


[Site Search](#)
[RESIDENTS](#)
[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](#)
[Subscribe to News](#)
[Send Us Comments](#)

Conservation Commission Minutes 09/06/16

[Printer-Friendly Version](#)

Stow Conservation Commission
Minutes
September 6, 2016

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on September 6, 2016 at 7:30 in the evening.

There were present: Andy Snow, Chair
Serena Furman, Vice-Chair
Cortni Frecha
Ingeborg Hegemann Clark
Jeff Saunders
Doug Morse

Absent: Sandra Grund

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.

Coordinator's Report

• **New Filings** – Sferra informed the Commission that she has received one new filing for a Notice of Intent for 29 State Road. Cortni volunteered to take the project. Andy Snow volunteered to review the Notice of Intent for 249 Sudbury Road and will be assisted by Doug Morse.

Central Mass Mosquito Control – Request for Work at Flagg Hill/West Acton Road

Sferra conducted a site visit at Flagg Hill and West Acton Road to inspect the mosquito control ditch work proposed by Central Mass Mosquito Control. Sferra provided photos and maps for the Commission to review. Sferra noted that there is a culvert from Heath Hen Meadow Brook within the ditch on West Acton Road which was not flowing at the time of the site visit. Sferra was not able to locate the ditch within Flagg Hill conservation land. Sferra described the ditch on West Acton Road and the proposed work which includes brush clearing and hand digging. The property owners of 247 West Acton Road were also contacted by mosquito control and support ditch maintenance on their property. The intention of the ditch clearing is to encourage the flow of water through the ditch. Sferra noted that the ditch could be cleared but she is not sure if it will make a substantial difference. Serena Furman noted that an article was included in the most recent Mass Wildlife magazine about the use of mosquito control ditches to dry out properties for potential development. The Commission discussed their concerns about changes in flow and the potential for additional standing water as well as the unique aesthetic and wildlife value of Flagg Hill. The Commission also expressed concerns about the spread of invasives. The Commission agreed that the proposed ditch maintenance can occur on a small stretch of the Conservation Commission owned parcel Map R-20 Lot 31, if essential. Sferra will contact mosquito control to clarify the approval and request photos be provided after the work is completed. No work should be done at Flagg Hill. *Cortni Frecha made a motion to approve Central Mass Mosquito Control to conduct ditch maintenance on a small portion of the existing ditch on parcel R-20 Lot 31 behind 247 West Acton Road. Serena Furman seconded the motion and it was passed unanimously.*

Andy Snow recused herself at 7:49 PM.

Request for Determination of Applicability – 33 Walcott Street – Bentley Building Corporation (R-1 #63 & 64)

The Commission opened the public hearing. Mark White, Bentley Building Corporation, and Dan Taylor, AECOM Licensed Site Professional, were present. Taylor informed the Commission that AECOM has been investigating the extent of the contamination release on the property. Proposed work includes installation of additional piezometer wells and a groundwater permeable reactive barrier (PRB). The PRB will be installed along the existing driveway access parallel to the wetland buffer and outside the 35' no disturb buffer. Taylor described the installation of the PRB which includes geoprobe direct push drilling and a pressurized injection of carbon and iron intended to decrease the existing low concentrations of groundwater contamination. Taylor provided an updated plan for the location of the PRB. Sferra noted that the Commission requested a filing for the proposed remediation activities and ongoing work within the 100' buffer. Taylor noted that the existing piezometers were installed using post hole diggers and hand augers and have not been able to go deeper than four feet. Rebar will be driven down in the area to confirm that bedrock has been reached. White noted that the rebar may not be able to be removed.

Jeff Saunders conducted a site visit and reviewed the locations of the existing piezometers and proposed work. Saunders noted that the PRB may be installed using trenching which could be included as a condition in the Determination of Applicability. Taylor confirmed that stockpiling would occur outside of the 100' buffer on lots 25 and 26 where the initial contamination was found. Saunders also noted that if the stone wall needs to be moved to complete the PRB it will be replaced. White confirmed the erosion controls are still in place. Taylor added that the intent is to complete the PRB using a drill rig but if the application does not work they will use trenching. Jerry Oemig, 34 Walcott, had questions about the results of his private drinking water samples and the Commission noted that is not under their jurisdiction but recommended they speak with White and Taylor after the hearing. Taylor clarified that the contaminants of concern, chlorinated solvents, are used as degreasers and two very old rusted drums were found containing the chemicals on the property. Taylor also clarified that the soils on the property are sandy and bedrock is approximately fifteen feet deep. Gabriel Shapira, 61 Walcott, clarified that the PRB is permeable to groundwater. Donna Morales-Oemig, 34 Walcott, confirmed the location of the PRB in relation to her property. Taylor confirmed that the installation of the PRB would take approximately a week and a half. George Nisotel, 44 Edgehill, asked which board or committee has jurisdiction over the impacts to human health. The Commission and Taylor noted that the Board of Health and MassDEP are provided the reports and MassDEP has all reports available online. Nisotel also asked if the Planning Board will not approve the development. Sferra clarified that the subdivision has been approved and will not be reviewed unless the applicant has changes to the plans. Taylor stated that he had a handout with information on where to find the reports on the DEP website.

