

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

May 2, 2013

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

Members Present: Michael Lesser (Acting Chair), Kelly McClintock, Alex Dowse, Susan Tyler, and Bridget Graziano (Administrator/Agent)

Steve Gaskin (Chair) arrived at 7:07 p.m.

Absent Members: Andrea Stiller and Julia Jacobson

Guests: Alex Hurt and Pat Panza, Kristoffer Armando, Scott Mackintosh, Elliot Taylor, and Dave Killeen

Mr. Lesser called the meeting to order at 7:02 p.m.

Request for Certificate of Compliance:

11 Cider Hill Road

No one was present to represent the property owner. The Agent presented the request. She reported that the Order recorded on the title was for creation of the original subdivision. She has contacted Department of Environmental Protection (DEP) regarding how to issue a Certificate of Compliance for a 30 year old project that is a small part of a larger project. DEP recommended issuing a partial Certificate of Compliance if the property itself meets the conditions of the original Order and was completed according to the approved plan.

The Agent reported that during her site visit she discovered a small structure on the property which was never permitted by the Building Department or the Conservation Commission. It was located in the 0 -50' buffer zone of a freshwater wetland. The Commission agreed it would be more harm to ask to remove the structure and it is a small playhouse that is not being used. Should the property owners apply for any permits for this structure, it will be noted that it is not a

permitted structure. After review of the property she recommended the Commission issue a partial certificate of compliance for 11 Cider Hill Lane.

Mr. Lesser moved to grant the certificate of compliance. Mr. Gaskin seconded the motion and it voted to approved 5-0.

Emergency Certification:

9 Pleasant Street - Ratify signed document for installation of beaver deceiver

The Agent reported to the Commission on her findings from a site visit to 9 Pleasant Street for the emergency installation of a water flow device. She explained that once the Board of Health (BOH) issued a permit for an emergency to install the water flow device, then she issued an Emergency Certification with Conditions for the installation of water flow device. She noted that the emergency was at 155 Maple Street where the property owners' well was close to the rising water . Mr. Gaskin voted to ratify the emergency certification. Mr. McClintock seconded, and it voted to approve 5-0.

Discussions:

Discussion #5 - Conservation Land Management

Mr. Killeen entered into the meeting and the Commission asked questions about his recent report to the Selectmen on progress with the grant application for the Forestry Stewardship Plan. Mr. Killeen reported he applied with the assistance of the Conservation Agent. The Agent noted that Town Forest would receive approximately \$2,000 for the cost-share. She also noted that the Plan cost will vary depending on the forester selected. For example, Phil Benjamin the Forester hired by the Commission was hired, the cost to draft the plan would be approximately \$4,000. Mr. Killeen said he understood that the Commission via the Conservation Trust Fund could not assist the Town Forest in paying for the Forestry Stewardship Plan. The Commission was not aware of this and would check with Town Counsel if the need arose to help. Mr. Killeen noted that the Town Forest revolving fund has sufficient funds to pay for any costs.

Discussion #1 – Sassamon Trace Golf Course Annual Review

Mr. Dowse recused himself from the discussion.

The Sassamon Trace representatives submitted a proposed list of new products to be used to treat the turf on the golf course. The Commission reviewed the product list. Mr. Lesser pointed out that terms of reference need to be agreed upon and a consultant needs to be hired to conduct a formal review of IPM and organic practices and the process for approving new agricultural products. In the meanwhile, Mr. Lesser and Mr. Gaskin both agreed that a request for new products should include data such as application rates, toxicity levels, and a comparison of the old products to the new products, to be sure the new products meet the existing procedure developed by Natick. The Sassamon Trace representatives will need to return to the Commission with a more complete presentation of that information.

The Commission provisionally approved products comprised of natural components until the Sassamon Trace representatives can return to a future meeting (within the next 2-3 months) and a consultant is hired to review the existing data and new products.

Discussion #2 – 237 Washington Street Update

Mr. Hurt and Mr. Pasquale were present. Mr. Hurt explained to the Commission that he just submitted a plan with the required delineation. The Agent explained that the monitoring wells were not on the plan as she had asked and the delineation site visit has been completed and reviewed by her. The Commission asked the Agent what else was needed to move this forward. She stated that the Commission needed to complete a site visit, erosion controls need to be erected, new plan with Commissions requirements need to be submitted, and the Agent and/or Chair needs to issue an amended Enforcement Order with requirements for compliance. She explained that one of the requirements of the EO would be to file a Notice of Intent. The deadline for the submission of the NOI is June 6th for the June 20th meeting. The site visit was scheduled for Tuesday, May 14, 2013 at 8am.

