

**Stow Conservation Commission
Minutes
May 19, 2020**

A meeting of the Stow Conservation Commission was held on May 19, 2020 at 7:30 in the evening by remote Meeting VIA Zoom Videoconferencing in accordance with the Governors' Executive Order on Remote Meeting participation.

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

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 May 5, 2020 as amended. Ingeborg Hegemann Clark seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Notice of Intent – Eversource and Department of Conservation and Recreation – Underground Transmission Line/Mass Central Rail Trail – *Andy Snow made a motion to continue the public hearing until June 2, 2020 at or after 7:30PM. Andy Bass seconded the motion and it passed 5-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Jeff Saunders, aye, with Ingeborg Hegemann Clark abstaining.*

Notice of Intent – Aleta and Anthony Labiento – 74 Pine Point Road – *Andy Bass made a motion to continue the public hearing until June 16, 2020 at or after 7:30PM. Andy Snow seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Appointment – Dan Barstow – Lake Boon Commission – Dan Barstow, Lake Boon Commission (LBC), was present to discuss a request for support from the Commission for a Municipal Vulnerability Grant application. Barstow noted that there have been a number of environmental concerns regarding Lake Boon including draw down, weed treatment and algal blooms and both the LBC and Lake Boon Association (LBA) would like to understand what is going on with the lake. Barstow added that there have been many studies on Lake Boon over the past 40 years which included recommendations such as stormwater management and septic system education to get to the root cause of the increased nutrient levels in the lake. Barstow stated that both Stow and Hudson are certified Municipal Vulnerability Preparedness (MVP) communities and the LBC and LBA would like to apply for an MVP grant to determine how climate change may impact water quality at Lake Boon. Barstow noted that he discussed the proposal with Sferra and Stow Town Planner Jesse Steadman and Conservation Agent Pam Helinek in Hudson who agreed the proposal reflected a community need. Barstow added that Town Administrator

Bill Wrigley is also supportive and the LBC and LBA will bring the proposal to the Stow Planning Board and possibly Stow Board of Selectmen before submitting the proposal. Barstow stated that the proposal is due June 11, 2020 and if the grant was awarded it would provide funding for analysis and recommendation but not implementation. Barstow noted that consulting firm Brown and Caldwell has been providing advice and expertise to create the proposal. The proposal includes using a group of citizen scientists to collect various measurements including phosphates and chlorophyll and making visual observations which would be reviewed by scientific experts and be used to create a model to determine impacts on Lake Boon. Barstow stated that the LBC and LBA may come to the Town to look for future funding for recommended implementation which will not be funded by the grant.

The Commission discussed the proposal and recommended a framework be provided to the citizen science group and recommended testing for salinity to monitor road salt. Barstow stated that some of the training and measuring can begin before the grant is awarded in August with work beginning in October. The LBA will be responsible for the management of the grant if awarded and the LBC will be the applicant and act as the Town's fiscal agent. Barstow noted that they already have a dozen volunteers willing to help. The grant funds would pay for a consulting firm to provide the scientific expertise. Barstow added that a small amount of the funding may be used to provide funding for a part time position to maintain a spreadsheet and manage the budget. Barstow added that the LBA is already using their own funding to collect phosphate, dissolved oxygen, and conductivity data. The grant will include collecting data over all four basins. The Commission recommended that Barstow contact Associate Commission member Sandra Grund regarding assisting with review/editing of the grant application. Barstow noted that they do not know to what degree climate change is impacting Lake Boon but there is no question the increased temperatures, drought, and heavy precipitation events are impacting the lake. *Andy Snow made a motion to support the Municipal Vulnerability Preparedness grant proposal. Serena Furman seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Conray Wharff, LBC, was present and stated that the amendments to the LBC regulations will update them to comply with State law. Wharff stated that the last time the regulations were updated was in the 1960s. Wharff clarified that in Hudson the regulations are policy and do not require a Town meeting vote and have already been adopted. Wharff added that the regulations in Stow are in the bylaw and require Town Meeting vote to be changed. The regulation amendments were intended to be included in the 2019 Annual Town meeting but were not properly publicly noticed and removed from the warrant. Wharff stated that speed on the lake is regulated by the State except for during quiet hours which are not being changed as part of the amendments. Wharff confirmed there is a hearing to discuss the amendments on May 20, 2020. The Commission agreed to take no action at this time.

