21 days prior to starting work. Greenough confirmed with the Commission that the plan will be submitted for their next meeting so the cutting can be done before the opening of camp. The Commission discussed

the disposal of the knotweed cuttings which Greenough will request Bransfield Tree to include details in the plan. *Ingeborg Hegemann Clark made a motion to approve a three year extension of Order of Conditions #299-589 for Pine Bluff. Nicki McGachey seconded and it was passed unanimously.*

#### **Coordinator's Report – continued**

- **Kirkland Drive Potential Violation:** Sferra sent a letter to the residents of 164 Kirkland Drive in regards to the potential violation and requested they contact the office by June 29<sup>th</sup>.
- **Taylor Road Potential Violation:** Sferra followed up on a call regarding tree cutting on Taylor Road and sent a letter to a homeowner at 212 Taylor Road who may have removed trees within the Commission's jurisdiction without a permit.
- **Walcott Street Potential Violation:** Sferra was notified of a potential violation on Walcott Street where work was being done within 100 feet to an intermittent stream. Sferra met with the homeowner and requested they stop work, install erosion controls, and file for a permit. The homeowner installed erosion controls the next day and will be filing for a Request for Determination of Applicability.
- **New Projects:** Sferra informed the Commission that she is expecting two new filings include the Walcott Street RDA and a Notice of Intent for an addition within the 35' no disturb buffer at 26 Pine Point Road.
- **114 Barton Road:** Goring informed the Commission that the homeowner at 114 Barton Road would like to remove one tree at the front of the lot, create a gravel parking area and install fencing. The Commission reviewed photos of the property and recommended that an RDA be filed for the work.

**Notice of Intent Continuation – Basty/Merryman – 10 Dawes Road –** Homeowners Nicola Basty and Jeff Merryman were present. DEP has issued a file number. Basty reviewed the plan changes including a stone infiltration trench along the driveway, retaining wall detail, paver walkway, and planting sketches. Basty added that the area of sedges at the lake will be planted with shrubs species already in the area and clarified that the existing alder and birches will remain. The Commission noted that they requested native plantings and reviewed the proposed planting list and identified some non-native and upland species. Basty clarified that some of the plants included in the planting plan are from the Vermont Lakeshore Landscaping Guide on the Commission website and that the upland species will be planted higher on the slope. Sferra noted there are invasive species of willow and recommended that a pussy willow be planted instead of a willow bush. Merryman confirmed that the infiltration trench will be installed before the driveway is paved and the excavated soil may be reused or could be side cast. The Commission noted that they did not received alternatives for the proposed deck. Basty informed the Commission that the original plan for the deck was to wrap around the house but was cut back to be conscious of their neighbor's views and that the proposed plan includes enough deck between the house and lake for a walkway and table and chairs. Basty confirmed that the deck will be five and half feet wide and will have a set of stairs. The Commission confirmed there will 315 square feet of deck inside the 35' no disturb buffer. Basty also confirmed they have filed with the Zoning Board of Appeals. The Commission also noted the significant amount of bittersweet removal the homeowners have done on the property. *Cortni Frecha made a motion to close the public hearing for 10 Dawes Road. Nicki McGachey seconded and it was passed unanimously.*

**Appointment – Dick Bolton – Continued Discussion of Request for Conservation Restriction Amendment –** Dick Bolton was present to discuss his request for an amendment to the existing Conservation Restriction (CR) held by the Town off Apple Blossom Way. Sferra noted that she created a table requested by the Commission detailing each parcel, the size, owner and CR status for both the existing and proposed restrictions. Sferra also provided a map of the CRs showing which parcels are wooded and which are open as well as a photo of the barn. Bolton stated that he is withdrawing his original request to remove the barn parcel from the CR and would request that the Planning Board amend the original subdivision approval and the Building Commissioner approve the barn to be occupied by a person willing to farm the land. Bolton added that he and his wife would like the land to be farmed forever and that one half of the barn is livable. The barn was used to hold seminars and has a four bedroom septic system which was required when it was built because vegetables were being washed onsite. Bolton provided photos of the land while it was being farmed and what the property looks like today.

Bolton requested the Commission support the Planning Board amending the original subdivision decision to allow a farmer to live in the barn as an alternative to going through a legal process to remove the barn parcel from the CR.

The Commission confirmed with Sferra that the existing CR is expiring however she and Town Counsel are of the opinion that the CR could be rerecorded every 20 years to maintain its enforceability. Sferra added that if this seemed agreeable, the next step would be to meet with Bolton, Planning staff and the Building Commissioner to discuss Bolton's most recent proposal. Bolton added that he would like the Planning Board to allow the barn to be occupied only by a farmer. Sferra added that the neighbors would be notified as part of the process. Sferra confirmed that additional structures may not be able to be built on the parcel. Bolton also confirmed the barn parcel has a well and described the barn which has 1,800 square feet of livable space. The Commission discussed agricultural restrictions and the requirements for Chapter 61A. Bolton stated he would not be interested in an Agricultural Preservation Restriction. Sferra noted that the Planning Board may require a new CR on the acreage owned by Bolton in exchange for approving the change to the original subdivision plan. The Commission confirmed they are interested in exploring the possibility of allowing the barn to be occupied by a farmer.

**Approve Invoice – Carver Hill Survey** – *Cortni Frecha made a motion to approve the invoice from Merrill Engineers and Land Surveyors for the Carver Hill survey. Nicki McGachey seconded the motion and it was passed unanimously.*

**Authorize Chair to Sign LAND Grant Reimbursement** – *Ingeborg Hegemann Clark made a motion to authorize the Chair to sign the Local Acquisitions for Natural Diversity grant reimbursement paperwork on behalf of the Commission. Cortni Frecha seconded the motion and it was passed unanimously.*

**Discussion/Enforcement Order – Jillian's Lane Site Stabilization and Restoration** – Sferra informed the Commission that the site continues to be open and unvegetated. The Planning Board required that the septic system be installed nearly two weeks prior and it had not been completed. The Building Commissioner issued a cease and desist on the work as requested by the Planning Board. Sferra noted that the detention basin at the bottom of the hill may not have been properly constructed and may have insufficient capacity. A NOI will need to be filed for any reconstruction of the basin. Sferra requested that MaryAnn DiPinto investigate the extent of the silt from the most recent release back to the pond and none was found, however, additional silt will need to be removed from the wet meadow.

**Reorganization** – Postponed to the next meeting.

**Decision – Basty/Merryman – 10 Dawes Road** – The Commission discussed the draft decision and requested that the invasive species removal completed by the homeowner be included in the findings and the soils from the proposed infiltration trench be side cast. The Commission also requested that the plantings be completed in accordance with the planting plan which was annotated with the required type and number during the hearing. *Ingeborg Hegemann Clark made a motion to issue an Order of Conditions for 10 Dawes Road as amended. Nicki McGachey seconded and it was passed unanimously.*

**Adjournment** – *Cortni Frecha made a motion to adjourn the meeting at 9:27 PM. Nicki McGachey seconded and the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring  
Conservation Assistant

**Materials Used during June 5, 2018 Conservation Commission Meeting:**

10 Dawes site visit photos and plans  
Bolton Conservation Restriction maps, photos and supporting documents  
6/5/18 Agenda  
6/5/18 Meeting and Coordinator's Report  
Draft 5/22/18 minutes