Discussion #3 – Knollcrest Lot 4 request for extension under the Governors Permit Extension Act

The Agent explained that Mr. Sanclements requested an extension be granted on the Order of Conditions DEP #283-295 for Knollcrest Lane development. He invoked his right to extend the permit to December 9, 2013 under the Governors Permit Extension Act. The Commission took note of the extension and will send a letter to the property owner.

Discussion #4 – Town Meeting and Sherborn Wetland Bylaw Article 18

The Agent reported the Bylaw amendments have been approved by the Commission and supported by Advisory Committee and the Selectmen. Mr. Lesser stated he will present it at Town Meeting. The Agent asked if two members are available to hand out supportive documents at the meeting. Mr. Lesser and Mr. McClintock volunteered.

Discussion #5 – Conservation Land Management Update

This discussion was completed earlier in the evening as David Killeen of Town Forest came into the meeting to report on his discussion with the Selectmen.

Conservation Administrator/Agent's Report:

- **Blanding Turtle Trapping**

The Agent reported that Department of Fish and Wildlife is trapping turtles in Sherborn conservation land.

- **Move May 16th meeting to May 23rd**

The Agent asked the Commission would like to move meeting to 5/23 since Conservation is scheduled to meet with the Board of Selectmen on 5/23 to present the rejuvenation plan. The Commission discussed and decided to keep the meeting as scheduled.

- **Presentation to Selectmen on May 23rd**

It was discussed that Commissioners who are available will attend the Board of Selectmen meeting. The Agent agreed to post.

- **Beaver Dam at Mill Pond Reservation**

The Agent reported she met with Mr. Barnard of 32 Saddlebrook Road, who is concerned that beaver damming may be impacting his septic system.

The property owners around the pond or parties who are affected may pay to install a water flow device. They plan to go before the Board of Selectmen to request partial or full reimbursement for the work. The Conservation Commission will have to issue an emergency permit when the work is ready to be done.

- **37 Ash Lane Amendment**

An Order of Conditions was previously granted. The property owner has submitted a new plan to the Agent and applied for a new building permit. The proposed new building itself is outside the Conservation Commission's jurisdiction but was originally planned for within the Commission jurisdiction. The Agent reported she asked the property owner to repair the erosion controls as the site was still unstable and more grading would be taking place and the erosion controls have become degraded over the winter.

Approval of Minutes of 4/4/13 & 4/18/13

4/4/13: Mr. Dowse moved to accept the minutes as amended. Ms. Tyler seconded the motion and it was voted to approve 5-0.

4/18/13: Minutes will be reviewed at the next meeting.

Adjournment:

There being no other business to attend to, Mr. Gaskin moved to adjourn the meeting at 8:38 p.m. Ms. Tyler seconded the motion and it voted to pass 5-0.

Respectfully submitted,

Jessica Pettit
Minutes Clerk

Documents Presented at the May 2, 2013 Public Meeting

All documents shall be kept in the Conservation Commission Office files.

Discussions:**Discussion #1**

1. Sassamon Trace Golf Course April 30, 2013 emails from Kristoffer Armando, “Best Management Practices”
2. Sassamon Trace Golf Course Approved Sherborn Chem List, received May 2, 2013
3. Sassamon Trace Gold Course Potential Chem Program, received May 2, 2013
4. May 1, 2013 email from Michael to Kris, Pete, and Bob of Sassamon Trace Golf Course
5. MCL Notes on Toxicity Categories (not submitted by Sassamon)
6. Sassamon Trace Golf Course: Scope of Work for Review of Sherborn Conservation Commission Conditions in Perpetuity, working draft by Michael Lesser, April 18, 2013
7. Sassamon Trace Golf Course: Scope of Work for Review of Sherborn Conservation Commission Conditions in Perpetuity Related to Integrated Pest Management and Organic Management Issues, working draft by Michael Lesser, April 30, 2013
8. Sassamon Trace Golf Course IPM Monitoring Plan, Natick Conservation Commission, received March 9, 2011
9. Sassamon Trace Golf Course Order of Conditions Amendments, Natick Conservation Commission, March 9, 2011

Discussion #2

1. “Wetland Flagging Memorandum, 237 Washington Street, Sherborn, MA,” from Paul McManus to Pat Panza, dated April 17, 2013, received April 23, 2013

Discussion #4

1. Chapter 17. General Wetlands By-Law (Added 1981)

Discussion #5

1. “Rejuvenating Sherborn’s Forests and Reservations for public enjoyment,” Approved by the Sherborn Conservation Commission, April 4, 2013

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