

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

October 17, 2013
Sherborn Town Hall
7:00 P.M.

Minutes of the Meeting

Members Present: Jessica Pettit, Michael Lesser (acting chair), Alex Dowse, Kelly McClintock, and Bridget Graziano (Conservation Agent / Administrator)

Absent Members:

Steve Gaskin (Chair), Andrea Stiller, Julia Jacobson

Guests:

Mr. Peter Fraghman, Mr. Tony Petro, Ms. Susan Tyler, Ms. Susie Wheelwright, Mr. Warren Wheelwright

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

Determinations:

43 Page Farm Road - Proposal to install a Distribution Box

No one was present to represent the applicant. The Agent presented the applicant's proposal to replace the existing distribution box. She recommended a Negative Determination (Negative 1, Negative 4, Negative 6) be issued by the Commission as there were not wetland resources within 100-feet of the project site. The Agent noted that the project has fallen within the Massachusetts Natural Heritage Programs, Estimated and Priority Habitat for rare, threatened and endangered species. Therefore, the applicant under the Massachusetts Endangered Species Act is required under state law to file with their office for particular projects. She explained the letter to the applicant will reflect this information. Mr. Lesser moved to accept the Agent's recommendation. Mr. McClintock seconded and it was voted to approve 4-0.

Mr. Lesser notified the Commission that, as of 7:05 pm, Ms. Tyler will be recording the meeting.

7 Curve Street - Proposal to perform soil testing

No one was present to represent the applicant. The Agent presented the applicant's proposal to perform soil testing. She recommended that a Negative Determination (Negative 3) be issued by the Commission for soil testing only. The Agent reported that a wetland resource was found sufficiently near the testing area that the project would be within the Commission's jurisdiction. The work will take place in the outer buffer zone that has already been altered. Mr. Lesser moved to accept the Agent's recommendation. Mr. Dowse seconded and it was voted to approve 4-0.

Signing of Warrant

Mr. Lesser signed the reimbursement of mileage at the official rate, for the period of July 1st, 2013 to October 15th, 2013

Meeting Minutes from 09/26/2013 and 10/03/2013

The Commission agreed to postpone the review of minutes as not enough members were present at meetings where these minutes were transcribed.

Conservation Administrator / Agent Report

- **Meeting on Regulation amendments**

The members discussed the process of consolidating comments from the Commission, Agent and Town Counsel before holding a public hearing and voting. The Commission reviewed the possible options for developing a clean, consolidated document for a public hearing. It was agreed to hold a special meeting to discuss possible amendments to the regulations and to invite known interested parties. The Commission agreed to schedule a special meeting only discussing the regulations on November 12th.

- **Beaver Flow Chart**

Mr. Lesser and the Agent will work on the document and will send it out to the commission for the next meeting.

Discussions

Discussion #1 – Pilot Program Implementation of Forestry Stewardship Plan at Barber Reservation Pilot program (Commission to Vote)

Mr. Lesser summarized the Forestry Stewardship Plan and the proposed pilot program in the Barber Reservation for a total of approximately 12 acres. He highlighted the goals of fostering biodiversity and long-term health and robustness of the ecosystem through developing/implementing this forestry plan. It was noted that the plan is designed to, at a minimum, cover its own costs.

Mr. McClintock shared residents' concerns that opening the canopy during thinning might encourage invasive species. The Agent noted that she would survey the area to record invasive species present before cutting to establish a baseline. This information would then be used as part

of monitoring this site for invasives and other impacts from the proposed work. She noted that she did have concern for seeds that can reside in the ground for years before developing, and this could skew the results. The Agent also proposed that removal of invasive species in the project area could also be part of the monitoring.

Mr. Lesser invited guests at the meeting to comment or ask questions.

Mr. Wheelwright stated that the property formerly owned by the Humphrey family now has a lot of buckthorn. He explained that the increased growth was due to the change in the canopy. He noted that any changes could upset the balance of nature and would have an impact upon wildlife as well.

Mr. Dowse noted that forests in the town are already the result of forest management and that one benefit of this is that a resource has become accessible to the public.

Mr. Wheelwright mentioned that the old-growth trees and dying/dead trees provide habitat for some wildlife species. He advised that the only change be the removal of invasive species.

Ms. Wheelwright stated that there seems to be a consensus about the invasive species, but asked how much of the plan was financially driven. She mentioned that it was not possible for one person or one committee to solve the problem of invasive species, but that she didn't think logging was the solution.

Mr. Lesser interjected stating that this project is not necessarily about producing funding or making money, but it will at least cover its costs and it would be helpful for these type of projects to produce some money for the town in order to possibly get more funding in the future for maintenance of conservation lands.

Mr. McClintock mentioned that the clearing along the stone walls is necessary to keep the area stable and that the discussion has been about how to get the work done at no cost to the town.

Mr. Dowse mentioned that the maintenance budget has been level-funded for many years now and many areas need attention not just lands where forestry can be conducted. Overall, this type of project is a good beginning to show residents what can be done to improve the overall health of the forests.

Mr. Fraghman mentioned that the head of the forestry committee in Natick has helped design a forest plan with the goal of tree diversity, including diversity of age, for an area of about 100 acres. He noted that he is in favor of this particular project and commended the Commission for moving forward with it.

Mr. Lesser stated that there seems to be fundamentally different views of the land. One view is that it is nature and that humans are playing with it. The other view is that it has already been tampered with and that people are trying to compensate for the past. He noted that the forests in Sherborn have been altered previously and that this pilot program is designed as an experiment to see if management can assist in developing a healthy forest building on the experience of other forestry/forester efforts.

