

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

November 24, 2008
Sherborn Town Hall
7:30 P.M.

Draft Minutes of the Meeting

Members Present: Bridget Graziano (Administrator), Michael Lesser, George Pucci, Steve Gaskin (Chair), Andrea Stiller

Members Absent: Rob Eckert, Carl Shedd, Alycia Goody

Associate Members Present: Jean Bednor

Guests: John Finnegan, Joyce Hastings, Andrew Morgens, Daniel Merrikin, Susan Tyler, Nancy Hess, Howard Fischer, Robert Gemma, Paul Letel

Call to Order: The meeting was called to order at 7:30 P.M

Informal Discussion – Daniel Merrikin- Possible Changes to the CM&D Garage
Drainage Design

The CM & D Garage project is experiencing budget constraints, and so Mr. Merrikin presented possible cost-saving changes to the project. The first option is to reduce the size of the underground drainage leaching field. The second option is to rotate the building 90 degrees counter-clockwise. The third option is to redirect pavement runoff to an existing 4-5' wooden isolated depression with treatment. Option 3 would additionally reduce or eliminate swale improvements. If the town decides to officially change the site plan, the Commission would receive a revised plan with drainage calculations to approve.

Public Hearing #1– Amendments to Sherborn Wetland Regulations

Jean Bednor stated that her amendment ideas come from other MA Conservation Commissions (such as Sudbury and Easton) and state regulations. The Commission

discussed changes to the Section 2- Definitions, but did not get to the other parts of the recommended amendments (Section 5.4- Fee Schedule, Section 5.4.4- Issuance of Order, and Section 5.11- Certificate of Compliance). Steve moved to continue the hearing to the next meeting. This was seconded and accepted unanimously.

Discussion #1 – Michael Lesser Budget Proposal for 12-03-08 meeting

Michael reported that new fiscal issues include reconfiguring salaries, beaver situation funds, and a new hard drive. Michael moved that he will work out the budget for the 2009-2010 fiscal year with Steve. This was seconded and accepted unanimously.

Public Hearing #2 – Continued for 28 Hollis Street Proposed Addition

This project involves construction of an addition to an existing dwelling within the 100' buffer zone of a wetland and within the 200' Riverfront Area of Dirty Meadow Brook, at 28 Hollis St (Assessor's Map 8, Lot 123). The applicant is Andrew Morgens. John Finnegan of Metrowest Engineering and the Metrowest Engineering president Robert Gemma presented. They have created a mitigation plan involving Invasive Species Management and Meadow Management. They explained what changes had been made to the site plan since the October 2008 meeting, what applications the Riverfront Act has for an expansion, and alternative location analysis (where the project could have been kept out of the buffer and Riverfront). Members questioned if residents had a right to expand an existing house, if it encroached on the Riverfront Act's jurisdiction, but the presenters maintained that buyers are looking for a larger house. Steve Gaskin moved that the Commission be given more time to consider the Meadow Management and Invasive Species proposal. This was seconded and accepted unanimously. It was noted that Commission protocol requires submittals to be received two weeks before they are presented at a meeting. It was further noted that neighbors' complaints regarding unfinished projects at 28 Hollis St. are issues for the Board of Health, and, while they are a cause for concern, would not deter the Commission from granting Mr. Morgen's request.

Discussion #2 – Susan Tyler for Ward Park Handicapped Accessibility, Parking Spot, Signage, and Pathway

Susan Tyler presented information on the possible creation of new handicapped parking at Ward Park (Recreation Area and Sherborn Playground), a Conservation controlled land. The playing fields on the opposite side of the road are also in need of handicapped accessible paths leading to and from parking areas. She noted that the town would probably pay for incurred costs. The Commissioners recommended that she work with CM&D to present a Request for Determination for the proposed alterations.

Discussion #3 – Nancy Hess, Review and Discuss the 23 Washington Street Findings

The Commission informed Nancy Hess, a representative of the 23 Washington St. Re-Use Committee, that it does not have the jurisdiction to regulate any future uses of the property. This is due to the negative site determination found by the Commission's

subcontractor. The Commission will sign and give her the Determination of Applicability form shortly.

