

**Stow Conservation Commission
Minutes
February 19, 2019**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on February 19, 2019 at 7:30 in the evening.

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

Absent: Serena Furman

comprising a quorum of the Commission

Also present: Kathy Sferra, Conservation Coordinator

Minutes: *Cortni Frecha made a motion to approve the minutes of February 5, 2019 as amended. Andy Snow seconded the motion and it was passed unanimously.*

Town Annual Report – Town Forest Section – The Commission reviewed the Town Forest section for the Town Annual Report and agreed to submit it. Cortni Frecha will provide an additional review prior to submittal.

Review Farm Plans for Carver Hill and Small Farm – The Commission requested additional time to review the farm plans for Carver Hill and Small Farm and would like to review the plans and vote at the next meeting.

Coordinator's Report

- **The Wildlife In Our Woods Presentation:** Sferra reminded the Commission about the Wildlife in our Woods presentation at Pompo on February 28th at 7PM.
- **168 Barton Update:** Sferra noted that today was the last day for appeal and she does not know if one was filed. Sferra added that she has had several conversations with the Hams and their various representatives and they have suggested that they may look to remove the structure. She is awaiting additional information..
- **Harvard Acres Homeowner's Association Land:** Sferra informed the Commission that the Harvard Acres Homeowners Association has contacted staff to discuss a donation of land. Sferra will add discussion of the proposed donation to a future agenda.
- **Gleasondale Bridge:** Sferra noted that a request for comments on Gleasondale Bridge replacement plans will be added to the next agenda.

Request for Determination of Applicability – 383 Hudson Road – Gerald Looney, property owner of 383 Hudson Road, was present. Looney informed the Commission that several trees have fallen and caused minor damage to cars parked at Hudson Road Auto and he spoke with his insurance company and they recommended the trees be removed. Looney noted that a tree fell on the fence behind the building he was not able to remove himself and he contacted a tree company to remove the tree. Looney added that the trees dropped acorns, sap and limbs and he felt they were dangerous so he asked the tree company to remove the other six trees along the stream that were overhanging the parking lot. Looney stated that he did not know he needed permission to remove the trees and the trees were a nuisance, dangerous and were allowing animals to get on his roof. Looney also stated that he would like to plant flowering trees along the stream and proposed planting six eastern redbud trees. Looney apologized for removing the trees without a permit and the Commission confirmed that the tree company did not inform Looney the work required a permit. Sferra noted that a follow up letter was sent to the tree company.

Andy Snow visited the site and noted that she saw the damaged fence but there was snow on the ground that covered the stumps along the stream. The Commission reviewed photos from a previous site visit done by staff. Snow noted that she discussed replanting trees with Looney during the site visit. Jeff Saunders stated that he has visited the property and there is a small amount of debris near the stream. The Commission reviewed a survey plan of the property and confirmed that the stream is on Looney's property and there is room on the opposite side of the stream from where the trees were removed for additional plantings. The Commission discussed planting native shrubs for screening, cover for wildlife, and shade. Looney stated that he wouldn't want to obscure the stream because he and his customers like to look at the stream but is open to any plantings recommended by the Commission. The Commission discussed the need to replace the six trees that were removed from the 35' no disturb buffer. Looney said that he might want to place a bench near the stream outside the 35' no disturb buffer. Looney also noted that he was willing to plant more than just six trees or shrubs to replace the trees he had removed. Sferra clarified that the Commission typically requires one tree or two shrubs to be planted per tree removed within the 35' no disturb buffer. The Commission confirmed that the stumps should not be removed and noted that the stumps may stump sprout and could be pruned.

Jim and Gina Shea, 6 Billadell Road, were present and expressed concerns about the tree removal. Jim Shea stated that he did not agree with much of what Looney stated to the Commission but did agree that a tree hit the fence on the property. Shea stated that the trees that were removed were healthy. Gina Shea expressed concerns about the stumps being unsightly and noted that the six trees removed were very large oaks with one to two foot diameter stumps. Looney stated that he was upset by the claim that he was being dishonest. The Commission discussed the number of trees and shrubs to be planted and potential varieties. Sferra noted that a list of potential varieties could be included with the decision. Looney noted that he would not want trees planted too close to the building. The Commission recommended that a planting sketch be submitted for approval and noted that they may require up to twelve plantings. *Andy Snow moved to close the hearing. Sandra Grund seconded and the motion was approved unanimously.*

OARS Water Chestnut Article –Allan Fierce, OARS, was present to discuss their desire to submit a warrant article to fund water chestnut removal in the Assabet River. Further discussions have been had with the Town Administrator and Conservation Coordinator. It was agreed by the Commission that it was preferable to request the full amount needed (\$1680) as the Commission did not have the ability to provide meaningful assistance with recruiting volunteers to do water chestnut pulls. The Commission agreed to sponsor the article. *Cortni Frecha moved to sponsor the Annual Town Meeting Warrant Article for OARS for funding for Water Chestnut removal. Nicki McGachey seconded and the motion was approved unanimously.*

Determination of Applicability – 383 Hudson Road – The Commission requested that a condition be included in the decision requiring that six 1 1/2-2" caliper Eastern Redbud trees and six one gallon shrubs be planted within the 35' buffer to the stream by May 15, 2019. The Commission also requested that a planting sketch be submitted and metal debris on surface in stream area be removed. The Commission clarified that all stumps must remain and any trees/shrubs that die within two years must be replaced. The Commission provided a list of suggested shrubs including Winterberry, Rhododendron, Viburnum, Dogwood, Mountain Laurel, and/or Highbush blueberry. *Cortni Frecha moved to issue a Negative Determination #3. Andy Snow seconded and the motion was approved unanimously.*

Ingeborg Hegemann Clark arrived at 8:30 PM.

