

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

April 15, 2010

Sherborn Town Hall

7:30 P.M.

Minutes of the Meeting

Members Present: Steve Gaskin (Chair), Michael Lesser, Andrea Stiller, Carl Shedd, Bridget Graziano (Agent/Administrator), Will Willis

Members Absent: Rob Eckert, Susan Tyler

Guests: Paula and Mel Bertrum, Scott Morrison, James & Kecia Lifton, Joyce Hastings, Rev. Brian Mahoney, Jean and Len Drew, Charles Naxuatil

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

Discussion #1- Paula Bertrum for Conservation Commission access database permit tracking presentations

Paula Bertrum of Bertrum Consulting gave a presentation of a permit tracking program that was designed to run on the Microsoft Access database. This application would give the Commission better electronic organization of projects, while reducing the amount of paper utilized in the office and time savings.

Public Hearing #1- 175 Maple Street presented Eco Tec, Inc.

The project involves the demolition of a portion of an existing dwelling (the existing attached garage) and the reconstruction of an addition with a garage on the lower level. The applicant proposes to remove the existing driveway, with a 6 foot change in grade, over 2056 sq ft. The driveway would be replaced in approximately the same location. All work shall take place in the 50-100 buffer zone. Scott Morrison from Eco Tec, Inc. presented. The Commission discussed the project. Steve moved to close the hearing. This was seconded and accepted unanimously. Steve proposed the to accept the NOI and that the Commission finds that the project/plan meets all relevant requirements in 310 CMR 10.02 (2)(b)(1) and has no significant effect on the buffer zone to jurisdictional areas as stated in 310 CMR 10.02 (1)(a) and based on the following findings: (a) the plan is a net improvement to the buffer zone because although there is a slight increase in impervious surface, the Liftons agreed to change some of the existing lawn adjacent to the 50 foot buffer zone line, to naturally vegetated buffer zone to compensate for increase of the impervious surface, (b) the change in grade of the driveway will reduce the velocity of the water entering the buffer zone, during storm events, (c) the new driveway configuration shall actually reduce the square footage of impervious surface from the original driveway, (d). there will be no roof drains, however, the storm water from the roof shall provide groundwater recharge and shall enter the same watershed as pre-construction conditions. Steve moved that the Commission approve the project as shown on the plans as amended with the following special conditions: (a) removal of the lawn east of the driveway by replanting the former lawn area with native plantings next Spring (b) Plant list shall be submitted to the Conservation Commission for approval prior to placement of new vegetation and (c) allow post-construction monitoring to ensure that water shedding from the impervious surface does not create erosion in the wetland. The Commission noted that as a general requirement in the Order of Conditions, the Commission requires 75 percent of the plants are living for 2 growing seasons after planting and all other conditions are met, then the Commission will issue a Certificate of Compliance. This was seconded and accepted unanimously.

Public Hearing #2- Request an Amendment to Order of Conditions for 35 South Main Street presented by GLM Engineering Consultants, Inc.

Joyce Hasting of GLM Engineering presented the proposed changes to the original Order of Conditions, issued in 2007. The Commission discussed the project involving the expanded parking lot at St. Theresa's Church. Steve moved to close the hearing. This was seconded and accepted unanimously. Steve proposed the approval of the project based on the following findings: (a) the project presented is a net reduction in the original proposed expansion of the parking lot by 439 sq ft (b) the applicant will still complete 5, 000 sq ft of mitigation for the increased parking lot in 50 -100 foot buffer zone, this will be an improvement of the current buffer zone, (c) the stormwater management plan complies with the standards for a 100 year storm event and is a net improvement from the current stormwater system, which does not

comply with the new stormwater standards, (d) the Engineer will make every effort to reduce the number of large trees removed for the drainage basin construction by reconfiguring the design at the Pre-Construction Meeting, and (e) changes to the vegetated drainage basin provide an increase in the calculated TSS removal rate. Steve moved that the Commission accept the alterations to the OOC as proposed with the one change that the orientation of the detention basins be changed if possible to save trees. This was seconded and accepted unanimously.

Discussion: Certificate of Compliance 137 Forest Street

Joyce Hastings asked the Commission to address a Certificate of Compliance application that was before the Commission for 137 Forest Street, Richard Savery. Joyce asked the Commission to waive the fee associated with the Certificate of Compliance application. The fee was based on the fee schedule for the Order of Conditions, which had expired. Joyce explained that Mr. Savery sent a letter to the Commission requesting a Certificate of Compliance prior to the expiration of the Order of Conditions. Mr. Savery thought the Commission had completed the process for a Certificate of Compliance, based on his letter requesting this action. Michael made a motion to waive the expired Order of Conditions fee and allow Mr. Savery to pay the \$200.00 fee for a non-expired Order. This decision was based on the letter sent by Mr. Savery. It was seconded and accepted unanimously.

