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Conservation Commission Minutes 08/30/16

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Stow Conservation Commission Minutes August 30, 2016

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

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

Absent: Sandra Grund
Doug Morse

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.

Appointment – Larry Smith – 176 Barton Road Plan Modification - Homeowner Larry Smith and site contractor Scott Hartwell were present. Smith informed the Commission that the approved patio is too small and requested approval for a fifteen foot by fifteen foot extension to the patio. Smith also requested a walkway around the house from just outside of the 100' buffer to within the 35' no disturb buffer. Smith displayed plans for the project and requested that the patio and walkway be approved as amendments to the plan. Smith noted that the well was moved outside of the 35' buffer due to the steep slope and inability to access the area with the equipment. Smith added that an existing wall and plantings in the area is not included on the plans and Sferra displayed photos of the area. Smith also noted that a foundation planting bed and additional native grasses will be planted and will be doubling the plantings on the slope. The Commission confirmed with Smith that the tree died as a result of construction damage and drought and will be replaced with a maple. Hartwell reminded the Commission that the proposed switchback steps were not constructed and the proposed expansion of the patio would increase the impervious surface by only 80 square feet. Smith noted that some of the plantings will be replaced this fall and prior to requesting a Certificate of Compliance. Hartwell confirmed that there has not been any erosion on the slope in the area where the plantings died. Smith added that the soils on the site are very sandy and drain well. The Commission requested that revised plans be submitted including the patio, walkway and new paver area and to remove the patio that was not built reflecting the net increase of 80 square feet of impervious surface. *Cortni Frecha made a motion to approve a second minor modification to the plan for the Notice of Intent filed by Larry Smith. Serena Furman seconded the motion and it was passed unanimously.*

Minutes: *Serena Furman made a motion to approve the minutes of August 16, 2016 as amended. Cortni Frecha seconded the motion and it was passed unanimously.*

Appointment – Chief Landry - Fire Chief Joe Landry was present to discuss fire pond maintenance. Chief Landry informed the Commission that the drought has increased concerns about water supply for firefighting in Stow. Stow does not have water mains or hydrants and relies on fire ponds and cisterns for firefighting which are inspected annually. Chief Landry provided photos of a fire pond on Marble Hill Conservation Land on Harvard Road which is currently dry and unusable. Intake pipes for dry hydrants are set approximately two feet above the bottom of the fire ponds to prevent sedimentation and allow for maximum flow. Chief Landry also noted that fire ponds located on Robert Road and South Acton Road are also very low. Sferra conducted site visits at the fire ponds on Harvard, Robert and South Acton Roads and displayed photos. Chief Landry informed the Commission that he is developing a water supply plan and would like a current policy in place to allow the Fire Department to maintain existing fire ponds. Leaves and debris continuously build up on the bottom of the fire ponds requiring maintenance to keep the sumps clear. Maintenance would include hand digging and using machinery to clear the area around the intake sump and remove any downed trees. Chief Landry noted that the proposed maintenance could be done most effectively during the current drought conditions. Landry noted that Sferra was able to find a maintenance policy for existing fire ponds from 1975.

Sferra informed the Commission that the sections of the Wetlands Act cited in the document have not changed but recommended including a reference to the Stow Wetlands Bylaw. Sferra also noted that when a new dry hydrant is proposed a Request for Determination is required. The Commission noted that the maintenance of the existing fire ponds is in the interest of public safety and agreed that completing the work during drought conditions would be ideal. Chief Landry confirmed that the ponds will be dredged but are limited by the existing depth of the sumps which cannot be lower than two feet from the bottom of the pond. The material removed from the ponds will be spread. Sferra noted that there is Japanese knotweed around one side of the pond on South Acton and recommended that they be careful there are no fragments of the plant in the soil removed and spread. Chief Landry also confirmed the work would be completed by a licensed contractor and best management practices would be followed in the event that a spill of gas or hydraulic fluid occurs. The Commission also asked for notification when fire pond maintenance will occur. Chief Landry offered to provide photo documentation of the work. Chief Landry clarified that for a fire pond to be Insurance Services Office (ISO) certified it must hold 30,000 gallons.

Ingeborg Hegemann Clark made a motion to approve the modifications to the Fire Pond Maintenance Policy and allow the Fire Department to conduct maintenance at the fire pond on Marble Hill Conservation Area. Cortni Frecha seconded the motion and it was passed unanimously.

Notice of Intent – 316 West Acton Road (R-20 #17-3)

The Commission opened the public hearing. Rich Harrington, Stamski & McNary, and homeowner Michelle Collette were present. Harrington explained the plans for the proposed pool construction project at Highgrove Estates. Currently there is a single family home and private driveway being constructed on the property. The area disturbed around the pool will be loamed and seeded. Serena Furman conducted a site visit and noted that there is orange snow fence delineating the 100' buffer and discussed the limit of work with the builder, Jim Fenton, during the site visit. Furman added that the scale on the plans is incorrect and limit of clearing on the plan did not appear to match the clearing discussed with Fenton in the field. Harrington suggested that the Order include a condition that the limit of work and 100' buffer be re-staked prior to construction.