Cortni Frecha made a motion to close the public hearing for the Request for Determination of Applicability submitted by Bentley Building Corporation. Jeff Saunders seconded the motion and it was passed unanimously.

Andy Snow returned at 8:10 PM.

Request for Determination of Applicability – 74 West Acton Road (R-21 #1D-1)



Stow, MA

82 °F

Clear

at 01:56 PM



[Click for Forecast](#)

The Commission opened the public hearing. Homeowner Kathy Sferra was present to review the request for maintenance of early successional habitat and invasives management. Sferra informed the Commission that she has a 2-3 acre meadow on her property and displayed aerial images from 1995, 2001 and 2015. Sferra described the mowing that occurs to maintain the meadow and prevent the surrounding woody invasives from taking over. Sferra also provided photos from before and after mowing of the meadow. Sferra would like to continue mowing in late September to October and maintain the meadow as early successional habitat and control invasives including multiflora rose, honeysuckle, and buckthorn. Sferra noted that the long term management goal for the meadow is to keep it open for both habitat and scenic value and to prevent the tree line from expanding further into the meadow. Sferra noted that she would like to remove a few invasive bushes per year as well as remove garlic mustard, purple loosestrife and bittersweet. All of the invasive removal will be completed mechanically and cut stem/stump herbicide treatment will also be used. Sferra described the location of the resource areas including the 35' no disturb buffer, 100' buffer and Riverfront Area.

Ingeborg Hegemann Clark conducted a site visit and noted that there are poplar, sugar maple and red maple as well as native shrubs which Sferra is trying to maintain. Hegemann Clark confirmed that the meadow has multiflora rose, buckthorn and other invasives and would be overrun by invasives if not managed. Hegemann Clark also noted that the area has been managed as a meadow for a long time and functions as a wet meadow to Heath Hen Meadow Brook. The meadow consists of grasses, rushes and wildflowers and cutting in September and October will promote reseeding. Sferra confirmed that she would like to maintain the larger stand of poplars but would like to thin the weedy cherry trees to prevent the tree line from continuing to spread out into the meadow. The Commission noted that the line of pine trees and stone wall could be used as a limit of work and discussed the benefits of removing the invasives to prevent their spread. Jacquie Goring added that maintaining the meadow as early successional habitat will provide additional habitat for wildlife next to the orchard.

Cortni Frecha made a motion to close the public hearing for the Request for Determination of Applicability submitted by Kathy Sferra. Serena Furman seconded the motion and it was passed unanimously.

Appointment – Jesse Steadman and Jaime Aspenson – Captain Sargent Farming Proposal

Jesse Steadman and Jaime Aspenson were present to review the 2016 tree farming updates and review their two proposals for the Captain Sargent Request for Proposals (RFP). Theirs was the only proposal received in response to the RFP. Aspenson informed the Commission that due to the drought they have lost 1/3 of their trees and expect that more could die before fall. Aspenson noted that they have begun planning for next year in terms of what trees to plant, fencing improvements, and deer deterrents. Aspenson thanked the Commission for allowing them to use monofilament fencing for deer and allowing them to have a bee hive and approving field edge management. Steadman reviewed the two proposals in terms of their goals for expansion for planting 1,000 trees per year which allows for easier planning and ordering. The two proposals included either the use of 1 ½ acres or the entire front field. Steadman noted that with the proposed expansion they would need a well to prevent tree loss in the future. Steadman also noted that the proposal includes installation of a shed or canvas shelter for storage. Steadman reviewed the potential locations for the shed and the possibility that it could be moved seasonally to be used for sales. Steadman noted that they have been using a 65 gallon tank to water which is not sufficient enough to be a long term solution. The Commission discussed various options to provide water including gravity feed tanks, cisterns and gas powered generators. Steadman noted that he is currently researching solar pumps.

The Commission confirmed that Steadman and Aspenson would like to use all four acres of the front field and asked what proportion of the field, if any, would remain meadow. Steadman stated that the planting would occur in stages and would rotate as they are cut for retail and could be planted perpendicular to Tuttle Lane to maintain the view. Aspenson added that next year they would first be planting greenery for wreaths and it would be a few years before they planted trees. The Commission noted that the field is a beautiful vista in Stow and that the trees would provide additional habitat. Steadman confirmed that they will mow the fields until they are planted. Aspenson clarified that they prefer the second proposal to use the entire front field but submitted the first proposal in the event other proposals were received.

