

# Conservation Commission



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

November 7, 2013

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

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

**Absent Members:** Steve Gaskin (Chair), Julia Jacobson

**Guests:** Ms. Susan Tyler, Carol Rubenstein, Recycling Committee, Ms. Jean Bednor, Mr. John Higley, Chairman of the Planning Board

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

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

Mr. Lesser read the Meeting Agenda. There were no amendments to the Agenda.

## **Determinations:**

### **21 Farm Road - Proposal to demolish and reconstruct screened-in porch 12' x 27'-**

No one was present to represent the applicant. The Agent presented the Applicant's proposal to demolish and reconstruct a screen porch. She reported that the proposed work is outside the Commission's jurisdiction and therefore recommended a Negative Determination. Mr. Lesser moved to accept the Agent's recommendation. Mr. Dowse seconded and it was voted to approve 5-0.

### **Request to waive bylaw fee for 161 South Main Street -**

Mr. Williams, Town Administrator, requested the Commission waive the fee for the Determination for the project to add fencing along Rt.27. Mr. Dowse moved to waive the bylaw fee. Ms. Stiller seconded and it was voted to approve 5-0.

The Commission briefly discussed the budgetary implication of waiving the fee for other town departments. It was also noted that the cost for a project is skewed if waiving fees.

### **161 North Main Street - Proposal to remove and construct fencing along North Main Street for Transfer Station**

Carol Rubinstein was present as the representative for the applicant. The Agent presented the town's proposal to replace the existing fencing at the Sherborn Transfer Station. She reported the fencing is in close proximity to the wetland resource along North Main Street. The Agent described the conditions of the determination and recommended a negative determination (Negative 3). Mr. Dowse moved to accept the determination. Ms. Stiller seconded and it was voted to approve 5-0.

### **12 Oldfield Drive - Proposal to construct an in-ground pool and its associated fencing**

No one was present to represent the applicant. The Agent presented the applicant's proposal to install an in-ground pool with associated fencing. She reported that a wetland resource was within 100' of the proposed project and therefore fell under the Conservation Commission jurisdiction. The Agent recommended a Positive 2B and 4 determination. Mr. Lesser moved to accept the recommendation of the Agent. Mr. McClintock seconded and it was voted to approve 5-0.

### **210 Western Avenue - Proposal to construct a sunroom**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct a sunroom addition to the existing dwelling. The Agent reported the proposed work would take place outside the Commission's jurisdiction. Therefore, she recommended a Negative Determination. Mr. Lesser moved to accept the recommendation of the Agent. Ms. Pettit seconded and it was voted to approve 5-0.

### **24 Hunting Lane - Proposal to construct a concrete over hang with cover**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct an extension to the existing barn with impervious surface. The Agent reported that the proposed work will take place outside the Commission's jurisdiction. Therefore, she recommended a Negative Determination (Negative 1, Negative 4, Negative 6). Mr. Dowse moved to accept the recommendation of the Agent. Ms. Pettit seconded and it was voted to approve 5-0.

### **Enforcement Order**

#### **59 Whitney Street - Enforcement Order for violation of Order of Conditions DEP #283-264**

The Agent presented an Enforcement Order she issued based on a discussion with Bob Gargano and Mark Beaudry for the Whitney Farm LLC development at the October 3, 2013. She issued an enforcement order regarding the filling of wetlands, this included replacement of vegetation. She asked the Commission ratify the order. Mr. Lesser moved to ratify the Enforcement Order. Ms. Stiller seconded and it was voted to approve 5-0.

**Certificate of Compliance****175 Maple Street - Request for Certificate of Compliance DEP#283-0328**

The Agent presented the applicant's request for the Commission to issue a Certificate of Compliance for the project under DEP #283-0328. The Agent reviewed the site and reported that the applicant is in complete compliance with all conditions within the Order of Conditions and that there are no conditions in perpetuity. The Agent recommended granting a Certificate of Compliance. Mr. Lesser moved to grant the Certificate. Ms. Stiller seconded and it was voted to approve 5-0.

**Approval to Meeting Minutes of 9/26/13**

Mr. Dowse moved to accept the meeting minutes of September 26th, 2013. Ms. Stiller seconded and it was voted to approve 4-0-1, Ms. Pettit abstaining.

**Approval to Meeting Minutes of 10/3/13**

Mr. Lesser moved to accept the meeting minutes of October 3, 2013 as amended. Ms. Stiller seconded and it was voted to approve 5-0, Ms. Pettit abstaining.

**Discussions****Discussion #1 Guiding Principles for conservation lands and other issues relating to Barber reservation comprehensive plan**

Mr. McClintock, Ms. Graziano (the Agent), and Jean Bednor presented the most recent draft of a proposal to hire the Conway School to complete an ecological study of Barber Reservation. This would be managed by the Conservation Commission.

Jean Bednor began the presentation to the Commission, speaking of her recent conversations and correspondences with the Conway School regarding the acceptance of the proposed project for an ecological study at Barber Reservation. Ms. Bednor explained her role with the Land Management Task Force, which had talks about this option of hiring the Conway School.

Mr. McClintock explained how much work Ms. Bednor has done to engage Conway School.