The Commission discussed the grading and Furman confirmed that the proposed pool will be on top of the slope. Harrington clarified the grading behind the house and limit of work for the proposed pool which will be located approximately 20 feet from the back of the house. Furman agreed that the limit of work matched the area she paced out during the site visit. Harrington noted that the 100' buffer will be staked out and confirmed the



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location of the erosion controls. The Commission asked if any additional hardscaping is planned around the pool area that is not shown on the plan. Harrington suggested that a condition be included in the Order to have the limit of work staked and reviewed by staff. Harrington confirmed a fence will be installed around the pool within the cleared area. The Commission discussed the discharge of pool water, location of pool equipment and storage of chemicals. Harrington stated that a stone trench or drywell could be used for discharge of pool water. The Commission requested that all other mechanical equipment for the proposed pool be inside the limit of work.

Kazuo Yoshizaki, resident of 324 West Acton Road, was present and inquired if the proposed pool could affect their private well during the current drought conditions. Harrington described the location of the pool and stated that it should not impact their well and water would be trucked to the property to fill the pool. Jonathan Duprey, resident of 3 Canterbury Road, was present and asked if the pool would be salt or chlorine and Harrington stated he did not know. Duprey expressed concerns about vernal pools in the area. Harrington described the location of the vernal pools and noted they are not in the vicinity of the proposed pool.

Cortni Frecha made a motion to close the public hearing for the Notice of Intent filed by Michelle Collette. Serena Furman seconded the motion and it was passed unanimously.

Appointment – Gleasondale Planning Department Working Group - Jesse Steadman, Town Planner, was present with representatives of the Gleasondale Planning Department Working Group. Steadman noted that there is a neighborhood effort to improve several properties. Laurel Cohen, 481 Gleasondale, was present to discuss improvements to the school lot. Cohen described the lot as approximately 96' deep and 80' wide separated from the Assabet River by an abutting property. The lot is currently dirt and grass and surrounded by chain link fence. Proposed improvements include plantings, benches and picnic tables. Highway staff visited the site with residents to discuss improving the existing parking area. Sfera informed the Commission that with a 1962 Town Meeting vote the land was transferred to the Conservation Commission from the Board of Selectmen. At that time, the Conservation Commission was newly created and did not own or manage land. Sfera added that today the Commission has a very different focus and recommended that the Commission decide if they would like to continue to oversee and manage the lot or request the ownership of the lot be transferred to the Board of Selectmen. The Commission noted that they are in favor of transferring the lot to the Board of Selectmen. Sfera also noted that the entire lot is within the Riverfront Area and explained the 200' riverfront area to the Gleasondale residents that were present. The Commission was discussed the benefits of having a small park in the Gleasondale neighborhood and noted that by improving the lot visitors may increase.

Mary Cutler, resident of 461 Gleasondale Road, was present and expressed concerns about the lack of parking on Gleasondale Road. Lissa Coolidge, 563 Gleasondale, inquired about the advantages and disadvantages of transferring the lot to the Board of Selectmen. The Commission noted that Stow Community Park is managed by the Recreation Department and that the Board of Selectmen are a broad group which would allow for more flexible use of the property. Robert Cutler, 461 Gleasondale, noted that residents would also like to add Gleasondale Village signs on Route 62 and install a historic marker on the lot. Cutler added that CPA funds could be used for improvements to the lot and signage. Cutler also noted the entrance to the lot gets very muddy and Highway thought crushed asphalt could be used to create a parking area. Cutler also stated that he does not want the lot to have a playground or look commercial. The Commission reviewed the school lot proposal and recommended that vinca not be planted due to its tendency to spread. Sfera will contact Town Counsel to determine if the transfer of the lot to the Board of Selectmen would need to go through the Article 97 process.

Ingeborg Hegemann Clark made a motion to write a letter to the Board of Selectmen and research the potential to transfer the lot out of Conservation Commission control to an appropriate body. Serena Furman seconded the motion and it was passed unanimously.

Ann Fischer, resident of 6 Sudbury Road, was present to review the Kane Land Trails project. Fischer noted that there are currently no public walking trails accessible to Gleasondale village. Last year the Gleasondale Village Association went to the Board of Selectmen to request that the neighborhood have a cleanup on the town owned Kane Land. A cleanup of the property was completed last spring. Fischer noted that a boardwalk crossing would be required as part of a proposed trail system and they would like something similar to the boardwalk created by an Eagle Scout at Red Acre Woodlands. The Commission reviewed a map of the property and confirmed that a Request for Determination of Applicability would be required for the boardwalk. Sfera noted that she provided the group a copy of Eagle Scout Jim Ervin's boardwalk design and recommended they contact him to see if he or other Scouts would be willing to help. Sfera also provided the group a copy of the Commission's conservation land regulations to use if helpful. Sfera added that bike use may not be suitable for the short trail and the group discussed requiring dogs to be leashed. Sfera also noted the insurance requirements for volunteers on town land and the requirement for a crew leader. Fischer stated that there is already a volunteer steward for the Kane Land and Sfera added that conservation staff is willing to help oversee a work day. Cohen clarified that planting could be completed on the school lot but improvements to the parking area may require a filing with the Commission. Sfera recommended that the working group reach a consensus regarding parking improvements on the school lot.

