

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

December 20, 2012
Sherborn Town Hall
7:00 P.M.

Minutes of the Meeting

Members Present: Steve Gaskin (Chair), Michael Lesser, Kelly McClintock, Andrea Stiller, Susan Tyler, Alex Dowse, Joyce Hastings (Temporary Administrator/Agent), and Karyn Kaplan (Temporary Administrator/Agent)

Julia Jacobson arrived at 8:23 p.m.

Guests: Bob and Alison Murchison of 177 Lake Street, Barry O'Donovan and Catherine Wiseman of 36 Farm Road, Paul Frongillo of 133 Woodland Street, David Parrish of 34 Greenwood Street, and Pat Cassell of 226 Western Avenue

Mr. Gaskin called the meeting to order at 7:00 p.m.

Determinations:

36 Farm Road – Proposal to restore altered areas, continue invasive species management, and create a walking trail

Mr. O'Donovan and Ms. Wiseman presented a proposal to replant an area that had been cleared of invasive species but was within the 200' Riverfront Area. They also propose to create an unimproved walking trail in the woods, also within the 200' Riverfront Area. Commission requested the applicant provide a more detailed plan including scale, location of drains, types of plants to be planted, and location of plants. Ms. Hastings, the Commission's Consultant, had visited the site and recommended planting of native species. The applicant must also repair the existing siltation control system and inform the Temporary Agent when it has been completed. The discussion of the restoration of altered areas and walking trail was deferred pending receipt of a new plan and repaired siltation control.

26 Peckham Hill Road – Proposal to install replacement septic system

In October 2012, the Commission approved a Negative Determination for soil testing. The applicants were asked to return with a completed plan design. The Commission reviewed the completed plan design and determined that all work will be outside the buffer zone and noted that siltation control will be put in place to protect jurisdictional areas. Ms. Kaplan (Temporary Agent/Administrator) recommended a Negative Determination.

Mr. Gaskin moved to accept the Temporary Agent's recommendation. Mr. Dowse seconded the motion and it was voted to approve 6-0.

7 North Main Street – Proposal to install replacement well

Ms. Hastings (Consultant to the Commission) recommended a Negative Determination as all work is outside of Commission jurisdiction. Mr. Gaskin moved to accept the Temporary Agent's recommendation. Ms. Stiller seconded the motion and it was voted to approve 6-0.

133 Woodland Street – Proposal to conduct soil testing and replacement of existing septic system

Ms. Hastings (Consultant to the Commission) reported there is a wetland to the East side of the property which is out of range of the testing. The Temporary Agent recommended a Negative Determination for soil testing. When the location for the septic system has been determined, the applicant will need to return for a second determination.

Mr. Gaskin moved to accept the Negative Determination for soil testing only. Mr. Dowse seconded the motion and it was voted to approve 6-0.

Lot 1B Lake Street (between 172 & 180 Lake Street) – Proposal to install a new home, well, septic system, driveway, and landscaping

The applicant requested approval to install a septic system for a new home. Ms. Hastings (Consultant to the Commission) pointed out that the abutters' well is close by, which may be an issue.

Mr. and Mrs. Murchison, abutters across the street, expressed concerns about the project, namely issues with stormwater being redirected into their property and/or Farm Pond. They submitted a memo for the Commission to review. Ms. Hastings (Consultant to the Commission) agreed that there are concerns about the catch basins, which need to be protected to prevent damage to the Murchisons' property. The catch basins also eventually discharge directly to Farm Pond. Compliance with the Stormwater Bylaw, administered by the Planning Board, will need to be looked into and an erosion control plan must be developed.

The applicant was asked to submit additional information pertaining to an erosion control plan and stormwater management as it relates to the catch basins. The Commission also needed time to review the issues and memo submitted by abutters. The applicant agreed to the extension in order to submit the additional information.

Certificate of Compliance:**18 North Main Street – Request for Certificate of Compliance**

The applicant requested a Certificate of Compliance for the Order of Conditions for installation of a parking area. Ms. Hastings (Temporary Agent/Administrator) reported that all work has been completed and all conditions have been met.

Mr. Gaskin moved to grant the Certificate of Compliance. Ms. Tyler seconded the motion and it was voted to approve 6-0.

Discussions:**Discussion #1 – Barber Reservation – Brush Clearing in Fields and Demonstration Forestry Management Work**

- Field Clearing: Mr. Lesser, Mr. McClintock, and Ms. Tyler completed a site visit. Both fields are almost brush free, but there are some trees remaining in the field edge that the equipment could not remove.

Overall the Commission's goal is management of these open fields for open space and vistas by hay collection and, therefore, the fields are being restored. These trees growing in field edge and in the areas along the stone wall, preventing the area from being mowed and limit vistas.

The town cord wood program would like to take those trees. Ideally, most/all of these trees would be removed, possibly including the stumps. The Commission discussed how to decide which trees are to be removed and will have a site visit and possibly a posted meeting to discuss and mark trees to be removed.

Furthermore, with regard to any trees in wetlands or buffer zones, the Commission will need to comply with its wetlands regulations. The Commissioners will start working on the RDA.

- Forestry: Lastly, NSTAR may decline to give Phil Benjamin permission to run equipment across their easement, or impose conditions. They are concerned with liability and reliability issues relating to the electrical wires. The Commission and its forester Phil Benjamin need to discuss this issue further with NSTAR.

