

**Stow Conservation Commission
Minutes
July 17, 2018**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on July 17, 2018 at 7:30 in the evening.

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

Absent: Jeff Saunders

 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 June 26, 2018 as written. Nicki McGachey seconded the motion and it was passed unanimously.*

Cortni Frecha recused herself at 7:35PM.

Execute Regency at Stow Open Space Deed – *Serena Furman made a motion to accept and execute the Regency at Stow Open Space deed. Sandra Grund seconded the motion and it was passed unanimously.* The Commission signed the deed and was notarized by the Town Clerk. Sferra noted that the deed will be recorded once the bounds are in and the gate has been installed.

Cortni Frecha returned at 7:38PM.

Ingeborg Hegemann Clark recused herself at 7:38PM.

Certificate of Compliance Request – Eversource #299-AAB – Sferra completed a site visit and reviewed the photos. Sferra noted that the erosion controls are still in place around the test boring locations, the work areas are stable, and recommended issuance of the Certificate of Compliance. *Sandra Grund made a motion to issue a Certificate of Compliance for 299-AAB. Cortni Frecha seconded and it was passed unanimously.*

Ingeborg Hegemann Clark returned at 7:41PM.

Certificate of Compliance Request – 126 North Shore Drive #299-625 – Goring completed a site visit and provided photos for the Commission. Goring confirmed that the required ten shrubs were planted, the seasonal dock was installed, and the proposed addition had been completed as approved. Goring recommended issuance of the Certificate of Compliance. *Cortni Frecha made a motion to issue a Certificate of Compliance for 299-625. Serena Furman seconded and it was passed unanimously.*

Cortni Frecha recused herself at 7:45PM.

Appointment – Greg Roy – Restoration Plan for Regency at Stow Isolated Wetland – Greg Roy, Ducharme and Dillis, and Tony Casapulla, Toll Brothers, were present. Roy reviewed the erosion issues as a result of the rain event on June 28, 2018 which caused siltation of the first basin and the adjacent isolated wetland. Sue Carter, Sferra, Goring and Ingeborg Hegemann Clark all visited the site and observed the erosion. Roy stated that Brandon Ducharme, Ducharme & Dillis, created a restoration plan similar to the restoration plan implemented in August 2017. Roy noted that the silt in the isolated wetland is approximately ½ inch thick and will be removed by hand using metal rakes, shovels and buckets to minimize the damage to the vegetation. Roy added that the Commission required observation plots as part of the 2017 restoration and noted that they would be willing to do it again. Casapulla stated that Toll Brothers would like to begin the restoration work as soon as possible and confirmed with the Commission that the work does not need to be done under supervision but would like the crew to meet with staff from Ducharme & Dillis for instructions. The Commission agreed to require a one year report.

Casapulla updated the Commission on the stability of the site after the heavy rains earlier that day and noted that similar erosion issues occurred despite the installation of additional check dams, berm curbing, driveway paving, and replacing hay bales and silt fence as needed. Sferra recommended that the bare areas on the site be hydroseeded. *Andy Snow made a motion to issue an Enforcement Order to Regency at Stow incorporating the conditions discussed and authorized Kathy Sferra to sign on behalf of the Commission. Sandra Grund seconded and it was passed unanimously.*

With regard to the open space, Roy provided the Commission the Record Plan for Regency and informed the Commission that bounds were not set in the area of wetlands by the field crew over concerns they would not be accurate. Sferra noted that the wetland is fairly large in that area and encroachments by homeowners will be unlikely. Boundary markers will be posted around the remainder of the Open Space. Sferra added that the gate will be installed to prevent vehicle access and prevent dumping and asked that Toll Brothers request a lock from the Fire Department.

Cortni Frecha returned at 8:05PM.