Continuation – Notice of Intent – Angelo and Paula Paolini – 2 Chestnut Street – Dave Therrien, representative for Angelo and Paula Paolini, was present. Therrien confirmed that the Town line has been staked out and goes through the middle of the house and property. Therrien added that the existing cesspool was also relocated on the plan and is just inside the Stow Town line and within the 35' no disturb buffer. The cesspool is proposed to be abandoned by pumping then backfilling with gravel. Equipment access will be from the Hudson portion of the property. Therrien added that 176 square feet of 35' no disturb buffer has been disturbed where vegetation was cut but soil was not disturbed. Therrien recommended that the area be left to regenerate itself. The septic system design has been revised to keep all work outside the 35' no disturb buffer by rotating the house side of the septic field to the east. Therrien confirmed that the grading for the septic system will pick up the natural grade and a retaining wall will not be needed. Therrien stated that he submitted additional information today and is still

gathering information. Therrien confirmed there has been no fill in the 100 year flood plain in Stow. Therrien added that he also submitted a detail for the grading for the house and walkway. Therrien stated that although DEP has issued a file number for the permit he expects the hearing to be continued because the Board of Health has not issued an approval on the septic design.

Sferra displayed the revised plans submitted by Therrien and noted that the cesspool location is still shown in the incorrect location on the septic design plan. Therrien stated that the surveyor used to relocate the cesspool is not working on the septic design plans. Sferra expressed concerns about working off of two different plans and requested one plan be submitted showing the revised septic plan, correct cesspool location, and walkways. Therrien stated that the septic engineer would not provide a plan including all that detail. Sferra recommended that revised plans be submitted with multiple sheets noting that the applicant has already done work without a permit and now the Commission is trying to review new work as well. The Commission agreed that the separate plans that do not match were causing confusion. Therrien confirmed the size of the deck does not match on the two plans and has been expanded in Hudson. Therrien added that one of the plans includes a landscaped area, walkway, and two proposed trees in front of the house and additional landscaping adjacent to the house which will be either flower gardens or shrubs. Therrien stated he did not know what the applicant preference will be or what types of trees are proposed. The Commission noted that they need more details on the landscaping plan.

Sferra noted that she provided the staff report to Therrien prior to the continued hearing and Therrien provided written response. Sferra also noted that she recommended the applicants be present for the continued hearing and they were not. The Commission discussed including the limit of the lawn on the plan and requiring split rail fencing or boulders to mark the edge of the 35' no disturb buffer. Ingeborg Hegemann Clark noted that the 35' no disturb buffer is mostly wooded and has been marginally altered in Stow. Therrien stated that the project will be heard by the Hudson Conservation Commission later in the week and he believes that they will also require their 25' buffer to be maintained. The Commission requested that the applicant respond with how they would propose to delineate the 35' no disturb buffer to ensure no further expansion into the area. Sferra reviewed the items still needed including revised plans showing the correct cesspool location on the septic plan, the final proposed septic location, walkways, additional hardscaping, 100 year flood plain, and any proposed restoration in the 35' no disturb buffer. Sferra confirmed that Therrien addressed the question from the previous hearing about the area of wetland bordering the brook in his written response. The Commission also requested more detail on the cesspool abandonment including the impacts to the 35' no disturb buffer and any proposed invasive species removal plan.

The Commission noted the public benefit of the septic system replacement. Therrien confirmed that the remaining trash onsite will be removed by hand and a dead tree on the edge of the 35' no disturb buffer will be removed while the septic system work is occurring. Sferra noted the issue with back taxes on the property and recommended the applicant be in contact with the Treasurer's office. Therrien noted that the applicant has provided a copy of a paid receipt and will provide it to Sferra. Therrien agreed to a continuance to June 16, 2020 noting that the Board of Health permitting was not resolved. *Serena Furman made a motion to continue the public hearing to June 16, 2020 at or after 7:30PM. Andy Bass seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Continuation – Notice of Intent – David and Rose Baird – 26 Pine Point Road – Scott Hayes, Foresite Engineering, and property owners David and Rose Baird were present. Hayes displayed revised

