

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

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

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

Absent:                     Sandra Grund  
                                   Cortni Frecha

comprising a quorum of the Commission

Also present:             Kathy Sferra, Conservation Coordinator  
                                   Jacquie Goring, Conservation Assistant  
                                   Dan James, Associate Member

**Minutes:** *Andy Snow made a motion to approve the minutes of October 29, 2019 as written. Serena Furman seconded the motion and it was passed unanimously.*

**Coordinator's Report**

- **New Projects:** Frecha agreed to take the Notice of Intent for North Shore Drive. Hegemann Clark agreed to take the Certificate of Compliance requests for 180 Crescent Street and 113 Boxboro Road.
- **174 Barton Road:** Sferra reminded the Commission of the Order of Conditions for retaining wall work at 174 Barton and noted that the septic system must be replaced. Sferra reviewed the plans and noted that all of the work is outside the 100' buffer with the exception of the septic line to the house which will be more than 50 feet from the Lake. Sferra noted that the work could be done as a red line change to the plan, a new filing, or as a minor project. The Commission discussed the proposed work and agreed the work could be completed under a minor project approval consistent with other utility service line projects.
- **Open Space Committee Meeting Agenda:** Sferra noted that the Open Space Committee will have a guest speaker at their next meeting to discuss trail accessibility and welcomed Commission members to attend.

**Appointment – Matt Styckiewicz** – Matt Styckiewicz was present to discuss his interest in joining the Conservation Commission as an Associate member. Styckiewicz informed the Commission that he is a structural engineer and works on waterfront structures and with municipalities filing for Notice of Intent for Town projects. Styckiewicz noted that he recently moved to Stow and is looking forward to getting involved in Stow and is interested in being part of the community. The Commission discussed their approach to permitting and noted that Styckiewicz's background and skills would be a great asset. *Ingeborg Hegemann Clark made a motion to appointment Matt Styckiewicz as an Associate member of the Conservation Commission. Serena Furman seconded the motion and it was passed unanimously.*

**Notice of Intent – Craig Kolloff – 46 Davis Road** – Ian Ainslie, Meisner Brem Corporation, was present and noted that the Notice of Intent application is an after the fact filing for a shoreline retaining wall on Lake Boon and includes additional work the property owners would like to complete. Ainslie reviewed a site plan and identified the 35' no disturb buffer and 100' buffer to Lake Boon. Ainslie stated that there were two existing retaining walls within the 35' no disturb buffer that were replaced without a permit. Ainslie added that the property owner stopped work on the retaining walls once notified by Commission staff. The homeowners would like to expand both the new shoreline retaining wall and upper wall an additional 10 feet to the east and limb some of the overhanging branches over the

house. Ainslie noted that it is difficult to know the exact location and condition of the old walls that were replaced without a permit but there are photos provided by the Kolloff's that show both walls crumbling and falling apart. Ainslie added that the wind carries a lot of debris to the Kolloff's property and there was a lot of ice damage to the original shoreline retaining wall and the work was done to help stabilize the shoreline. Ainslie stated that it appears that some of the original stones from the previous shoreline wall were used as the base for the new wall and he does not think the wall was extended further into the lake. There is no evidence of fill in the flood plain. Ainslie added that a flat area was cut out between the two retaining walls which would have provided more flood plain storage volume. The property owners would also like to limb some of the low hanging branches over the house.

Jeff Saunders and Andy Bass visited the site. Saunders noted that the limbing work is minimal and agreed that it appears that the old wall was used as a base layer and built up on. Saunders added that there are old stones under that dock that extend just beyond the new wall which indicate that the new wall was built up in the same location and was not expanded. Saunders also noted that the cut for the upper wall was redistributed to make a pathway for access between docks and there are chairs there but the area is not used as a patio. Ainslie stated the intent of the flat area is not to sit on the lake and look out and noted that the property owners did not know they need a permit for the work and stopped once they were contacted by staff. Saunders agreed the work was stopped mid project and noted that the rest of the shoreline is natural. There is an area of erosion where the property owner would like to continue the wall to stabilize the bank. Ainslie stated that a small amount of backfill would be needed to fill the five foot by three foot depression created by erosion. Saunders added that the depression is an area of active erosion and would benefit from reinforcement. Dan James noted that he used to live nearby and it does not appear that new wall encroaches further than the old wall and confirmed that ice would stack up on the beach on the property. Ainslie confirmed that the retaining walls were constructed using stone with the shoreline wall being dry stacked and the upper wall with mortar. Saunders and Andy Bass confirmed the shoreline retaining wall did not have mortar and they did not observe any concrete washout during the site visit. Ainslie also confirmed that all the work was done by hand. The Commission asked if the wall would be completed this winter during drawdown and Ainslie stated he was not sure. Ainslie also noted that the ramp on the shoreline shown in the photos washed up and will be removed.

