

**Stow Conservation Commission
Minutes
September 3, 2019**

A meeting of the Stow Conservation Commission was held at the Stow Town Building, 380 Great Road, Stow, Massachusetts, on September 3, 2019 at 7:30 in the evening.

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

Absent: Andy Snow
 Sandra Grund

 comprising a quorum of the Commission

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

Minutes: *Cortni Frecha made a motion to approve the minutes of August 6, 2019 as written. Serena Furman seconded the motion and it was passed unanimously.*

Coordinator's Report

- **148 Hudson Road:** Sferra noted that she has not received any information on the amendment request.
- **Derby Woods Tree Removal Request:** Goring informed the Commission that the homeowners at 92 Dunster Drive have requested to remove a dead white pine tree on Derby Woods land and will provide the Commission a copy of a Certificate of Insurance from the tree company.
- **Eagle Scout Deer Exclosure project:** Goring informed the Commission that Dylan Gross wants to use heavy duty poly fencing rather than the proposed metal fencing due to shipping cost, weight, and installation difficulty. Goring spoke with Nick Tepper who confirmed Mass Audubon and the Andover Conservation Commission use poly. The Commission was comfortable with heavy duty poly fencing.
- **Town Center Park:** Sferra noted that there has been some minor erosion at the park during recent heavy rainstorms but all has been contained by the erosion controls. A meeting with the site contractor will be scheduled for this week to address site stabilization.
- **Community Preservation Committee:** Ingeborg Hegemann Clark attended the last meeting and is willing to join the Committee and represent the Commission unless another member is interested. The Commission will vote on this at the next meeting.

Request for Determination of Applicability – John and Mary McCarthy – 80 Edgehill Road – Kirk Fitzpatrick, Civil Solutions, was present to review the proposed replacement of a failed septic system at 80 Edgehill Road. Fitzpatrick reviewed the 100' well setbacks, wetland area on the east side of the property, and the 100' buffer to wetlands. The existing septic system will be replaced with a Presby system which reduces the size of the septic system. The new septic tank will be 74 feet from wetlands and grading associated with the leaching field will be 85 feet from wetlands. The existing driveway will be used to access the work area. Goring visited the site and noted that the 35' no disturb buffer was not included on the plan and confirmed the proposed tree clearing area and the existing shed will remain. Goring noted that the wetland is located at the bottom of a steep slope and the proposed silt fence and straw wattle will be sufficient for erosion control. Fitzpatrick confirmed that the work is proposed to be completed this fall and the vent shown on the proposed plans next to the shed will not be connected to the shed. *Serena Furman moved to close the hearing. Cortni Frecha seconded and the motion was approved unanimously.* The Commission discussed the decision and determined that no conditions were necessary. *Ingeborg Hegemann Clark moved to issue a Negative Determination #3. Cortni Frecha seconded and the motion was approved unanimously.*

Coordinator's Report – Continued

- **168 Barton Road:** Commission members had questions regarding the correspondence regarding 168 Barton Road. Sferra clarified that the Board of Health and Building Department have contacted the broker and property owner regarding outstanding issues with their departments. Goring noted that the property owner may file for a partial Certificate of Compliance.
- **Board of Health updates:** Sferra noted the current Board of Health related issues including cyanobacteria in Lake Boon, Eastern Equine Encephalitis (EEE), and Per and Polyfluoroalkyl Substances (PFAS) in drinking water. Sferra noted that more information is available on the Board of Health website.
- **Collings:** Sferra noted that the Commission received a letter from Robert Collings expressing concerns about the Commission's and Planning Board decisions on the gravel pit. Sferra added that the letter states there are conflicts between the Conservation Commission and Planning Board decisions. Sferra clarified that the Order may need to be modified to reflect the Planning Board's conditions. Sferra will coordinate with Planning on a response to the letter.

Request for Determination of Applicability – Alexei Baikov and Olga Portnova – 143 Kirkland Drive – Kirk Fitzpatrick, Civil Solutions, was present to review the proposed replacement of the failed septic system at 143 Kirkland Drive. Fitzpatrick reviewed the 100' well setbacks and 100' buffer to wetlands. Fitzpatrick noted that due to a high water table a geomat septic system was designed. The Board of Health approved a waiver to the 100' buffer to the onsite well and the system is 80 feet from wetlands. The existing area is lawn and will remain lawn once the work has been completed. No tree removal is proposed as part of the septic system upgrade. Serena Furman visited the site and noted that a tree was marked in the front yard. Fitzpatrick stated that he was not sure if the tree was marked for removal or to keep. Fitzpatrick added that a poly liner will be installed to protect the shrubs in front of the house. Furman noted that during her site visit she identified a pipe from the backyard that is discharging what appears to be iron stained water into the wetland. Furman added that the water is iron colored downstream and clear upstream. Fitzpatrick stated that the pipe is likely a footing drain installed when the house was built. Fitzpatrick also noted that there is another foundation drain for an abutting property opposite the pipe associated with the 143 Kirkland property. Furman also noted that she found a footbridge wetland crossing which Sferra confirmed was not permitted. The Commission discussed the footbridge and drain pipe and noted that the footbridge should be removed and the drain pipe cut back so it does not drain directly into the wetland. Fitzpatrick confirmed that the pipe could be cut back while the septic contractor is onsite and rip rap installed at the end of the pipe to prevent scouring. Sferra confirmed with Fitzpatrick that Matt Mauro did the wetland delineation. The Commission discussed the tree that is marked and agreed it could be removed if necessary. *Ingeborg Hegemann Clark moved to close the hearing. Cortni Frecha seconded and the motion was approved unanimously.* The Commission discussed the decision and requested that a condition requiring the footing drain be cut back and permitting the 24 inch white pine tree flagged in front yard to be removed if necessary. *Cortni Frecha moved to issue a Negative Determination #3. Serena Furman seconded and the motion was approved unanimously.*

