

**Stow Conservation Commission
Minutes
July 2, 2019**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on July 2, 2019 at 7:30 in the evening.

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

Absent: Sandra Grund
 Andy Snow

comprising a quorum of the Commission

Also present: Kathy Sferra, Conservation Coordinator
 Jacque Goring, Conservation Assistant

Minutes: *Cortni Frecha made a motion to approve the minutes of June 18, 2019 as amended. Serena Furman seconded the motion and it was passed unanimously.*

Upcoming Meeting Schedule: Sferra noted that there are no hearings for the July 16th meeting and the meeting may be cancelled. Sferra will confirm that the continuation for 166 North Shore Drive can be moved to July 30th.

Certificate of Compliance – 170 North Shore Drive: Goring visited the site and confirmed that the stump grindings are keeping the site stable and recommended issuance. The Commission review photos from the site visit and confirmed that the Order did not require the area to be seeded. Saunders noted that the area looks more stable than it was prior to the work being done. *Ingeborg Hegemann Clark moved to issue the Certificate of Compliance for 170 North Shore Drive. Cortni Frecha seconded and the motion was approved unanimously.*

Request for Determination of Applicability – 10 Railroad Avenue – Property owner Tom Curley was present and noted that the Commission approved the proposed septic system design in 2007 when it initially failed Title 5 inspection. Curley stated that repairs were made at that time and the system was working again until recently. The Board of Health also approved the plans in 2007 but Nashoba Associated Boards of Health are requesting new percolation tests be completed. Curley reviewed the location for the proposed septic system and noted that an irrigation well will also be removed during construction. Curley stated that the new septic cannot be constructed in the area of the existing system because of the proximity to surrounding drinking water wells. Curley also noted that he has had a tree removed from the property within the last year and the Commission reminded Curley to contact the office prior to removing trees within the buffer. Sferra noted that when the Commission issued a negative Determination in 2007 they required the proposed line of straw bales to be extended across the driveway at the location of the 99' contour. Cortni Frecha visited the site and recommended that the erosion controls be installed along the 35' no disturb buffer. The Commission requested that the erosion control line be added to the plan and discussed whether to continue the hearing until the Board of Health issues an approval. Curley requested to close the hearing because he does not believe there will be an issue with the Board of Health perc testing. The Commission confirmed with Frecha that the site is relatively flat and straw wattle could be used for erosion controls. Curley confirmed that Dan Ward will be completing the work. *Cortni Frecha made a motion to close the hearing. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

The Commission discussed the decision and requested that Board of Health approved plan be submitted prior to commencement of work, including the straw wattle line moved to 35' buffer line and modified to connect to 99'

contour at driveway. *Cortni Frecha moved to issue a Negative Determination #3. Ingeborg Hegemann Clark seconded and the motion was approved unanimously.*

Certificate of Compliance – Radant Technologies – Hudson Road – Jeff Saunders noted that he met with Bob Baldelli of Radant at the site and reviewed photos from his visit. Saunders reviewed the area of tree work and added that Radant may file for another permit to trim and remove trees to clear the line of site for the radar tower within the next five years. Sferra noted that she visited the site during the tree work which was done using a cable and winch system. Saunders recommended a Certificate of Compliance be issued. *Serena Furman moved to issue a Certificate of Compliance. Ingeborg Hegemann Clark seconded and the motion was approved unanimously.*

Request for Determination of Applicability – 28 Trefry Lane – Pool contractor Ed Snyder Jr., Snyder Pools, and wetland consultant Matt Marro were present to review the proposed installation of an in ground swimming pool and tree removal. Mauro noted that the pool and surrounding four foot patio will be located 102 feet from the wetland. Maura clarified that the proposed retaining wall included in the application will no longer be built and the area is now proposed to be graded. All disturbed areas will be loamed and seeded. Marro noted that the Board of Health has signed off on the building permit clearance for the pool. Sferra clarified that the Health clearance did not include the revised plan which locates the pool closer to the septic system from the original plan. Snyder noted that the pool will be located ten feet from the septic system as required by the Board of Health. Sferra also noted the scale discrepancy on the revised plan. Marro provided a new plan and stated that the scale is now accurate. Marro clarified that 4% of Riverfront Area on the lot will be disturbed and noted that alternative locations were reviewed and the location of the pool has been moved as far from resource areas as possible. Marro added that all of the proposed work except for the tree clearing and grading is exempt from the Wetlands Protection Act. Snyder noted that the trees are proposed to be removed because the roots may be covered with the grading associated with the pool. Six trees will be cut and no stump removal or grinding is proposed.

