

# Conservation Commission



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

December 19, 2013

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

**Members Present:** Steve Gaskin (Chair), Julia Jacobson (at 7:43 pm), Michael Lesser (at 7:04 pm), Kelly McClintock, Alex Dowse, Jessica Pettit, Andrea Stiller (at 7:13 pm), and Bridget Graziano (Conservation Agent / Administrator)

**Guests:** Mr. Arthur Boyer, Ms. Kathleen Newman, Ms. Susan Tyler, Mr. Jim Murphy, Mr. Mike Graham

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

Mr. Gaskin asked any items not reasonably anticipated within 48 hours of the meeting. There were none.

Mr. Lesser arrived at 7:04 PM

## **North Main St, Map 2 Lot 99 - Proposal to place asphalt on dirt driveway and possible reconfiguration of driveway**

Mr. Boyer was present as the applicant and property owner. The Agent presented the applicant's proposal to add asphalt on the existing permitted dirt driveway, a portion of which runs within the buffer zone to a wetland resource. She reported that a portion of the project would take place within the outer buffer zone. The existing driveway is approximately 8' and there is 4' of shoulder on each side of driveway. Mr. Boyer stated he is requesting to pave just the 8' and there is enough shoulder currently existing, so he is not requesting additional materials for a shoulder. Therefore, she recommended the Commission issue a Negative Determination (Negative 3) with special conditions. The Agent reviewed the conditions with Mr. Boyer, he must erect erosion controls, maintain stabilized slopes with vegetation along shoulders, run-off shall not cause alteration of (e.g. erosion into) the wetland resource, and where possible stone pavers or pervious paving materials should be used in the buffer zone. Mr. Gaskin moved to accept the Agent's recommendation of a Negative 3 Determination. Mr. Dowse seconded the motion and it was voted to approve 4-0-1, as Mr. Lesser abstained since he arrived during the discussion.

## **2 Towne Lyne Road - Proposal to perform soil testing**

Ms. Kathleen Newman was present as the applicant and property owner. The Agent presented the applicant's proposal to perform soil testing for possible development of second lot. She reported

that wetland resources are present on the property; however, due to the winter conditions, a wetland line could not be established during the site visit. The Agent asked the applicant if access could be gained from outside of the Commission's jurisdiction. Mr. McIntyre (property owners' engineer) arrived during the discussion. He explained that access would need to be made through the buffer zone (based on GLM Engineering delineation), and that already altered land that would not be further altered. The Agent recommended the Commission issue a Negative Determination (Negative 3) with conditions permitting testing only. Mr. Gaskin moved to accept the Agent's recommendation of a Negative 3 Determination. Ms. Pettit seconded the motion and it was voted to approve 5-0.

Mr. Gaskin notified the commission that Ms. Tyler would be recording the meeting beginning at 7:12 PM.

### **Coolidge Street, Map 5 Lot 48A - 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 reported that the testing was not found to be within the Commission's jurisdiction; however since this testing was for a site development, only soil testing could be approved at this time (as unknown proposals may be within the Commission's jurisdiction). Therefore, she recommended the Commission issue a Negative Determination for soil testing only. Mr. Gaskin moved to accept the Agent's recommendation of a Negative Determination (Negative 1,4 & 6) for soil testing only. Mr. Lesser seconded the motion and it was voted to approve 6-0.

### **Harrington Ridge Rd, Map 2 Lot 17 - 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 reported that the testing was located outside the Commission's jurisdiction; however since testing was for site development, only testing could be approved at this time (as unknown proposals may be within the Commission's jurisdiction). Therefore, she recommended the Commission issue a Negative Determination. Mr. Gaskin moved to accept the Agent's recommendation of a Negative Determination (Negative 1,4 & 6) for soil testing only. Mr. Dowse seconded the motion and it was voted to approve 6-0.

### **11 Nason Hill Road - Proposal to perform soil testing and installation of septic system**

No one was present to represent the applicant. The Agent presented the applicant's proposal to perform soil testing and septic system installation. She reported that wetland resources were located during the site visit; however, the proposed locations were outside the Commission's jurisdiction. Therefore, she recommended the Commission issue a Negative Determination. The Agent noted that Mr. Saulnier of CIVILized Solutions (professional engineer) needed to correct the plans at the site visit, plans showed the testing location to be in the wrong location on the plan. Mr. Gaskin moved to accept the Agent's recommendation of a Negative Determination (Negative 1,4 & 6) for soil testing and installation of septic system with the condition that the applicant will submit the final proposed plan for the Commission's review to ensure placement of system is still outside the Commission's jurisdiction. Mr. Dowse seconded the motion and it was voted to approve 6-0.

**30 Stoney Brook Road - Proposal to perform soil testing and installation of septic system**

No one was present to represent the applicant. The Agent presented the applicant's proposal to perform soil testing and installation of septic system. She reported that no wetland resources were found during her site visit. Therefore, she recommended the Commission issue a Negative Determination. Mr. Dowse moved to accept the Agent's recommendation of a Negative Determination (Negative 1, 4 & 6) for soil testing and installation of septic system with the condition that the applicant will submit the final proposed plan for the Commission's review to ensure that actual placement of system is outside the Commission's jurisdiction. Mr. Gaskin seconded the motion and it was voted to approve 6-0.

**73 Old Orchard Road - Proposal to perform soil testing and installation of septic system**

No one was present to represent the applicant. The Agent presented the applicant's proposal to perform soil testing. She reported that no wetland resources were found during her site visit. Therefore, she recommended the Commission issue a Negative Determination. Mr. Gaskin moved to accept the Agent's recommendation of a Negative Determination (Negative 1, 4 & 6) for soil testing and installation of septic system with the condition that the applicant will submit the final proposed plan for the Commission's review to ensure placement of system in still outside the Commission's jurisdiction. Mr. McClintock seconded the motion and it was voted to approve 6-0.