Discussion #2- 237 Washington Street

Bridget proposed that the Commission go into executive session to discuss strategy with respect to potential litigation; open meeting discussion would have a detrimental affect on the interests of the town. Steve moved to convene in executive session per Exception number 3 of Open Meeting Law. In addition, the Commission moved to reconvene after the executive session. A roll call vote was called by Steve and seconded by Will: Carl-yes, Andrea- yes, Steve- yes, Michael- yes, Will-yes. The vote passed unanimously and the Commission went into executive session. Upon reconvening, again based on a unanimous roll call vote, the Commission turned to Discussion 3.

Discussion #3- Soil Testing and Septic System Plans

The Commission discussed the proceedings of RDAs with regard to submission of an RDA for Soil Testing, and then the requirement for new RDA submission of the septic system plans after soil testing for Commission approval. Bridget asked if the Commission would agree, in certain cases, to allow a Determination approval by the Commission for both soil testing and the septic plan, if there are no wetlands present near the proposed new septic system, provided the applicant submits the final septic system plans to the Commission for review. If wetlands are present Bridget will state that the Determination approval is only for soil testing and not septic system installation, because the design could have potential to be in the Commission's jurisdiction and require conditions under a DOA or the filing of an NOI. The Commission agreed

to allow Bridget to use her judgment to determine the need for one or more RDA for soil testing and septic plans. If there are wetlands the applicant shall re-submit for Conservation approval.

Discussion #4- Budget FY 11

The Commission discussed possible funds for purchasing the permit tracking system presented by Bertrum Consulting. In addition, the Commission agreed to wait to discuss the FY 11 proposed and approved budget until a time when the entire Commission is present at a meeting.

Discussion #5- Natick Golf Course Sub-Committee

Bridget asked the Commission to determine who would like to volunteer to form a sub-committee to attend meetings with Bridget and Bob Bois (Natick Conservation Agent) to determine what aspects of the project and special requests by the Town of Natick would warrant peer review. At the March 18, 2010 meeting the Commission agreed to draft a document to present to the Natick Golf Course describing what aspects of the project should be assessed under the peer review.

Approval of Minutes March 18, 2010

It was moved that the March 18, 2010 meeting minutes be approved. This was seconded and accepted unanimously.

Administrator's Report

Meeting schedule for the next few months: twice a month first Thursday from 7-8:30 and the third Thursday from 7:30-10:30

Going digital with meeting books will begin next month

Commission must post the agenda as of July 2010 meeting and beyond with the meeting posting at Town Hall to comply with the new Open Meeting Law.

Bridget and Peter Brockway would like to schedule a clean up at Barber Reservation in May. Michael asked that it not be the second week of May. Bridget suggested that the Commission repair the fencing with the fencing at the Farm Road parcel.

Bridget stated she would like to per out a notice for Conservation volunteers to clean up our land. She would like to set up a program that assesses what needs to be done on Town Lands in terms of land management and trail maintenance. She would like to start meetings the first Saturday of the month. She asked if anyone one the Commission would be interested in taking the lead on

this project with her. Steve and Will agreed to help with some of the volunteer work, but did not want to take a lead role.

Bridget created a new sign-off sheet for applicants to sign when Conservation posts Requests for Determination of Applicability in the newspaper, at the applicant's expense.

Bridget would like to start a series of Conservation outreach planning meetings. The idea was to host Conservation Connection for round table discussions or have local experts present to a group of people who are interested in Conservation and wetlands.

The Board of Health sent the Conservation Commission literature on the effects of artificial turf at sporting fields. The BOH believes that the Laurel Farm "bubble" proposal may include artificial turf.

Bridget informed the Commission that the Town is voting prior to Town Meeting to establish an Agricultural Commission.

Approval of Determinations of Applicability

The following Determinations were reviewed. Based on the recommendations of the Agent, the determinations were signed and approved by the Commission:

<u>Address</u>	<u>Description of Work</u>	<u>FINDINGS</u>
175 Maple Street	Septic System Replacement & Shed	NEG (5-0)
45 South Main Street	Septic System Replacement	NEG (5-0)
178 Farm Road	Soil Testing	NEG(4-0) (Will recused)
20 Great Rock Road	Installation of Replacement Septic System	NEG 3 (5-0)
137 Forest Street	Ratify the Order of Condition, Ext. OOC's	RATIFIED
137 Forest Street	Certificate of Compliance	GRANTED

137 Forest St- It was moved to ratify existing OOC based on approved minutes of 5/20/2004 and a copy of the signed OOC; all documents are attached. This was seconded and accepted unanimously. In addition, it was moved to ratify a copy of the existing Extension to the Order of Conditions issued in 2004 for the same project, based on the approved meeting minute from 5/17/2004 and a copy of the signed Extension. This was seconded and accepted unanimously.

19 North Main Street	Installation of satellite tower	NEG 3 (5-0)
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46 North Main Street	Soil Testing	NEG (5-0)
10 Everett Street	Proposed Barn	NEG (5-0)
111 Goulding Street	Proposed deck installation	NEG (5-0)
4 Western Avenue	Re-vote to approve project	RE-VOTED
	based on review of the Commission	APPROVED
	and March 4, 2010 approved meeting minutes,	
	for which the Commission approved	
	the project	

Adjournment: There being no other business to attend to, a motion was made to adjourn the meeting at 11:30 P.M. This was seconded and accepted unanimously.

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