Ms. Bednor reported that the proposal for the ecological study at Barber Reservation would be conducted in April of 2014 with graduate students. The Commission would meet with Conway School's graduate students assigned to this project to review what the Commission is looking for in the ecological study, this would be based on the Commission's final approval of the Guiding Principles document drafted by Ms Bednor, Ms. Graziano, and others. In addition, she explained the students would plan and host two public meetings about the project.

Mr. McClintock noted the total cost of the project is \$6500 and that this is a good price for what we would be receiving. He continued by stating that the cost would be split by multiple organization who have an interest in this.

Mr. Dowse asked that people be involved and urged the commission to be supportive.

It was asked if the Selectmen would need to get an update on this, the Agent noted that at the presentation in September she and Mr. McClintock provided potential uses of the Conservation Trust Fund to implement the Guiding Principles. Mr. McClintock sees no need to get their approval but agreed the Commission could provide regular updates as needed.

Mr. Lesser noted he would like to see clarity on funding and Scope of Work. Jean noted that the Commission can send her edits and copy the Agent in order to have a document the Commission can vote on by January 2014.

Ms. Bednor provided a history of the language of the paragraph about habitat mapping and boundaries'

Mr. Lesser stated that the recommendations would be the most important part of the consulting work from the Conway School.

Ms. Bednor stated that she felt this study could be of great assistance with planning for Forestry and land management plans.

Mr. McClintock noted the Land Management Task Force will meet again in December, and Commissioners should send comments to Ms. Bednor and copy the Agent for discussion at that Task Force meeting.

It was noted how much each organization might pledge to this project, Conservation Commission's share is \$2,000. The Agent read the line where the Commission presented this to the Board of Selectmen.

Mr. McClintock moved that the Conservation Commission commit \$2,000 from the Conservation Trust Fund for the Ecological Management Project for the Barber Reservation to be conducted by the Conway School provided that the remaining \$4,500 is raised from other sources. Ms. Pettit seconded and the motion was voted to approve 5-0.

### **Discussion #2 Survey Questions for Resident Survey**

The Agent reported she had been working with the Land Management Task Force on adding questions to the town survey to be circulated by the Planning Board. The Task Force is using this to assist in with the results from the other survey circulated at Town Meeting. The Agent asked if Conservation Commission could ask questions and comment on the survey, the Planning Board welcomed all. Mr. John Higley, Chairman of the Planning Board, was present and asked for input from the Commission on the survey. The Commission provided feedback and agreed to send the questions directly to Mr. Higley, since the Planning Board was making the final decision on what questions would be in the survey. Mr. Higley noted that the questions should remain somewhat similar to previous surveys in order to get a proper comparison. Mr. Lesser suggested sending feedback to Mr. Higley and Ms. Graziano via email.

### **Discussion #3 Review of Compliant regarding Flow Deceiver at Pleasant Street**

The Agent recommended that the issue be tabled until the next meeting.

**Discussion #4 Hiring of Minutes Clerk**

Mr. Dowse moved to hire Ms. Mitchell as the Minutes Clerk. Mr. McClintock seconded and it was voted to approve 4-0-1, Ms. Pettit abstaining.

**Conservation Administrator / Agent Report**

- **Progress on Regulation amendments** - The Commission agreed to set a date to discuss the regulations for a special meeting, where no other items would be discussed.
- **Beaver Flow Chart** - Mr. Lesser and the Agent agreed to work on this and put together a group of people of different depts, the BOH, Conservation, Animal Control Office, Police, etc
- **Upcoming Budget Season and Advisory memo** - Mr. Lesser and the Agent agreed to work on this and present to the Commission for FY 15 approval.
- **Sassamon Trace Golf Course Scope of Work and RFPs** - Mr. Lesser sent final draft and this document was reviewed by Agent and then sent to Bob Bois, Natick Conservation Commission to review and move forward.
- **237 Washington Street : Soil Testing Report** - item will be added to the Agenda for the next meeting
- **Conservation Land Maintenance update and set up meeting for review of possible license agreements** - meeting of Bridget, Alex, and Kelly and also Julia.

Mr. Dowse moved to adjourn the meeting. Mr. Lesser seconded and it was voted to approve 5-0. The meeting was adjourned at 9:13 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.

**Certificate of Compliance**

175 Maple Street

- As Built Plans for 175 Maple Street

**Discussions**

Discussion #1 - Guiding Principles for conservation lands and other issues relating to Barber reservation comprehensive plan

- Guiding Principals Document drafted by Land Management Task Force Team, approved by Conservation Commission on April 4, 2013
- Final Draft Letter sent to Conway School
- Response Letter sent to Sherborn Conservation Commission sent by Conway School of design

**Discussion #2 Survey Questions for Resident Survey**

- 1999 Town Census with Resident Survey
- Proposed 2013 Resident Survey

**Conservation Administrator / Agent Report****Beaver Flow Chart**

- Draft of Beaver Flow Chart, created by Agent edited by Mr. Lesser

**Upcoming Budget Season and Advisory Comm memo**

- FY 15 Upcoming Budget Season and Advisory Memo

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