Notice of Intent – Jillian's Lane, Walcott Street – MaryAnn DiPinto, Three Oaks Environmental, and Greg Roy, Ducharme and Dillis, were present. DiPinto stated that the proposed detention basin was constructed as a sedimentation basin and must be reconstructed as designed by Ducharme & Dillis. DiPinto added that the entire site must be stabilized prior to reconstructing the basin and that the site is close to being stable. DiPinto stated that there are areas on the site where grass still needs to be grown for stabilization. Roy noted that upgradient stabilization is most important and recommended that wash outs be overseeded using tackifier and vegetation be established prior to the basin work. Roy clarified that he provided a recommended construction sequence for the basin reconstruction however he has not been on the site recently. Roy reviewed the proposed construction sequence to complete the work on the site per the plans approved by the Planning Board. The construction sequence includes working from downstream up once the site is stable, completing the designed gravel shoulders and swales, reconstructing the detention basin to include the impermeable core as designed, removing the sediment from the basin, constructing the sediment forebay, finalizing the storm drain outlets and seeding the basin. Roy added that once the basin has been completed the temporary sedimentation basins should be removed.

DiPinto reviewed the current erosion and sedimentation control status at Jillian's Lane and photos of the site from the earlier rain storm. Andy Snow noted that she visited the site prior to the meeting and observed silt entering the intermittent stream and reviewed photos from the site visit. DiPinto stated that there were no rills at the top of the slope, grass has started to grow, and the water down the driveway was clear. DiPinto added that the rain gauge onsite showed 3 ½ inches when she left the site with two inches of rain falling in the first hour.

Ingeborg Hegemann Clark completed a site visit to review the basin reconstruction and noted that the site contractor should be sure that the basin has the designed function capacity and will drain as designed after the sedimentation that has occurred. Hegemann Clark recommended continued diligence during construction and that an as-built be provided following completion of the basin. Sferra expressed concerns about the potential for strong storms which could blow out the basin during reconstruction. Roy stated that the berm should be able to be built

within a few days to a week as designed with an impermeable core and spill way and recommended that the site contractor stay on the task until it is completed. The Commission also suggested that all supplies for the reconstruction of the basin should be onsite prior to starting the work. DiPinto stated that the work will begin once the site has been stabilized and during a period of forecasted dry weather and should be completed before August 30, 2018. Sferra requested that a written plan and schedule be submitted to the Commission.

Bill Maxfield, 89 Walcott Street, was present and noted that the new drainage structure below the site has no opening on Walcott Street causing water from the site to run down the street to a culvert in front of his house. Maxfield expressed concerns about the capacity of the culvert in front of his house and noted that the Town will be replacing it. Roy clarified that the catch basin shown as CB3 on the proposed plans is meant to be open and was designed with a curb inlet which should be completed by the site contractor. Roy recommended that the inlet be opened after the proposed construction has been completed to prevent silt from entering it. Bill Chiarchiaro, 79 Edgehill Road and Walcott Street, confirmed with Roy that the boulder wall between the site and his property will be installed before the basin work and the existing rip rap installed to stabilize the slope between the properties will not be expanded. Sferra clarified that the basin will be completely reconstructed and not expanded as originally proposed by DiPinto. The Commission confirmed that the road will not be made narrower after the basin is reconstructed and discussed the existing basin which was not built as designed. DiPinto stated that the existing basin was built as a temporary sedimentation basin. Roy added that Ducharme & Dillis staked the structures for the site contractor and was not aware if the firm has been asked to complete as-built plans.

DiPinto said that hydroseeding will be completed in the next two weeks and she will email an update just prior to the next meeting. The Commission expressed concerns about the amount of time that has been spent monitoring the site and the erosion issues as well as the impacts to the abutting property owners. The Commission requested that an engineer be present at key points during the reconstruction of the basin to ensure that structures are set at the correct elevation, proper materials are used, and the basin is constructed in accordance to the plan. Roy stated that his firm would be able to confirm that the basin has been constructed with the proper stage storage as designed as part of the as-built process. The Commission also requested that a construction schedule with dates be provided for the basin reconstruction. The Commission will review the decision at the next meeting. *Cortni Frecha made a motion to close the public hearing for Jillian's Lane. Sandra Grund seconded and it was passed unanimously.*

Appointment – MaryAnn DiPinto – Discussion of Erosion and Sediment Control at Jillian's Lane – DiPinto, updated the Commission on the erosion and sediment control at Jillian's Lane during the public hearing for the reconstruction of the detention basin.