plans including revised erosion controls with straw bales and silt fence along the lake, fill calculations, and 35' no disturb buffer calculations. Hayes noted three cubic yards of fill will be removed by hand for the patio area. Hayes added that with the removal of the dock there will be a 1.5% reduction in pervious cover in the 35' no disturb buffer and 16% reduction in pervious cover overall. Hayes displayed a planting plan including hydrangea at the top wall and butterfly garden in the 35' no disturb buffer. The area adjacent to the house will be scarified and top soil added prior to planting four winterberry and native wildflower mix. Hayes noted that the area under the deck will be stabilized with crushed stone but wood chips or mulch could also be used. Hayes confirmed the two eighteen inch retaining walls in the 35' no disturb buffer are existing and will be replaced but not increased in height. The Commission noted native hydrangea should be used. Sferra noted that the table included on the plan shows a decrease in both pervious and impervious area in the 35' no disturb buffer. Hayes clarified that the dock removal was used in the calculation which is not part of the land area. Hayes noted that he was trying to illustrate that the removal of the dock will reduce the overall impact.

Hayes confirmed that the stones that have rolled off the bank will be replaced by hand. The Commission noted that the rocks should be moved back into the bank during drawdown. Hayes confirmed no mortar will be used when replacing the stones. Rose Baird confirmed the large boulder in the lake will not be moved. The Commission noted that they would like the restoration area to only be seasonally mowed with the intention that the area is allowed to go wild and serve as habitat. Hayes noted that he recommends annual mowing for maintenance. Baird confirmed that they would like to clean up the area at the end of the year and allow it to grow back in the spring. *Andy Snow made a motion to close the public hearing. Andy Bass seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Continuation – Notice of Intent – K. Andrew and Tania Borg – 8 Davis Road – Scott Hayes, Foresite Engineering, architect Glen Davis, and property owners Andrew and Tania Borg were present. Hayes reviewed the revised plan and noted the change to straw bale and silt fence for erosion controls along the lake shoreline. Hayes stated that the plan was also revised during the Zoning Board of Appeal process with most of the changes outside the 100' buffer including reconfiguring the proposed garage, driveway, and house. Hayes noted the proposed changes within the 100' buffer include minor changes to the walkway and roof runoff infiltration which will run the length of the house. Hayes reviewed the proposed patio, removal of existing six foot retaining wall, and replacement with two four and a half foot walls with a four foot wide planted terrace between them. The existing timber and steel shoreline retaining wall will be removed and replaced with an eighteen to 24 inch high loose stone wall with a mortared base course. Hayes noted additional trees to be removed that were added to the plan and stated they are being removed in order to work the site and due to the proximity to the house. Hayes clarified the existing deck is six feet from the lake and the proposed patio will be thirteen feet from the lake. Hayes reviewed a cross section of the series of retaining walls and noted the four foot terrace between the walls will be planted with shrubs and ornamental grasses. A proposed aluminum gangway dock and platform was also added to the plan.

Hayes confirmed he did not include the dock when calculating impervious cover and the new dock will be 100 square feet larger than the existing. Hayes also confirmed that the area between the shoreline retaining wall and first upper retaining wall is not currently vegetated and will be planted with a native wildflower mix but with a cleared access to the water. Hayes reviewed the construction sequence including replacing the retaining walls first then working their way out of the site. Hayes noted it will be difficult to work the site once the foundation is installed. The Commission expressed concerns about the

knotweed on the property and moving or removing soil from the site and causing spreading. Hayes confirmed that the Borg's would like to begin working on the knotweed right away and would not likely be starting construction soon given that the Zoning Board of Appeals has not issued a decision. The Commission noted that soils could be screened and reviewed best practices for knotweed removal including using herbicide in the fall and proper disposal. Hayes recommended the cut knotweed plants be bagged and removed.

Hayes reviewed the proposed planting plan noting that there is no opportunity to plant trees so shrubs, grasses and ground cover are proposed. Hayes reviewed the plant list and stated that the planting areas would have six inches of loam and then mulch or wood chips. The area between the shoreline wall and the first upper retaining wall will be planted with native wildflower mix and mowed annually to allow the area to grow wild. Hayes noted the construction staging area will be outside of the 100' buffer. Hayes confirmed a railing would not be need for the four and half foot walls but agreed it would be advisable to have a guard rail or edging on the patio. Hayes also confirmed that the terraced area between the two walls would be accessible from the southerly walkway for maintenance purposes.