Cortni Frecha recused herself at 8:57 PM.

269 Boxboro Road – Request for Certificate of Compliance - Sfera informed the Commission that she had completed a site visit at 269 Boxboro Road for the Request for Certificate of Compliance (COC) for the carriage house, propane tank and turn around. Sfera provided photos and recommended the Commission issue the COC.

Ingeborg Hegemann Clark made a motion to issue a Certificate of Compliance for 269 Boxboro Road. Serena Furman seconded the motion and it was passed unanimously.

Cortni Frecha returned at 9:00 PM.

Order of Conditions – 316 West Acton Road (R-20 #17-3) - Sfera provided the Commission a draft Order for 316 West Acton and the Commission discussed and revised the draft. The Commission added a condition that the limit of work and 100' buffer must be staked and inspected before construction begins. The Commission also requested that the distance to the closest wetland flag to the limit of work be confirmed as 58 feet. Stockpiles must be kept outside the 100' buffer and no additional hardscaping shall be completed without requesting an amendment to the plan. Mechanical equipment and chemicals shall be kept as close to or out of the 100' buffer as possible. Cortni Frecha *made a motion to approve and issue the Order as amended for 316 West Acton. Serena Furman seconded the motion and it was passed unanimously.*

Central Mass Mosquito Control – Request for Work at Flagg Hill/West Acton Road - Sfera conducted a site visit at Flagg Hill to review the mosquito control ditch work proposed by Central Mass Mosquito Control but was not able to complete the visit. Sfera will revisit the site prior to the next meeting. Sfera noted while off trail at Flagg Hill she found a patch of Japanese stiltgrass which Jacquie Goring later pulled.

Goshen Lane Site Visit Discussion - Sfera provided photos from the Commission's site visit to review the beaver deceiver installed without a permit. The Commission discussed the potential for Goshen Lane to be used for access for potential development. Future crossings will be required to meet stream crossing standards and may also need a beaver deceiver to prevent damming. The Commission also recommended that the existing beaver deceiver not be removed at this time potentially causing damage. Sfera will request an update from Greg Roy.

Site Visits – Sfera reminded the Commission that the Stowaway site visit will be held on 9/7 at 5:30 PM. Sfera also informed the Commission that after discussions with Stow Conservation Trust, the Town will be asked to hold the Open Space at Regency at Stow. Sfera will let Commission members know when a site visit to walk the property has been scheduled.

Coordinator's Report

- **Captain Sargent Boundary Posting** – The boundary posting of Captain Sargent has been completed. Sfera will provide an update on an encroachment at 189 S Acton Road at a future Commission meeting.
- **Captain Sargent Field** – The Conservation office has received complaints about the field and informed the Commission that the field will be mowed this fall once all equipment has been removed.
- **Gates Lane** – The Commission received an email from Dan Wells/Goddard Consulting stating they were not able to complete the vernal pool certification by 8/1/16 as required. The Commission will allow an extension until 10/1/16.
- **28 Harvard** – Sfera and Hegemann Clark conducted a site visit at 28 Harvard where trees and invasives had been removed within the Commission's jurisdiction without a permit. The homeowner will file an RDA.
- **2 Marlborough** – Sfera and Hegemann Clark also conducted a site visit at 2 Marlborough and confirmed that the cleared area was not wetland. The homeowners will file for additional work on that lot.
- **Town Center Park Forum** – Sfera reminded the Commission of the forum on September 15, 2016.

- **Lake Boon Drawdown** – Sferra sent an email to the Lake Boon Commission regarding drawdown and the drought and inquired about their plans for this year.
- **Maple Street Violation** –Bolton and Stow Town Counsels will be meeting with DEP Counsel to discuss strategy regarding the Maple Street violation.
- **Lot 2 North Shore Drive** – Sferra contacted Scott Prince regarding the lack of progress at Lot 2 North Shore Drive and he has since applied for a building permit.
- **New Filings** – New NOI for 249 Sudbury. Andy took the project.
- **MACC Fall Conference** – The conference will be held on 10/29/16. Contact Goring if interested.

Adjournment - *Ingeborg Hegemann Clark made a motion to adjourn the meeting at 10:00 PM. Cortni Frecha seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquelyn Goring, Conservation Assistant

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