Alan Hadden, 111 Kingland Road, was present and had concerns about the property line locations on the site plan. Ainslie clarified that the issue is not a Conservation Commission matter but he could contact him to discuss his concerns. Sferra asked if the Commission would want the flat areas between the walls to be used as a sitting area. Saunders noted that he does not believe that the property owner would want to plant in the area because the area is being used for access. Ainslie stated that the path is used to access the well house and the flat area of the shoreline for swimming. The Commission discussed the 35' no disturb buffer and the need for a natural shoreline buffer. Ainslie stated that the area was previously disturbed and the path was already there but was widened during the retaining wall work. Saunders noted that there is a large area of natural shoreline on the lot. Ainslie confirmed that there is no plan to put down pavers on the path and the area will remain a dirt path. The Commission noted that the path would be considered a minor activity in the Wetlands Protection Act for a pedestrian walkway. *Ingeborg Hegemann Clark made a motion to close the public hearing. Andy Snow seconded the motion and it was passed unanimously.*

**Request for Determination of Applicability – Matthew Ervin – 55 Hartley Road –** Matthew Ervin was present to review his proposed Eagle Scout project to extend the existing boardwalk on the trail between Hale and Center Schools. Ervin showed design plans for the boardwalk and noted that there is a muddy area before the existing boardwalk which is making crossing difficult. Ervin added that the trail is used by students for many afterschool activities including softball and cross country. All the wood for the proposed project will be cut offsite and nailed together at the site. Ervin noted that the existing boardwalk is in good condition and has been inspected by the Building Commissioner. The proposed extension will be 20 feet long with corrugated pipe underneath to allow for water to flow under the new section. Hegemann Clark and James visited the site and noted that no soils will be displaced. Hegemann Clark added that the work is proposed within the 35' no disturb buffer and potentially partially in the bordering vegetated wetland on an existing trail and no vegetation will be cleared. James recommended that a small amount of stone be added to shim the new boardwalk section to keep the two sections level. *Serena Furman made a motion to close the public hearing. Andy Snow seconded the motion and it was passed unanimously.* The Commission discussed the decision and agreed that a Negative 3 Determination would be

applicable to the proposed work and requested that a condition that ¾" stone be used to create a stable base for the boardwalks be included in the decision. *Serena Furman moved to issue a Negative Determination #3. Andy Snow seconded and the motion was approved unanimously.*

**Order of Conditions – 46 Davis Road** – The Commission reviewed the draft Order and requested that the findings clarify that the shoreline retaining wall was constructed on the same footprint of the previous wall using dry stacked stone and the upper wall was constructed using mortar. The Commission also requested that a condition requiring additional wall work be completed during drawdown and the area of erosion on the bank be restored to adjacent grades. *Ingeborg Hegemann Clark moved to issue the Order as amended. Serena Furman seconded and the motion was approved unanimously.*

**Regency at Stow – Order of Conditions #299-464A – Extension Request** – Sferra noted that the majority of the work has been completed but Toll Brothers is still working on some of the stormwater basin remediation and have requested a one year extension. Sferra noted that Toll Brothers would like to remove some of the erosion controls where the site is stable. The Commission agreed to authorize Sferra to allow some erosion control removal on a case by case basis. *Ingeborg Hegemann Clark moved to Extend Order of Conditions #299-464A until 12/6/2020. Serena Furman seconded and the motion was approved unanimously.*

**Request for Certificate of Compliance – Finn Road Culvert – DEP #299-644** – Sferra visited the site and confirmed the plantings have been completed as required. Sferra identified a piece of pipe in the wetland that was present before the work started she recommends be removed. Sferra also noted deteriorating erosion controls in the area where the dewatering equipment was staged which need to be removed and a stone berm at the bottom of the boat ramp that should be removed or spread. The Commission requested that the erosion controls and stone be removed before issuance of the COC.

**Drone Use on Conservation Land** – The Commission discussed the recent Stow TV Community Garden drone video and concerns about impacts on wildlife and conservation land users. The Commission also discussed some beneficial uses of drones including surveying invasive plants in and along rivers, search and rescue, restoration monitoring, and monitoring fish kills and algal blooms. The Commission reviewed the concerns and agreed that drone use on conservation land should require a permit and requested that Stow TV include on the garden video that the footage was taken with permission of the Commission and drone use is not permitted on Town owned conservation land.

**Trail Opening/Closing Policy and Comment Period** – The Commission reviewed the draft trail opening and closing policy and requested that the policy clarify that the reopening of temporarily closed trails also be delegated to the Conservation Coordinator. *Serena Furman moved to accept the Trail Opening/Closing Policy as amended. Andy Snow seconded and the motion was approved unanimously.* The Commission reviewed the draft request for public comment on proposed conservation land trail modifications and recommended it be posted both on the Conservation Commission website and Facebook page.

**Adjournment** – *Andy Bass made a motion to adjourn the meeting at 9:20 PM. Ingeborg Hegemann Clark seconded the motion and it was passed unanimously.*

Respectfully submitted,

Jacquie Goring  
Conservation Assistant

**Materials Used during November 19, 2019 Conservation Commission Meeting:**

Draft Minutes

Site Plans, photos, and supporting materials for 55 Hartley, Regency at Stow and Finn Road

Trail Policy, and proposed trail changes documents