Dan James noted that rip rap could be used for the shoreline wall and expressed concerns about needing mortar for the proposed stone wall. Andrew Borg asked if there are other options for retaining wall material that could be installed outside of drawdown such as versa-lok which has been used on other lake shore retaining walls. Hayes noted that the proposed stone retaining wall has been designed to add natural value and function on the bank and expressed concern about a concrete block shoreline retaining wall and loss of natural bank. Hayes added that mortar has been proposed for the first course of the stone shoreline retaining wall for reinforcement and then will be stacked with loose rock to stabilize the bank without alteration. Sferra clarified that shoreline retaining wall work must be done during draw down. Hayes added that the plan specifies the work to be done during draw down and additional straw wattle to be installed between the retaining wall and water line. Hayes confirmed the retaining wall work will be done by hand and with small machinery. Borg expressed concerns about not being able to start the retaining wall work for six months and the stability of the bank and the wave action on the shoreline of the property.

Sferra noted that the appeal period for DEP has been extended to 45 days after the State of Emergency has been released and work cannot begin until the appeal period has ended. Borg asked if he had owned the property for many years and the wall needed repairs if he could do the work without a permit. Sferra clarified a permit would be required. Borg also confirmed he could not replace existing boards on the shoreline retaining wall without a permit. Glen Davis noted the difficulty of accessing the shoreline retaining wall with rip rap or other materials and recommended the Borg's work on the knotweed this summer. Sferra noted a plan would need to be submitted for review if the shoreline retaining wall design is changed. Borg asked if he could shore up the rocks at the shoreline in the interim. Goring expressed concerns about work being done before a permit is issued or the appeal period has passed. Hayes stated that the he would like to stick to the plan for the shoreline retaining wall and the work to be done during drawdown and requested the hearing be closed. *Matt Styckiewicz made a motion to close the public hearing. Andy Snow seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Update – Temporary Leash Advisory – Stow Conservation Land – After a brief update, *Matt Styckiewicz made a motion to continue the temporary leash advisory on Stow Conservation Land until the first Commission meeting after commencement of Phase II of the Massachusetts reopening plan.*

Andy Bass seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.

Decision – David and Rose Baird – 26 Pine Point Road – The Commission reviewed the draft decision and requested that the decision note the improvements to habitat and the pervious and impervious impacts being reduced. The Commission also requested that the proposed shrubs be three to four feet in height and the dogwood tree be 1 ½ inch caliper and concrete washout occur across Pine Point Road on Lot 7A. The decision was also modified to note that the stone to be replaced on the shoreline be dry stacked and done during draw down. *Andy Snow made a motion to issue the decision as amended. Serena Furman seconded the motion and it passed 5-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Jeff Saunders, aye, with Ingeborg Hegemann Clark abstaining.*

Decision – K. Andrew and Tania Borg – 8 Davis Road – The Commission reviewed the draft decision and noted the public benefits of the proposed invasive species work, stabilization of the slope, and reduction in impervious surfaces. The Commission requested that the decision include that boards and rocks could be replaced by hand if within arm's reach of the shoreline and that any changes in the retaining wall design must be approved by the Commission. The Commission also requested that a preconstruction site visit be required prior to the start of work. The Commission noted that the applicant could file for a town wide knotweed permit to begin the knotweed removal this summer. *Andy Snow made a motion to issue the decision as amended. Andy Bass seconded the motion and it passed 5-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Jeff Saunders, aye, with Ingeborg Hegemann Clark abstaining.*

Adjournment – *Ingeborg Hegemann Clark made a motion to adjourn the meeting at 10:45 PM. Andy Bass seconded the motion and it passed 6-0 on a roll call vote: Andy Snow, aye, Matt Styckiewicz, aye, Andy Bass, aye, Serena Furman, aye, Ingeborg Hegemann Clark, aye, Jeff Saunders, aye.*

Respectfully submitted,

Jacquie Goring
Conservation Assistant

Materials Used during the May 19, 2020 Conservation Commission Meeting:

Draft Minutes

Site Plans, photos, and supporting materials for 2 Chestnut Street

Site Plans, photos, and supporting materials for 26 Pine Point Road

Site Plans, photos, and supporting materials for 8 Davis Road

Information about Lake Boon Commission MVP grant application