Mr. Dowse mentioned that Phil Benjamin has worked hard to define the benefits to all members, to educate and be open to people. His plans could have maximized profits; instead they focused on maximizing the health of the forest. His plan will improve the area, including removing trees that are diseased or vulnerable to disease.

Mr. Fragman stated that the experience in Sherborn parallels the experience in Natick. The plan in Natick also involves making the forest as healthy as possible. He mentioned that he believes Sherborn is approaching this very wisely.

Ms. Tyler stated that, during her time on the commission, many sites were reviewed that had been logged in the manner planned in the pilot program. She stated that the overall plan is a ten-year plan and that it is in an area that is already a managed forest.

Mr. McClintock moved (1) to implement the pilot program for lots 23, 24, 25, 26 in the Forest Stewardship Plan, (2) to begin the monitoring program discussed by the agent for invasive species, and (3) to explore ways to leverage any profits to move forward with the stone wall clearing, where possible.

Mr. Dowse and Mr. Lesser stated that they didn't think the third component of the motion would be viable. Mr. Lesser mentioned that the third part of the motion could be dealt with separately. Mr. McClintock agreed that the third component could be addressed later.

Mr. Dowse seconded the motion (of components one and two). The motion was voted to approve 4-0.

Discussion #2 - 44 Page Farm Road Violation/Complaint

The Agent explained to the Commission that Mr. Gaskin agreed to contact Mr. Keith Bartlett regarding the continued complaint by Mr. Paul Hartnett and to ask if the Commission may conduct a site visit of this property to officially address Mr. Hartnett's complaints. The Agent reported she will add to agenda once this is completed.

Discussion #3 Deer Management in Town

The members discussed working with the Wildlife Committee to best address the situation. Mr. Lesser noted that the discussion will continue at a meeting where more of the members are in attendance.

Discussion #4 Setting up Memorandums of Understanding with managers of Conservation lands

Mr. McClintock stated that he would work to find a more informal approach to documenting agreements with those who manage conservation lands. Mr. Lesser stated that it would be helpful to know how much hay is produced from the conservation lands. The Agent mentioned that she would find a time to meet with committee members to work on this.

Discussion #5 Request for minor amendment to Order of Conditions (DEP#283-264)-

Mark Beaudry submitted a plan titled, " OW-1 Location Sketch" revision date August 23, 2013. The Commission reviewed the plan. Mr. Lesser voted to regard this plan as a minor amendment, since the well would be moved outside the Commission jurisdiction, Ms. Pettit seconded and it was voted to approve 4-0.

It was stated that the Sherborn Conservation Commission finds:

1. The applicant proposed changes to the location of OW-1, which has been moved to a location outside the Conservation Commission jurisdiction. This plan is submitted for the record of location and to the list of approve documents for the Order of Conditions
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. All work is proposed within the limit of work and altered buffer zone known as lawn.

The Commission shall amend the following conditions within the approved Order of Conditions, dated (amended) October 25, 2012.

1. The Commission voted to add the new plan titled, " OW-1 Location Sketch", dated August 23, 2013 to the document titled, "Amended Order of Conditions Documents of Record, Whitney Farm, Sherborn, DEP File No. 283-264, dated October 25, 2012, under Documents submitted by the Applicant's Representatives, Engineering Plans.

Mr. Lesser moved to add the document to the amended Order of Conditions and records of Whitney Farm. Ms. Pettit seconded and it was voted to approve 4-0.

Mr. McClintock moved to adjourn the meeting. Ms. Pettit seconded and it was voted to approve 4-0. The meeting was adjourned at 8:47 pm.

Respectfully submitted,

Alison Browning Mitchell
Minutes Clerk

Documents Presented at the October 17, 2013 Public Meeting

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

Conservation Administrator / Agent Report**Meeting on regulation amendments**

- Current Sherborn Wetlands Regulations

Discussions**Discussion #1 - Implementation of Forestry Stewardship Plan at Barber Reservation Pilot program (Commission to Vote)**

- Sherborn Forestry Stewardship Plan for Barber Reservation, pages 22-26
- Sherborn Forestry Stewardship Plan maps

Discussion #3 Deer Management in Town

- **Dover**
 - List of information taken by Conservation Agent
 - "Report by the Dover Board of Health concerning the health hazard of Lyme Disease, its relationship to deer ticks and deer density" by Dover Board of Health, date January 10, 2010
 - "Regulated Deer hunt on Dover Open Town Lands, dated October 18, 2010
- **Weston**
 - Memorandum to the Board of Selectmen from Weston Conservation Commission, titled "2012 Deer Management Program Summary", dated January 31, 2013
 - Memorandum to the Board of Selectmen from Weston Conservation Commission, titled "Deer Management Program", dated July 11, 2012
 - Weston Bow Hunting Regulations, approved July 10, 2012
 - Weston Deer Facts, October 2011 by Weston Conservation Commission
 - Weston Deer Management Program, Frequently Asked Questions
 - Town of Weston Deer Impact Study Results 2012
 - Weston Powerpoint presentation, titled "Launching a town wide Deer Management Discussion, November 2012
 - Deer in Weston Conservation Commission Report May 2012
- **Framingham**
 - Memorandum to Board of Selectmen from Jennifer Steel, Framingham Asst. Conservation Agent, titled "Proposed Deer hunting in Wittenborg & Macomber, dated July 18, 2008
- **Medfield**
 - Medfield Lyme Disease Committee, "Recommendation for Program to Reduce Lyme Disease for the Medfield Board of Selectmen", dated April 11, 2011

Discussion #5 Request for minor amendment to Order of Conditions (DEP#283-264)

- " OW-1 Location Sketch", dated August 23, 2013 by Meridian Associates

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