Notice of Intent Continuation – Off Barton Road – Robert Collings – Steve O'Connell, Andrews Survey & Engineering, Inc., was present and informed the Commission that he has reviewed the November 30th, 2018 letter from Places Associates (Places) and would like to review the recommendations with the Commission. O'Connell reminded the Commission that at the previous hearing it was agreed that there would be a compromise on the location of Riverfront Area (RFA) associated with the Assabet River and focus would be on restoration rather than delineating the RFA. O'Connell discussed the recommendation made by Places to spread six inches of glacial till on top of the gravel and below the proposed loam to provide saturation layer. O'Connell noted that he agrees with the recommendation from an engineering standpoint but has not had approval from Bob Collings. The Commission

clarified that the till is proposed for fines for water retention. O'Connell stated that he would request a spec from Places on the engineered soil. O'Connell added that he has seen the material used successfully but has seen applications where it was not successful because it was not spread thick enough. The Commission expressed concerns about the nutrient content of the engineered soil based on the flyer in Sue's report and agreed that a spec would be helpful.

O'Connell noted that the restoration shrub plantings over the entire area proposed by Places may not be agreeable with his client and noted that Places did not recommend spacing for the plantings. O'Connell stated that he could propose a reasonable amount of plantings and seeding which would continue to reseed. O'Connell added that the Places letter is unclear if the proposed plantings are only to be planted on the toe of the slope. Sferra noted that the Commission should consider if the plantings should be spread across the entire disturbed area or concentrated in the presumed RFA. Sferra added that the Commission only has jurisdiction over that area although the Planning Board has jurisdiction over the entire site. Sferra added that it is unknown how much of the 10% permitted alteration of the RFA has occurred and if more than 10% of RFA was disturbed more plantings should be required. O'Connell stated that plantings could be focused in the presumed RFA with seeding and plantings with more spacing on the easterly side of the site outside the RFA. O'Connell clarified that the proposed grading would not affect the western edge of the pit closest to the Assabet River. Sferra reminded O'Connell that the Commission also wanted to see the northern berm remain in the current location (near the intermittent stream) and that the Commission had adjusted the wetland flags in this area and that this still needed to be shown on the plans. O'Connell said that the southern and eastern edges of the pit would be dragged in to allow access to onsite material and for safety. O'Connell stated he was not sure if the existing loam pile would be sufficient and additional material may need to be brought in.

The Commission reviewed the proposed planting varieties recommended by Places and recommended bayberry, nannyberry, bearberry, huckleberry, sweetfern and chokecherry and added that all species should be native to the northeast. The Commission also discussed their concerns about invasives including buckthorn and autumn olive and recommended the site be monitored for invasives, with intervention as needed. A plan should be submitted for this. Sferra added that a timeline should be provided to the Commission for the restoration work. O'Connell stated that he does not think planting in the spring will be possible. Sferra noted that an Order of Conditions would likely be issued along with a second Enforcement Order requiring the restoration within a specified period. The Commission added that planting could be done in the fall. O'Connell requested a continuation and stated that he will discuss the recommendations from Places and the Commission with Collings for the next hearing. O'Connell added that he will work directly with Places to clarify the till, loam and planting questions.

John Lage, 90 Hunter Avenue in Hudson, clarified with O'Connell that 10 inches of fill are proposed by Places including six inches of glacial till and four to six inches of loam and some loam may need to be brought in. Lage expressed concerns about dust with trucks entering and leaving the site and the Commission recommended that he bring his concerns to the Planning Board. *Andy Snow moved to continue the hearing to 4/2/19 at or after 7:30 pm. Sandra Grund seconded and the motion was approved unanimously.*

Farm License Renewal – Jesse Steadman – Taproot Farm – Captain Sargent – The Commission reviewed the draft license renewal with Jesse Steadman for the Christmas tree farm at the Captain Sargent fields. Steadman was present and summarized his plans for the coming year including additional fencing and planting. Tree sales are likely in 2020. *Cortni Frecha moved to approve the farm license renewal for Tap Root Farm as written. Sandra Grund seconded and the motion was approved unanimously.*

Farm License Renewal – Steve Mong – Applefield Farm – Noonan Field – The Commission reviewed the draft license agreement renewal for Noonan Field. *Andy Snow moved to approve the farm license renewal for Applefield Farm as written. Cortni Frecha seconded and the motion was approved unanimously.*

Mistletoe Follow Up – The Commission reviewed an email sent by Mark Harnett requesting to level out ruts made during the tree removal and spreading of loam and seeding with wildflower mix. The Commission requested that they visit the site to review the proposed work. Sferra will schedule the site visit by email.

Adjournment – Cortni Frecha made a motion to adjourn the meeting at 9:50 PM. Sandra Grund seconded the motion and it was passed unanimously.

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during February 19, 2019 Conservation Commission Meeting:

383 Hudson Road – site visit photos and application/supporting materials
Off Barton Road – site visit photos, Places report, and application/supporting materials
Captain Sargent Farm License draft
Noonan Field Farm License draft
Draft Water Chestnut Warrant Article
Draft Annual Report
Map of Harvard Acres Open Space
Draft 2/5/19 Minutes