

# Conservation Commission



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

September 5, 2013

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

**Members Present:** Steve Gaskin (Chair), Jessica Pettit, Michael Lesser, Kelly McClintock, Julia Jacobson (arrived at 7:35 pm), and Bridget Graziano (Conservation Agent/Administrator)

**Absent Members:** Alex Dowse, Andrea Stiller

**Guests:** Ms. Susan Tyler, Mr. William Pounds, Mr. Peadar Hardiman

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

Mr. Gaskin notified the Commission that Ms. Tyler will be recording the meeting.

## **Determinations:**

### **114 Farm Road - Proposal to replace existing platform walkway**

Mr. Pounds was present as the applicant. The Agent presented the applicant's proposal for a replacement of existing walkway within a wetland resource, this would be an in-kind replacement. The Agent reported that she contacted the Pam Merrill at the Department of Environmental Protection (DEP) to review Massachusetts Wetland Protection Act Regulation for this type of work. The Agent is waiting to hear back. However, based on her knowledge of the regulations this would be considered a limited project and an NOI should be filed. She did note that this work would be done within a wetland resource, but would not fill, alter or dredge the resource. Mr. Pounds noted that he could wait for the Commission to gather more info from DEP. He signed a waiver granting the Commission permission to continue the discussion during the next Commission meeting.

### **57 Harrington Ridge Road - Proposal to install at replacement septic system**

No one was present to represent the applicant. The Agent presented the applicant's proposal to install a replacement septic system. She noted the distance from the wetland resource and

recommended a Negative 3 Determination be issued by the Commission as erosion controls would be set on the 100' buffer zone line.. Mr. Gaskin moved to accept the Agent's recommendation. Mr. McClintock seconded and it was voted to approve 4-0.

**63 Russet Hill Road - Proposal to construct a barn 10 feet by 20 feet**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct a shed/barn. She stated that this proposed project is outside the Commission's jurisdiction and therefore, recommended a Negative Determination be issued by the Commission. Mr. Gaskin moved to accept the Agent's recommendation. Mr. McClintock seconded and it was voted to approve 4-0.

**11 Stoney Brook Road - Proposal to construct an addition to the existing dwelling**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct an addition to the existing dwelling. She stated that the project will take place outside the Commission's jurisdiction and therefore, recommended a Negative Determination be issued by the Commission. Mr. Gaskin moved to accept the Agent's recommendation. Mr. Lesser seconded and it was voted to approve 4-0.

**181 South Main Street - Proposal to replace existing distribution box**

No one was present to represent the applicant. The Agent presented the applicant's proposal to replace the existing distribution box. She stated that the project will take place outside the Commission's jurisdiction and therefore, recommended a Negative Determination be issued by the Commission. Mr. Gaskin moved to accept the Agent's recommendation. [name] seconded and it was voted to approve 4-0.

**14 Brook Street - New proposed soil testing locations for RDA-13-74**

The Agent presented to the Commission the original proposed Determination of Applicability for RDA-13-74 for soil testing. She stated the applicant has resubmitted plans for a new location for testing. This under the regulation required review by the Commission as a change in plans. The Agent reported that because this area is still outside the Commission's jurisdiction that this would just be an amendment to the Determination RDA-13-74.

**2 Knollcrest Lane - Proposal to construct a house, septic well, and landscape yard**

No one was present to represent the applicant. Agent presented the applicant's proposal to construct a house, septic system, well, and landscape yard. She stated that the project will take place outside the Commission's jurisdiction and therefore recommended a Negative Determination be issued by the Commission. Mr. Gaskin moved to accept the Agent's recommendation. Ms. Pettit seconded and it was voted to approve 4-0.

**99 Prospect Street - Proposal to demolish existing shed and construct new two car garage**

No one was present to represent the applicant. Agent presented the applicant's proposal to demolish an existing shed and construct new two car garage. She stated that the project will take place outside the Commission's jurisdiction and therefore recommended a Negative

Determination be issued by the Commission. Mr. Gaskin moved to accept the Agent's recommendation. Mr. Lesser seconded and it was voted to approve 4-0.

**Discussions:**

**Discussion #1 – Request to Amend Order of Conditions DEP 283-0342**

Mr. Hardiman was present as the applicant's representative. The Agent presented the applicant's proposal to amend the existing Order of Conditions DEP # 283-0342.

Ms. Jacobson arrived at 7:35 PM.

Mr. Lesser moved to declare the change a minor one. Mr. McClintock seconded and it was voted to approve 5-0.

Mr. Gaskin stated that, the Sherborn Conservation Commission finds:

1. The applicant proposes to add a new septic line from an existing septic tank to the new constructed barn within the Commission's jurisdiction.
2. All proposed amendments shall not adversely affect any wetland resource protected under the Massachusetts Wetlands Protection Act and the Sherborn General Bylaw, Chapter 17.

The Commission shall amend the following conditions within the approved Order of Conditions, dated July 25, 2013.