Serena Furman visited the site and reviewed photos and described the wetland flag locations. Marro reviewed the proposed tree removal including white birch, green ash, sugar maple, and oaks. Three dead white pine saplings are also proposed for removal. All of the trees proposed for removal are within five to six feet of the lawn. Snyder confirmed that there is a large boulder in the center of the proposed pool location which they do not believe is ledge. The boulder will be removed or split if necessary. Snyder reviewed the proposed grading noting that the new grade will meet the grade at the edge of the existing lawn. Silt fence will be used as erosion controls and will be installed along the 85' contour. Marro noted that the pool will have a cartridge filter filtration system which does not require backwashing. A fence is proposed around the pool and patio and a fire pit will be constructed outside the Commission's jurisdiction. The Commission expressed concerns about the possible changes to the pool location and Marro reminded the Commission the pool is an exempt project. The Commission requested that the extent of the patio and fencing be added to the plan. Snyder confirmed that they may need to bring in fill material for the grading. The Commission recommended that a site visit occur once the extent of the large boulder or ledge is determined. Marro stated that site visits could be arranged throughout construction and Snyder confirmed he would drop off a revised plan. *Cortni Frecha made a motion to close the hearing. Serena Furman seconded the motion and it was passed unanimously.*

The Commission discussed the decision and requested that a condition stating that no stump grinding or pulling be permitted, the applicant provide a revised plan including the proposed patio and fence, and a report and photos be provided upon completion of the project. *Cortni Frecha moved to issue a Negative Determination #3. Serena Furman seconded and the motion was approved unanimously.*

Certificate of Compliance – 41 Trefry Lane – Lot 6 – Sferra noted that the property was the location of serious erosion during the Trefry Lane construction. Sferra visited the site and confirmed the lot is stable but noted that a structure was built over the stone wall between the property and Flagg Hill and is also located within the buffer zone. Sferra reviewed photos from the site visit and noted that the structure was made using some natural and manmade materials. Sferra contacted the owner who stated that he thought neighborhood kids constructed it. The Commission discussed the structure and requested that the homeowner remove it or make a \$300 donation to the Conservation Fund and provide a letter from the new owner allowing staff to access the property to remove it.

Ingeborg Hegemann Clark moved to issue a Certificate of Compliance contingent on removal of the structure as described. Serena Furman seconded and the motion was approved unanimously.

Certificate of Compliance – 156 Barton Road – Jacquie Goring visited the site and confirmed that the eight one gallon blueberry bushes were planted within the 35' no disturb buffer as required and recommended the COC be issued. *Ingeborg Hegemann Clark moved to issue a Certificate of Compliance. Serena Furman seconded and the motion was approved unanimously.*

Request for Minor Modification to Trail Design – Town Center Park – The Commission discussed the recommendation by the site contractor to continue the compacted sand base on the portion of trail along Minister's Pond. The Commission agreed with the recommendation and requested that the sand be pitched towards the base of the slope rather than towards the pond. The Commission also discussed the stone swale installed near the bottom of the slope of the field where minor erosion was occurring. *Serena Furman moved to approve the Town Center Park minor trail design modifications. Cortni Frecha seconded and the motion was approved unanimously.*

Coordinator's Report

- **Harvard Acres Open Space:** Sferra updated the Commission on the progress of the Harvard Acres Open Space project and noted that Town Counsel is working to create a Homeowners Association which will be the legal entity conveying the land to the Commission.
- **Castle Rock Productions:** Sferra was contacted by a production company looking to film along the Assabet River. They would like to sink a car in the river and film on the bank. The Commission discussed the potential permitting requirements and how the car would be put in and removed from the river. Sferra will contact other Conservation Commissions where filming has occurred.
- **Town Center Park Update:** Sferra noted that a small fundraising effort may be done for the gazebo.
- **Regency:** Sferra was contacted by Toll Brothers regarding dead trees that have fallen at Regency. Sferra will visit the site to review the proposed tree removal with Toll Brothers.
- **561 Great Road:** Ingeborg Hegemann Clark confirmed that she will visit the property to review the wetlands.

Adjournment – *Serena Furman made a motion to adjourn the meeting at 9:00 PM. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during July 2, 2019 Conservation Commission Meeting:

Draft Minutes

170 North Shore Drive – Site Visit Photos and supporting materials

10 Marlborough Road – Site Visit Photos and supporting materials

Radant Technologies – Site Visit Photos and supporting materials

28 Trefry Lane – Site Visit Photos and supporting materials

41 Trefry Lane – Site Visit Photos and supporting materials

156 Barton Road – Site Visit Photos and supporting materials