Serena Furman made a motion to proceed with drafting a license for Jesse Steadman and Jaime Aspenson's RFP Proposal #2. Serena Furman seconded the motion and it was passed unanimously.

Cortni Frecha recused herself at 8:48 PM.

Appointment – Ridgewood/Regency at Stow – Boxboro Road – Greg Roy, Ducharme & Dillis, was present to discuss a minor modification request for Regency of Stow. Roy displayed plans for the project and reviewed a letter addressing the comments from Sue Carter. Roy noted that Toll Brothers is hoping to complete the approval process. Sferra added that she has a draft amended Order of Conditions for the Commission to review. Roy noted that since their last appointment the open space discussion with Stow Conservation Trust (SCT) ended as a result of disagreements over the avigation easement. Sferra recently met with Roy, SCT, Toll Brothers and Planning Board staff to discuss the issue and determined the Commission could hold the open space. During their discussion it was determined that the two parcels of open space totaling 59.52 acres would go to the Commission and not be split between the Commission and the homeowners association. Roy added that the homeowners association is obligated to keep control of the Zone I well radius. Roy also described the two drainage easements and detention basins within the open space.

Roy described the location of the avigation easement and noted that the Air Field retains the right to maintain the area by regulation to remove obstructions. Roy clarified that trees could be removed but a tower or other structure could not be built in the avigation easement. The Commission discussed the tree cutting in the avigation easement and Sferra provided the vegetation management plan for runways for Minute Man Air Field. The Commission also discussed the detention basins and drainage easements in the open space and trail placement in those areas. Roy confirmed that Toll Brothers would agree to the Planning Board not requiring a Conservation Restriction on the open space. Sferra added that she and Planning Board staff are working with Toll Brothers to determine the timing of the open space conveyance. Sferra suggested a site visit of the open space. Roy requested a memo be sent to the Planning Board confirming the Commission is agreeable to receiving the open space. The Commission discussed receiving the open space, the benefit of the open space being publicly accessible and the potential for encroachments. Don McPherson, owner of Minute Man Air Field, confirmed that he would be required to come to the Commission prior to completing tree removal in the avigation easement.

Ingeborg Hegemann Clark made a motion to conceptually approve the Conservation Commission receiving the open space of Regency at Stow. Andy Snow seconded the motion and it was passed unanimously.

Roy added that he is working with the Planning Board regarding recharge requirements that are not met due to the lack of dry wells for roof runoff. The Commission requested that documentation be provided during the next appointment regarding the feasibility of dry wells, rain gardens, porous pavement and swales to meet the recharge requirements. Sferra requested a copy of the 21E assessment done for the site.

Cortni Frecha recused herself at 9:25 PM.

Determination of Applicability – 33 Walcott Street – Bentley Building Corporation (R-1 #63 & 64)

The Commission discussed the Determination of Applicability for proposed remediation activities at 33 Walcott Street. The Commission requested that all work for the PRB must remain outside of the 35' no disturb buffer and erosion controls shall be maintained until the work has been completed. Excavated soil and water from sampling must be disposed of in accordance with remedial waste requirements of the Massachusetts Contingency Plan and stockpiled material must be kept on Lots 25 and 26. Additionally, the stone wall must be repaired if disturbed. Rebar must be removed or altered to not pose as a safety hazard. *Ingeborg Hegemann Clark made a motion to approve and issue a Negative #3 Determination. Cortni Frecha seconded the motion and it was passed unanimously.*

Determination of Applicability – 74 West Acton Road (R-21 #1D-1)

The Commission discussed the Determination of Applicability for the proposed maintenance of early successional habitat and invasives management. The Commission requested that the proposed work should not encroach on the pine tree stand as shown on aerial photographs and the stone wall on the westerly side of meadow shall serve as the limit of work. *Ingeborg Hegemann Clark made a motion to approve and issue a Negative #3 Determination. Serena Furman seconded the motion and it was passed unanimously.*

Adjournment

Ingeborg Hegemann Clark made a motion to adjourn the meeting at 9:35 PM. Cortni Frecha seconded the motion and it was passed unanimously.

Respectfully submitted,

Jacquelyn Goring
Conservation Assistant

Stow Town Building 380 Great Road, Stow, MA 01775
Phone: (978) 897-4514 Fax: (978) 897-4534
[Website Disclaimer](#)

Virtual Towns & Schools Website