Approval of Minutes

It was moved to accept the minutes as currently edited for September 18, 2008. This was seconded and accepted unanimously. It was moved to accept the November 3, 2008 minutes. This was seconded and accepted unanimously. It was moved to accept the October 16, 2008 minutes with Andrea Stiller's edits. This was seconded and accepted unanimously.

Administrator's Report

- Mullin Rule Amendment-from Gino Carlucci, Town Planner- It was moved to support the Planning Board for the warrant article in favor of the Mullin Rule Amendment. This was seconded and accepted unanimously. This amendment for the town by-laws allows for a member of a town board to vote on a matter he/she was not present for at a prior meeting as long as he/she obtains the meeting transcript (audio, visual, or written), reviews all submitted material on the subject, and does not miss more than one session of the hearing. She/he must also attest in writing that she/he complied with these rules, and this should be part of the meeting record when the vote occurs.
- The next meeting is tentatively set for Monday, December 15, 2008 at 7:30 P.M.
- 60 Goulding St. East Beaver Dam- It was reported that the water flow device has been installed, but no one has been billed yet. It was also noted that Mrs. Sullivan at 60 Goulding St. East has recently reported water in her basement and possible flooding of her septic system.
- Bulldozed Beaver Dams Violation Options- Bridget Graziano reported that Pam Merrill, MA DEP Northeast Circuit Rider, gave her option suggestions. Michael Lesser agreed to contact the violator and property owner and educate them as to the laws and possible penalties involved.
- Letter from Natick resident pertaining to two beaver dams along the Sherborn/Natick line- Bridget reported that Bob Bois, employed by the Natick Conservation Commission, took down a dam in July 2008. Since dam breaching is only allowed July 15 through October 1, when it happened is significant, but it is not known when the breach occurred. The site of the dam may induce flooding through Sherborn downstream to Coolidge St., even though it lies in Natick. She stated that the breach could cause impacts to wetlands resources in Sherborn, through sediment travel.
- 111 Coolidge Street- Sweet Meadow Farm Possible Violation- Bridget reported that she had received multiple complaints from abutters along Coolidge Street. The complaints were that of a "new access road" being created within the wetlands. Bridget advised she will continue to monitor this issue and take pictures closer to the potential violation area, if possible. In addition, she will try to contact Patty Michaud again for a site visit.
- 138 Maple Street -Certificate of Compliance plantings discussion - Bill Miles applied for a Certificate of Compliance with regards to plants required by the Order of Condition. Joyce Hastings found, at the site visit, that only two plants

had survived. The Commission requested Bridget draft a letter to the new owner, stating new plantings must be made in order to comply with the Order of Conditions and file for the Certificate of Compliance. The new plantings should be an upland species, which will have a better survival rate than the previously planted Sweet Pepperbush.

Approval of Determinations and Certificates of Compliance

The following Determinations will be reviewed at the November 24th meeting. Based on the recommendations of the Administrator, the determinations will be signed and approved by the Commission:

<u>Address</u>	<u>Description of Work</u>
11 Nason Hill Road	Application for Soil Testing
57 Maple Street	Issuance of Certificate of Compliance
138 Maple Street	Issuance of Certificate of Compliance
36 Farm Road	Application for Soil Testing
147 Hunting Lane	Proposed garage addition to house
1 Russett Hill Road	Replacement of distribution box
23 Everett Street	Demolition of existing garage/addition to residence/new septic
28 Hollis Street	Issuance of Certificate of Compliance
27 Dopping Brook Road	Extension for Order of Conditions
20 Prospect Street	Proposed new well

Adjournment: There being no other business, the meeting was adjourned at 11:10 P.M.

Respectfully Submitted,

Suzanne Trainor
Minutes Clerk

Cc: Board of Selectmen, Board of Health, Planning Board, Building Dept., Town Clerk, Town Forest, Town Counsel, Sherborn Library, Advisory Committee, D/S Press, Zoning Board of Appeals, Sherborn Garden Club, Forest & Trail Assoc., Assessor, Groundwater Protection Committee, Farm Pond Advisory Committee