Discussion – Collings Gravel Removal Project – Sferra informed the Commission that she visited the site with Goring and Carter to do an inspection and identified a handful of issues associated with the museum construction including a ramp that was constructed to offload tanks near the fire pond, and a swale to the fire pond which were not included on the approved site plan. Also, additional stabilization of one of the basins near the access road is needed and hay bales were disposed of in the replication area. Sferra noted that Bob Collings has not brought a plan to the Commission for the building drainage but has installed downspouts that lead to an unknown location. Sferra added that water is being pumped from the fire pond for the water trucks, and a pump and gas can were found on the pond side of the erosion controls. Sferra will send a letter to Collings to follow up on the issues identified during the site visit.

She noted that while reviewing updated aerial imagery of Stow, Town Planner Jesse Nathan Steadman observed what appeared to be a gravel pit located on the Collings property in the area of the proposed gravel pit which was denied an Earth Removal permit by the Board of Selectmen in 2014. The gravel pit was observed during the site visit and is partially located within the Riverfront Area (RFA) according to the approved plans for the museum project. It is outside of the limit of work for that project. Photos of the pit were provided to the Commission. The Planning Board is working with Town Counsel to address the work which was done without permits, including earth removal, erosion control and NPDES. The work was also done without an Order of Conditions. The Commission reviewed a draft Enforcement Order and discussed the gravel removal in the RFA without a permit. *Ingeborg*

Hegemann Clark made a motion to issue an Enforcement Order to Bob Collings. Sandra Grund seconded and it was passed unanimously.

Approve Invoice – Mirick O’Connell – *Ingeborg Hegemann Clark made a motion to approve the invoice from Mirick O’Connell for \$185.59 for legal fees associated with the Maple Street enforcement case. Cortni Frecha seconded the motion and it was passed unanimously.*

Approve Invoice – Patricia McArdle, Esq. – *Serena Furman made a motion to approve the invoice from Patricia McArdle, Esq. for \$1,176.00 for legal fees associate with the small farm Conservation Restriction. Cortni Frecha seconded the motion and it was passed unanimously.*

Enforcement Follow up – 165 Kirkland Drive – Sferra and Serena Furman met with the property owner of 165 Kirkland regarding a reported shed and dirt bike track within the Commission’s jurisdiction. Sferra confirmed that the shed is within the 100’ buffer however meets the buffer zone exemption. The property owner has been maintaining trails which were created by a previous property owner. None of the trails are located within a wetland. Sferra did confirm that a portion of the trail is located within the 35’ no disturb buffer. Sferra will issue a minor project approval for the trails which are also subject to a buffer zone exemption. Sferra added that the site visit was a good education for the property owner for projects going forward and will follow up with him.

Town Forest 50th Celebration and Trail Opening – Sferra informed the Commission that the work project to extend the Town Forest red trail to the new Carver Hill Parking lot will be on Friday July 20th. The Town Forest 50th celebration will be held on Saturday July 21st at 2PM.

Decision – Jillian’s’ Lane – The Commission will review the decision at their next meeting on August 7th.

Reorganization – *Cortni Frecha made a motion to nominate Jeff Saunders as Chair. Sandra Grund seconded the motion and it was passed unanimously. Serena Furman made a motion to nominate Cortni Frecha as Vice Chair. Andy Snow seconded the motion and it was passed unanimously. Ingeborg Hegemann Clark made a motion to nominate Cortni Frecha as Community Preservation Committee Appointment. Sandra Grund seconded the motion and it was passed unanimously.*

Coordinator’s Report

- **Eversource Environmental Impact Report:** The final Environmental Impact Report has been completed. The deadline for comments to the Massachusetts Environmental Policy Act office is in August.
- **323 Great Road Erosion Control Special Permit:** The Planning Board continued to July 24th.
- **FY 2018 Budget:** FY 18 ended with a small budget surplus. Sferra noted that a memorial elm was purchased for Doug Trefry and will be planted at the former Fire Station.
- **Bike in the Woods Proposal:** We are awaiting a Conservation Land permit for the Stow Conservation Trust’s Bike for the Woods event. This will be on the next agenda.

Adjournment – *Serena Furman made a motion to adjourn the meeting at 9:47 PM. Cortni Frecha seconded and the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during July 17, 2018 Conservation Commission Meeting:

Regency at Stow Record Plan with sketch submitted by Greg Roy, Ducharme & Dillis
7/17/18 Agenda
7/17/18 Meeting and Coordinator’s Report
Draft 6/26/18 minutes