**Warrants signed**

1. Minutes Clerk - consultant services
2. Barber Reservation - payment for removal of trees along stone wall

**Agent's Report**

- **Conservation Land Maintenance** - The Agent reported that she spoke with Mr. Mayo about the 2013 hay harvest. She reported that Mr. Mayo was not able to reap sufficient hay off the fields but that he agreed to still charge the Commission \$500. Mr. Mayo stated that if management was not completed to improve the quality of hay, he would need to begin charging \$1000 per mow. He asked to put down 3 year old composted horse manure and then lime in the fall. Only the cost of lime would be charged to the Commission. The Agent requested the Commission's approval to add the composted manure. Mr. Gaskin moved that the Commission approve the spreading of compost, subject to the conditions of the Agent reviewing the manure prior to placement on fields and a meeting with Matt Mayo to review restricted areas where manure may not be placed. Mr. Lesser seconded and it was voted to approve 6-0.

**Discussions****Discussion #1 - Review of Sherborn Wetland Regulations and Review of Wayland Com Tree RDA process****Sherborn Wetlands Regulations**

Draft changes of the regulations were discussed. The Commission noted which changes did not change the Commission's jurisdiction and were corrections and clarifications. It also noted a

number of issues that would need significant discussion in the future. The Commission asked that the Agent have Town Counsel review questions asked and not answered at the meeting.

### **Review of Wayland Con Com Tree RDA process**

The Agent briefly reported that she spoke with the DEP Circuit Rider, who explained that the process Wayland has established for tree cutting does not address obtaining a permit under the Massachusetts Wetlands Protection Act. The Commission agreed to revisit this topic at another meeting.

### **Discussion #2 - Vote on Budget FY15**

Mr. Lesser presented budget possibilities for FY15. The Commission discussed the Conservation Maintenance line item. Mr. McClintock, Mr. Dowse, and Ms. Jacobson agreed that the land maintenance line item should be at \$2,500 based on costs of new improvements and other land management cost the Commission has occurred over the past 6 years. Mr. Gaskin moved that the Commission put forward the current proposed operation budget as proposed by Mr. Lesser, which included a 1% hourly salary increase for the Agent in addition to the 1% COLA, but with an increase in the conservation land maintenance line from \$1650 to \$2500. Mr. McClintock, Mr. Dowse, Ms. Jacobson and the Agent agreed to draft the rationale for the increase in budget for December 31, 2013. Ms. Jacobson seconded it was voted to approve 7-0.

It was discussed that if the proposed FY15 budget needed to be reduced to meet the 1.4% Advisory target, the reduction would first come from the land maintenance line item increase.

### **Discussion #3 - 12 Morse Road Amendment to the DOA RDA-14-39**

Mr. Gram, the applicant's representative, was present for the discussion. The Agent reported that recently during site visits, the Building Inspector noticed that there was a change in plans from the Conservation-approved plan. She stated that the Building Inspector placed a stop work order until the Commission approved the new deck. The Agent presented the Amendment on behalf of the applicant for a proposal to add a deck and stair set to the approved addition. The Agent reported that it was the same distance from the addition to the wetland and it would be pervious. She asked that the conditions for the new addition apply as well to the deck and the prior addition. Mr. Gaskin moved to amend the RDA-14-39 to add the deck. Mr. Dowse seconded and it was voted to approve 7-0.

### **Discussion #4 - 237 Washington Street DEP (#283-0352) violation of Order of Conditions review OOC and possible issuance of EO**

The Agent reported that she has not been contacted by the property owner on October 31, 2013 who reported that lead had been discovered at 237 Washington Street over the MA State's reportable concentration for soils. She stated that she has called and left messages in an attempt to get more information on the test results and obtain the laboratory data as required under the Order, but she has not heard from the property owner. Currently, he is in violation of the Order of Conditions and she recommended issuing an Enforcement Order. The Commission agreed.

**Discussion #5 - 28 Hollis Street Extension under GPEA**

The Agent reported that she recently received a request for an extension to the Order of Conditions at 28 Hollis Street from MetroWest Engineering. She stated that they qualified for the first Governors' Permit Extension and since he has amended the extension for a total of 4 years. She agreed to draft a letter to Mr. Morgans and MetroWest Engineering noting the new date for expiration for the Order of Conditions.

**Discussion #6 - Approval of document titled "Guiding Principles and Board Management Goals for Sherborn Forests and Reservations" and review of Conway School Proposal**

Mr. McClintock moved that the Commission accept the scope of work letter for a preliminary proposal, and authorize the Agent to sign the preliminary scope of work/proposal on behalf of the Commission for the ecological study at Barber Reservation by the Conway School. Mr. McClintock also moved that the Commission accept the document entitled, "**Guiding Principles and Board Management Goals for Sherborn Forests and Reservations**" for use by the Sherborn Conservation Commission. Ms. Stiller seconded and it was voted to approve 7-0.

Mr. Gaskin moved to adjourn the meeting. Ms. Stiller seconded and it was voted to approve 7-0. The meeting was adjourned at 9:50 pm.

Respectfully submitted,

Alison Browning Mitchell  
Minutes Clerk

**Documents Presented at the December 19, 2013 Public Meeting**

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

**Determinations**

2 Town Lyne Road

- Plans titled, "Soil Testing Plan 2 Towne Lyne Road, Sherborn, MA" by McIntyre Engineering, dated December 5, 2013

**Discussions**

Discussion #1

- Sherborn Wetlands Regulations, amendments from Michael Lesser, dated December 8, 2013

Discussion #2

- Proposed FY15 Budget, dated by Michael Lesser, Kelly McClintock, and Bridget Graziano

Discussion #6

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

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