Discussion #2 – Beaver Dam issue at Mill Pond (Saddle Brook and Woodland Streets)

Mr. Lesser reported that a site visit with Mike Callahan, Beaver Solutions was held on December 14 and attended by several abutters. Based on this visit and a subsequent report by Mr. Callahan, the water level can likely be lower and controlled by a leveling device. Trapping of the beaver or beavers is an alternative, but the expert recommended starting with leveling. However, it is too late to install because of cold weather and will have to wait until spring; however, Mr. Callahan said that the water level is very unlikely to rise before then. The cost will be approximately \$1500 - \$2000 with a maintenance fee.

One property on Saddlebrook may be affected due to the location of its septic field. Mr. Lesser will meet with the owner to discuss. Paul Frongillo, also an abutter, commented that water has already risen quite a bit by his property. Mr. Lesser has spoken with other abutters about sharing the cost and will speak with the Board of Selectmen about the plan.

Discussion #3 – FY14 Budget

The Commission reviewed the proposed FY14 budget, which included a 2% salary increase for the Agent, a 1% salary increase for the Minutes Clerk, and a reduction in other (non-labor) expenses. Overall the total budget has a 1% increase, which meets the Advisory Committee's target.

Mr. Gaskin moved to accept the proposed budget. Mr. McClintock seconded the motion and it voted to pass 5-1-1. Ms. Tyler voted against approval for reasons previously discussed: other budget constraints for salary and maintenance costs. Mr. Dowse abstained from the vote as he was absent from the previous meeting and therefore had not received a copy of the budget prior to the meeting.

Discussion #4 – Farm Pond Brochure – Stormwater Improvement Project

Pat Cassell, representing the Farm Pond Advisory Committee, attended to discuss the draft brochure which the Commission has been asked to review and comment on. Mr. Lesser had done some work on revising the brochure to be more comprehensive and understandable by the public.

Mr. Gaskin motioned that Mr. Lesser work with the Farm Pond Advisory Committee to complete any appropriate edits. Ms. Jacobson seconded the motion and it voted to pass 7-0.

Administrator/Agent's Report:

- **Conservation Commission's Annual Report**

The Commission reviewed the annual report.

Mr. Lesser moved that Ms. Kaplan, Ms. Jacobson, and Mr. Lesser finalize the document at a later date. Mr. Gaskin seconded the motion and it voted to pass 7-0.

- **Tree Removals with Respect to DEP Emergency Regulations**

The owner of 210 Farm Road reported that three willow trees on the property need to be removed because they are in danger of falling into the road. The owner would like to remove them per DEP emergency regulations, which have a claim deadline of 12/26/12.

The Commission determined that the request exceeds the scope of discretion cited in the regulations. The Temporary Agent will notify the owner that the branches can be hand trimmed and fallen branches removed, but the trees may not be completely removed under the scope of these regulations.

- **Whitney Farm Project Update**

Ms. Stiller drove by the site and observed fill that appeared to be different from the required fill type. Ms. Stiller spoke with an engineer who offered to provide written documentation of what the fill is and where it came from, but was reluctant to provide testing (as is required). Ms. Stiller will email the site contacts and inform them that testing must be completed as per the existing order.

- **January 3rd Meeting – Cancellation**

The January 2, 2013 meeting was cancelled. The next meeting will be January 17, 2013.

Approval of Minutes of December 6, 2012:

Approval of the Minutes was deferred until the next meeting.

Adjournment:

There being no other business to attend to, Mr. Gaskin moved to adjourn the meeting at 8:56 p.m. Ms. Tyler seconded the motion and it voted to pass 7-0.

Respectfully submitted,

Jessica Pettit
Minutes Clerk

Documents Presented at the December 20, 2012 Public Meeting

All documents shall be kept in the Conservation Commission Office files

Determinations:

36 Farm Road

1. Notes on review of project, Joyce Hastings, GLM Engineering, December 20, 2012
2. Landscape and trail plan by Catherine Wiseman, December 5, 2012

26 Peckham Hill Road

1. Plan titled "Septic System Construction," prepared by Civilized Solutions, November 15, 2012 - revised November 18, 2012

7 North Main Street

1. Application for replacement well, prepared by Civilized Solutions, November 6, 2012

133 Woodland Street

1. Plan titled "Application for Soil Testing and Evaluation," prepared by Civilized Solutions, December 4, 2012

Lot 1B Lake Street

1. Plan titled "Septic System Construction," prepared by Civilized Solutions, November 26, 2012
2. Sherborn Assessors Map 11, January 1, 2008
3. Memo to the Conservation Commission ("process and procedure concerns"), submitted by Mr. and Mrs. Murchison of 177 Lake Street
4. 4. Notes on review of project, Joyce Hastings, GLM Engineering, December 20, 2012

Certificate of Compliance:

18 North Main Street

1. Plan titled "Fiske Property, Sherborn, Massachusetts," prepared by Beals and Thomas, Inc., July 6, 2004 - revised July 6, 2004 and December 8, 2010
2. Certification letter, "George Clark House (DEP #SLB-04-01)," from Daniel Feeney, PE/Principal, Beals and Thomas, Inc., December 18, 2012

Discussions:

Discussion #2

1. Letter to the Conservation Commission from Beaver Solutions, December 20, 2012

Discussion #3

1. FY14 proposed budget

Discussion #4

1. Draft brochure, Farm Pond Stormwater Improvement, Town of Sherborn, received December 10, 2012

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