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[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](#)
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Conservation Commission Minutes 09/20/16

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Stow Conservation Commission
Minutes
September 20, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on September 20, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Cortni Frecha
Ingeborg Hegemann Clark
Doug Morse

Absent: Serena Furman, Vice-Chair
Sandra Grund
Jeff Saunders

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 August 30, 2016 and September 6, 2016 as amended. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.

Request for Certificate of Compliance – 95 Lowell Drive – Sferra was contacted by the property owner, Eric Kampf, requesting a follow-up site visit after completing the require planting. Sferra confirmed that all of the plantings were completed as required, the stone wall was moved, and the garlic mustard was removed. Sferra suggested that the homeowner water the trees often given the drought and Doug Morse noted that tree gator bags could be used. Sferra also confirmed that the required wetland seed mix area was completed and the sand pile was moved although it was later determined that it was stored outside of the 35' buffer. Sferra recommended the COC be issued. Ingeborg Hegemann Clark made a motion to issue a Certificate of Compliance for 95 Lowell Drive. Doug Morse seconded the motion and it was passed unanimously.

Request for Minor Modification of Decision – Pompo Fire Station/Community Center – Sferra informed the Commission that the Order of Conditions (OOC) for the Pompo Fire Station/Community Center specified red oaks be planted rather than pin oaks and that they could not be planted during the fall. Sferra was contacted by the Building Department requesting to identify a tree variety which could be planted during the fall. During ongoing correspondence among Sferra, Bruce Fletcher, Tree Warden, and the Planning and Building Departments, the site contractor planted regal oaks. Craig Martin, Building Commissioner, requested a minor modification to the Commission's OOC and the Planning Board's decision to allow the regal oaks. The Commission noted that regal oaks will grow in a more tall and slender manner which will not provide much shading but may be appropriate due to the proximity to the overhead utility lines. Sferra added that regal oaks are readily established. The Commission also noted the cost of removing the regal oaks which have been planted and the potential for them not to survive due to drought conditions. Morse added that one of the planted regal oaks is in bad condition and does not have leaves on one side. The Commission requested that Sferra notify Martin and inquire if the damaged tree was purchased at a reduced price and if not, request it be replaced. The Commission also requested that if the regal oaks do not survive they should be replaced with honey locust. Doug Morse made a motion to amend the planting plan for the Pompo Fire Station and Community Center as a minor modification. Cortni Frecha seconded the motion and it was passed unanimously.

Notice of Intent – 29 State Road (U-6 #17)

The Commission opened the public hearing. Homeowner Richard McMahon and builder Peter Ekdahl were present. Ekdahl informed the Commission that a deck and an addition on the existing house are proposed which will be in the 100' buffer. Cortni Frecha conducted a site visit and noted that the wetland edge was not flagged but clearly defined and the proposed work is all within previously disturbed lawn. Frecha provided photos from the site visit and noted that the stakes shown in the photo are the corners of the proposed deck and addition. Frecha confirmed that concrete trucks and other construction equipment will access the site using the area along the existing driveway. Materials will be stockpiled outside the 100' buffer. Ekdahl noted that a set of stairs shown on the plan has been eliminated and provided revised plans. The proposed deck will extend no more than 12' beyond the addition. McMahon added that the proposed deck will not be as large as shown on the plan and will likely be only 8-10' out from the addition. Ekdahl confirmed that no tree removal is proposed and one tree will be trimmed. Concrete washout will occur outside the 100' buffer. Straw wattle will be staked at the limit of work within fifteen feet of the building area. Cortni Frecha made a motion to close the public hearing for the Notice of Intent submitted by Richard McMahon. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.

Sferra provided the Commission a draft OOC for 29 State Road and the Commission discussed and revised the draft. The Commission noted that staked straw wattle should be installed within fifteen feet of the proposed construction and requested an as built be submitted with the request for COC if one is required by the Building Department. Ingeborg Hegemann Clark made a motion to issue the Order of Conditions as amended for 29 State Road. Cortni Frecha seconded the motion and it was passed unanimously.

Notice of Intent – 249 Sudbury Road (U-1 #1)

The Commission opened the public hearing. Homeowners Michael and Jeremy Perisho and contractor Evan Underwood were present. Michael Perisho gave the Commission background information about the property which was historically a bath house and swimming beach. The Perishos purchased the property in 1997 and renovated the existing building in 2002. Perisho noted that they would like to do a number of projects on their property to replace existing features that have deteriorated. Andy Snow noted that she and Jacquie Goring conducted a site visit. A large patch of Japanese knotweed is on the property boundary along Pine Point Road. Underwood reviewed each of the seven projects and the Commission discussed the proposed work. Project 1 includes removing existing deteriorating railroad ties around the beach area and replacing them with granite curbing. The corners of the beach area will be rounded off to approximately a three foot radius. The Commission recommended using ¾ inch stone as a base for the curbing rather than the proposed sand or concrete. Project 2 includes replacement of the timber retaining wall along Sudbury Road with a New England fieldstone wall with a ¾ inch stone base. The wall is located approximately 35' from the edge of Lake Boon. Underwood provided photos of the trees requested for removal as part of Project 2 which includes seven pines that are growing in and behind the existing timber wall. Underwood noted that the ¾ inch stone base would be compacted and a geosynthetic grid would be installed for proper drainage. After discussion, Underwood confirmed the new wall would be mortared.