Request for Determination of Applicability – Naomi Trager, Gleasondale Village Association – Off Gleasondale Road – Naomi Trager, on behalf of the Gleasondale Village Association, was present to review the proposed trail project at the former Kane land property now owned by the Town of Stow. Trager stated that the goal of the project is for residents to have a trail in Gleasondale Village. The proposed work includes building a trail that is three feet wide or less utilizing mostly existing trails. No parking is proposed as part of the project. Trager showed a map of the property and the proposed loop trail location and noted that a portion of the trail that is currently used may need to be moved due to its proximity to private property. Trager added that the entrance of the trail is wet and would like input from the Commission on how to cross it. Sferra provided the Commission with a map of the DEP wetland and flood plain data layers and noted that previous investigation has found they are not accurate. Cortni Frecha and Ingeborg Hegemann Clark did a site visit and reviewed the proposed trail. Hegemann Clark noted that she has investigated the area shown on the DEP data layer as wetland previously and could not identify it as a wetland due to the lack of hydric soils. Hegemann Clark described the plant community and noted that the neighbors describe the area as wet during the spring. Frecha and Hegemann Clark suggested that a boardwalk design similar to the design used in Red Acre Woodlands with a 30 to 40 foot span using corrugated pipe and wooden planks. Trager noted that horses will not cross wooden planks and would have to walk around the crossing and avoid using the trail during muddy conditions. The Commission discussed the crossing and noted that the

design would lie on top of the area and not displace water and discussed issuing a negative decision for work in a resource area that will not alter the resource area. No trees are proposed to be removed to complete the work and the trail will be adjusted to avoid tree removal. Hegemann Clark noted that the property has significant invasives including Norway maple, multiflora rose, and buckthorn. Frecha confirmed that the entrance to the trail exists behind a guardrail and noted that the Highway Department will be approached about making an opening in the guardrail.

The Commission discussed the wet area and noted the area is likely Bordering Land Subject to Flooding. The Commission also noted that the proposed crossing design would not affect the flood storage capacity of the area or increase velocity. The Commission recommended that Trager go to the Board of Selectmen next to review the crossing design as well as the proposed rules and regulations. Sferra noted that the Red Acre Woodland boardwalk plans could be provided and Trager should have the final plans reviewed by the Building Department. Trager noted that she will visit Red Acre Woodlands to look at the crossing and will bring photos to the Board of Selectmen. Margaret Costello, 537 Gleasondale Road, confirmed that the Commission will issue a permit for the proposed work and asked if the Association could expect funding for the project. Sferra recommended that the Association consider applying for Community Preservation Act funding. The Commission added that Trager consider making the crossing long enough to account for water level changes due to climate change and beaver activity. *Cortni Frecha moved to close the hearing. Serena Furman seconded and the motion was approved unanimously.* The Commission discussed the decision and requested that it clarify that the crossing is located within a transitional vegetative community with significant invasive species. The Commission reviewed the proposed crossing materials and added that the crossing will be 30 to 40 feet long, three to four feet wide, and will rest on the surface. The Commission also noted that the remainder of trail will be an unpaved pedestrian pathway less than three feet wide. *Cortni Frecha moved to issue a Negative Determination #2. Serena Furman seconded and the motion was approved unanimously.*

Approve Invoice – Huggins and Witten – *Ingeborg Hegemann Clark moved to approve the invoice from Huggins and Witten for \$262.50 for work on the Harvard Acres land transfer to be paid from the Conservation Fund. Serena Furman seconded and the motion was approved unanimously.*

Update – Box Mill Bridge – Sferra informed that she has a copy of the 25% design plans for the Box Mill Bridge and Commission members are welcome to review them. Sferra noted that the plans include both temporary and permanent takings of land within the Carver Hill Conservation Restriction and had concerns about the proposed two lane temporary bridge and the proposed plan to move the overhead utilities to the north side of the bridge, and the proposed guard rail around the parking area.

Update – Jillian's Lane – Sferra noted she has received no new updates regarding Jillian's Lane.

Adjournment – *Cortni Frecha made a motion to adjourn the meeting at 8:56 PM. Serena Furman seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during September 3, 2019 Conservation Commission Meeting:

Draft Minutes

80 Edgehill Road – Site Plans, photos, and supporting materials

143 Kirkland Avenue – Site Plans, photos, and supporting materials

Off Gleasondale Road – Site Plans, photos, and supporting materials