1. The Commission voted to add the new plan to the original Order of Conditions (DEP Form 5), Part I, under the heading of "General Information" in Section A, Final Approved Plans and Other Documents. This Section shall reflect the new plan, in sub-section (a) with title, "Septic Tank Plan 37 Ash Lane, Sherborn, Massachusetts" by Folan Contracting Services, Inc., dated August 20, 2013. The following titled plan shall be added to the list of approved plans in this section "Septic Tank Plan 37 Ash Lane, Sherborn, Massachusetts" by Folan Contracting Services, Inc., dated August 20, 2013.
2. The Commission voted to add the new plan to the original Order of Conditions, Part II, for the Sherborn General Wetlands Bylaw, under the Findings, Section (C), "Septic Tank Plan 37 Ash Lane, Sherborn, Massachusetts" by Folan Contracting Services, Inc., dated August 20, 2013.
3. The Commission voted to add the new plan titled "Septic Tank Plan 37 Ash Lane, Sherborn, Massachusetts" by Folan Contracting Services, Inc., dated August 20, 2013 to heading Special Conditions under condition # 4, 5, 7, 13.

Ms. Graziano read the motion in full. Mr. Gaskin moved to accept the new plan and the language as read by Ms. Graziano. Ms. Pettit seconded the motion and it was voted to approve 5-0.

**Warrant**

The Commission reviewed Warrant #12 for submittal. The Agent reported the only item on the warrant is the cost for the Minutes Clerk, as a consultant. Mr. Gaskin reviewed and signed the warrant.

### **Discussion #2 – Vote on Chair and Treasurer**

Mr. Gaskin moved to postpone the decision until the full commission could be present.

### **Discussion #3 - Beaver Mgmt Docs/Co-sponsor public outreach forum with BOH/Wildlife Mgmt Comm**

The Agent presented her first draft of a flow chart for the Town of Sherborns procedures for dealing with beaver/muskrat problems. Ms. Jacobson agreed to work on the document with a flow chart for decision making. The Commission discussed holding a public forum to discuss beavers and the possibility of recording the event for those who could not be present. The Commission agreed to wait until May 2014 to hold a forum on Beaver management. It was also discussed that the Commission should draft an article for the newspaper.

### **Discussion #4 - Forestry Stewardship Plan Progress/ Possible new grants**

The Agent presented her recent discussions with the Service Forester Phil Benjamin on moving forward with the Barber Reservation Project. She reported that Mr. Benjamin and she had been working on license agreement, possible cost, and conditions with NSTAR. Finally, NSTAR sent the conditions and is then going to work on license agreement. There is still the question whether NSTAR will ask for a permitting fee of \$5,000. The Commission discussed whether or not a local utility company that has an easement on town lands has the authority to restrict our use of our own lands. . Ms. Jacobson agreed to inquire about the utility company's authority in this area. The Commission will continue the discussion when more information is available.

The Agent noted that Mr. Benjamin did not feel the requirement for insurance to be held by the logger and the conditions associated with logging near the powerlines were unreasonable.

### **Approval of Meeting Minutes of 8/15/13**

Mr. Gaskin proposed to postpone the vote on the meeting minutes until the next Commission meeting, and the rest of the Commission agreed..

### **Conservation Administrator / Agent's Report**

- **Progress on Regulation amendments:** The Agent reported she is still waiting to hear back from Town Counsel.
- **Land Management:**

#### **Hopestill Reservation**

The Agent discussed that two fields and the current management of each. She reported that Laurie Woodward still needs to meet with the Commission. Mr. McClintock agreed to meet with he as promised at the past meeting. This was for one field. The Agent then stated that the other field at the corner of Mill and Hollis

Street. She thought that the trees could be cleared around the stone wall for better visual lines.

### **Hidden Meadow**

The Agent reported that Hidden Meadow was mowed. She suggested that the paths/trails should be mowed in May 2014 and through the summer. The Agent noted that she will contact Wes Wirth to mow the trails throughout the spring and summer and the fields will be mowed once annually .

### **School House Lot**

The Agent reported that Schoolhouse lot field was mowed. She reported that some management could be done to open the fields to provide better visual lines and prevent encroachment of vegetation or invasive species into the field. The Agent recommended having a site visit with the abutters, tree warden and the Commission to review health of trees and the cutting possibilities. The Commission asked her to set a date for this visit.

### **Mill Pond Area**

The Agent provided an update on this area to the Commission. She agreed to review this area to see if management could be done and who will continue to mow the parking lot area.

### **Barber Reservation**

The Agent reported that the area had not been mowed and stated she spoke with Matt Mayo and he was working on it. She reported that he promised the front would be done by this weekend.

### **Adjournment**

There being no other business to attend to, Mr. Gaskin moved to adjourn the meeting at 8:17 p.m. Mr. McClintock seconded and it voted to approve 5-0.

Respectfully submitted,

Bridget R. Graziano  
Conservation Administrator/Agent

## **Documents Presented at the September 5, 2013 Public Meeting**

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

### **Discussions:**

#### **Discussion #1**

- Folan Contracting email requesting amendment to the Order of Conditions for 37 Ash Lane
- Plan titled, "Septic Tank Plan 37 Ash Lane, Sherborn, Massachusetts" by Folan Contracting Services, Inc., dated August 20, 2013

#### **Discussion #4**

- Document titled, " Rejuvenating Sherborn's Forests and Reservations for Public Enjoyment", dated September 12, 2013
- 2014 Revenue Expense Report for Conservation Trust Fund
- 2013 Revenue Expense Report for Conservation Trust Fund

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