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Project 3 includes the replacement of the existing concrete retaining wall at the edge of Lake Boon which has completely deteriorated. Perisho added that an area of concrete which was once a small patio at the end of the dock has collapsed and is dangerous. Underwood noted that the proposed wall could be completed at an angle between 12 and 22 degrees to help dissipate ice and wave energy. The Commission discussed completing the proposed work in Project 3 during drawdown/ Perisho confirmed the lake level drops below the wall during drawdown. Underwood described the construction of the wall which will be fieldstone with mortar and rebar. Seven trees and 28 shrubs are proposed as mitigation for the tree removal and work within the 35' no disturb buffer (Project 6). Snow noted that there is an area on the shoreline with a natural buffer which could be extended with the proposed plantings. The Perishos would like to plant either red maples or birch and the Commission recommended that the new trees be protected from beaver damage using chicken wire. Underwood added that the existing wall is 2.5 feet tall and the proposed wall will be three feet tall. Fill will be added behind the wall to make the slope to the lake more gradual. Sferra noted that the proposed fill is within the 100 year floodplain and compensatory flood storage would need to be provided. The Commission discussed the proposed changes to the plan including increasing the height of the wall and building the wall at an angle. The Commission recommended that OOC state that the new wall must match existing conditions and a minor modification be submitted if changes are made.

Project 4 will repair the existing boat launch by removing approximately six inches of the existing gravel and adding rip rap. Existing deteriorated railroad ties in the boat launch area will also be removed. A geosynthetic grid will be used to provide additional drainage. Project 5 is replacement of existing rail road tie stairs in the right-of-way on southerly portion of the property. Perisho expressed concerns about the safety of children using the right-of-way. The existing steps will be removed and new railroad ties will be set in ¾ inch stone. The Commission noted that erosion controls were not included in this area and requested they be used. Project 7 is a 15'x15' paver patio at the end of the existing dock. The Commission recommended that granular stone be used to promote drainage rather than stone dust/sand. The Commission discussed the proposed work within the 35' no disturb buffer and noted that plantings are proposed as part of Project 6 which will provide public benefit by increasing wildlife habitat. The Commission also noted that this buffer is previously disturbed and the homeowner will be removing the existing impervious concrete from the old patio area which also collapsing and dangerous. The Commission clarified that they will request that 7 trees and 19 shrubs native to Massachusetts be planted as mitigation for the proposed work within the 35' no disturb buffer. Dan Memont, 260 Sudbury Road, was present and noted that the right-of-way area has other issues including a collapsing retaining wall and asked when he would like to repair the wall if a filing would be required. The Commission clarified that a filing would be required but could be submitted by Memont as the applicant if signed by the owners. The Commission also clarified that the request for COC for the open permit from 2002 needs to be done. *Cortni Frecha made a motion to close the public hearing for the Notice of Intent submitted by Michael Perisho. Doug Morse seconded the motion and it was passed unanimously.*

Sferra provided the Commission a draft OOCs for 249 Sudbury Road and the Commission discussed and revised the draft. The Commission requested that the OOC include that the proposed wall on the shore of Lake Boon must match existing conditions unless a minor modification is submitted. *Ingeborg Hegemann Clark made a motion to issue the Order of Conditions as amended for 29 State Road. Cortni Frecha seconded the motion and it was passed unanimously.*

Notice of Intent – Stowaway Realty Trust – 121 White Pond Road – *Ingeborg Hegemann Clark made a motion to continue the public hearing for the Notice of Intent filed by Stowaway Realty Trust to October 18, 2016 on or after 7:30PM at the request of the applicant. Cortni Frecha seconded the motion and it was passed unanimously.*

Coordinator's Report

- **Town Center Park Forum Update** – Sferra noted that the forum went well and attendees had many good suggestions which will reviewed by the project team.
- **Captain Sargent Farm License** – The deadline for Lenny Rodriquez to remove his belongings is September 21, 2016 at noon. The Commission discussed the next steps if the items are not removed.
- **Maple Street Enforcement** – A conference call with Stow and Bolton Town Counsels and DEP occurred to discuss litigation strategy. DEP will be conducting a site visit.
- **Lower Village Complaint** – Sferra received a complaint that Rich Presti was doing work on his property abutting Town Forest. Sferra visited and confirmed that the bank along the Town Forest property line was being excavated. Sferra met with Presti and they agreed on a restoration plan including creating a 3:1 slope and loam and seed.
- **Next Meeting** – The 10/4/16 meeting may not be needed. Sferra will update via email.
- **Carver Hill** – Sferra noted that discussions are continuing with the owners of Carver Hill Orchard.
- **Cultural Council Application** – Sferra is looking at the application form and the possibility of submitting for the Town Forest 50th or another project. The Commission was supportive
- **Mountain Biking Meeting** – Sferra received an email from resident Alan Fierce requesting a meeting with staff to discuss mountain biking on Town conservation land. Sferra scheduled a meeting and recommended that the meeting also include discussion of compliance of the existing mountain biking regulations.
- **Drought** – Sferra met with State Representative Kate Hogan to discuss the current drought. Sferra noted that Hogan would like to create a loan program for people with shallow wells that have gone dry due to drought. Bill Wrigley, Town Manager, also met with the Chief of Police and the Fire Chief to discuss emergency plans for residents to provide alternative water sources for those with drought related well issues.
- **10 Ministers Way – Request for Certificate of Compliance** – Sferra will conduct a site visit

Adjournment

Ingeborg Hegemann Clark made a motion to adjourn the meeting at 9:30 PM. Cortni Frecha seconded the motion and it was passed unanimously.

Respectfully submitted,

Jacquelyn Goring
Conservation Assistant

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