

Conservation Commission



19 WASHINGTON STREET
SHERBORN, MASSACHUSETTS 01770

February 20, 2014
Sherborn Town Hall
7:00 P.M.
Minutes of the Meeting

Members Present: Steve Gaskin, Michael Lesser (at 7:07 pm), Alex Dowse, Kelly McClintock, Jessica Pettit, Julia Jacobson (at 7:05 pm via phone), and Bridget Graziano (Conservation Administrator/Agent),

Absent Members: Andrea Stiller

Guests: Susan Tyler, Corey Van Wyhe, Kitty Sturgis, Eliot Taylor, Pat Cassell, Peter Liffiton

Mr. Gaskin called the meeting to order at 7:00 pm. He notified the commission that Ms. Tyler would be recording the meeting.

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

Determinations

25 Cider Hill Lane - Proposal to install new well and abandon old well

Mr. Van Wile was present to represent the applicant. He presented the proposal to install a new well and abandon the old well. The Agent recommended the Commission issue a Negative Determination (Negative 3) with special conditions. 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 5-0-1, as Mr. Lesser abstained since he arrived during the discussion.

Ms. Jacobson called in to the meeting at 7:05 pm.
Mr. Lesser arrived at 7:07 pm.

Green Lane Map 6 Lot 44 - 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 a Negative Determination (Negative 1, 4, 6) as the site was over 100 feet from wetland resources. Mr. Gaskin moved to accept the Agent's recommendation of a Negative Determination. Mr. McClintock seconded and it was voted to approve 6-0.

255 Western Ave - Proposal to install new well and abandon old well

No one was present to represent the applicant. The Agent presented the applicant's proposal to install a new well and abandon an old well. She recommended the Commission issue a Negative Determination (Negative 1, Negative 4, Negative 6). Mr. Gaskin moved to accept the Agent's recommendation. Ms. Pettit seconded and it was voted to approve 6-0.

36 Parks Drive – Proposal to perform soil testing (continued from 2/6/14)

Continued to March 6, 2014 meeting

Certificate of Compliance

52 South Main Street - Request for Certificate of Compliance (continued from 1/16/14 & 2/6/14)

The Agent presented the applicant's request for the Commission to issue a Certificate of Compliance. The Commission discussed the requirements for remediation. The Commission decided to continue the Request to the March meeting.

Approval of Meeting Minutes of 1/16/13 & 2/6/14 - continued to the next meeting

Public Hearings

Public Hearing #1 - Amendments to the Sherborn Wetlands Regulations

Mr. Gaskin opened the Public Hearing at 7:41 pm. Ms. Sturgis encouraged the Commission to complete the amendments process. Ms. Tyler asked if the most recent copy of the document was available to the public. Mr. Lesser will make available both a 'marked copy' and a 'clean copy' of the document. Mr. Gaskin moved to continue the hearing to 7:30 pm on March 20, 2014. Ms. Pettit seconded and it was voted to approve 6-0.

Discussions

Discussion #1 - Review Grant Application for DCR Forestry

The grant application draft was presented to the commission. Additional details will be sorted out before the next meeting.

Discussion #2 - Ratify 26 McGregor Drive Enforcement Order

The Agent presented the details of the Enforcement Order. During a site visit she discovered the project approved by the Commission had begun without notification of the Commission and erosion control were set incorrectly, causing adverse effects to the wetland resource. She noted that she had verbally communicated with the property owners. The Agent recommended the Commission ratify the Enforcement Order as part of addressing the issues. Mr. Gaskin moved to ratify the Enforcement Order. Mr. McClintock seconded and it was voted to approve 6-0.

Discussion #3 - 247 Washington Street - notification of sale of 61 A draft response to BOS for Feb 21st deadline

The Agent presented the document and plans showing the P&S agreement. She reviewed the prospects of the town purchasing the parcels under P&S agreement. Mr. Liffiton, the real estate agent for the property, arrived at the meeting. The Commission reviewed the plans and asked the Agent questions. Mr. Dowse moved that the commission send a memo stating that it does not think purchasing the property is in the interest of the town and resend the original memo sent by the Agent and Town Planner in 2012 as an explanation of the Commission's reasoning. Mr. McClintock seconded and it was voted to approve 6-0.

Signing of Warrant

Conservation Administrator/Agent Report

- **Conservation land maintenance** - not discussed.
- **FY 15 Budget Meeting with Advisory/BOS** – Mr. Lesser reported that two members of the Commission and the Agent went to the Advisory Committee meeting to present the FY 15 Budget. There was discussion of the Agent's salary and annual increases as well as of the increased land management budget. Mr. Lesser noted that the BOS were comfortable with the Commission's budget and it has been incorporated into the Selectmen's overall budget.
- **11 Nason Hill Road - notification of sale of 61A property** – The Agent stated she received notice this property is under a P&S agreement and the town has rights of first refusal, so the Commission can provide comments to the BOS office but has not been official asked. She noted that there is no reason for the town to acquire this property as currently there is a Conservation Restriction on all but three acres and the existing three acre area with the existing dwelling, so the other approximately 90 acres are protected from development and have specific conservation protection criteria.
- **Beaver Mgmt/Permitting** – Mr. Lesser reported that he and the Agent met with the Town Administrator to discuss the issue. The process is on-going to develop a form to help residents learn more about the topic.
- **Planning Board Meeting on Pulte Update** – Mr. Gaskin reported that during the Planning Board meeting it was noted that the Police and Fire Department have asked for an alternate access route to the property. Pulte proposed an emergency access route but it is through conservation land and the Commission has not been asked about the viability of this proposal. The Agent reported that a representative requested, informally, to come to a future commission meeting.

- **Acquiring open space parcel on Harrington Ridge Road** – The Agent presented her conversation with residents who are considering donating a parcel of their land to the Commission. The Commission asked the Agent to visit the site and determine if the Commissioners should make a site visit. The Agent agreed.

Mr. McClintock moved to adjourn the meeting. Mr. Gaskin seconded and it was voted to approve 5-0-1, Ms. Jacobson abstaining. The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Alison Browning Mitchell
Minutes Clerk

Documents Presented at the February 20, 2014 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

25 Cider Hill Lane

- Plans titled, "Proposed Well Site Plan, 25 Cider Hill Lane, Sherborn, MA" by Metrowest Engineering, dated February 5, 2014

Certificate of Compliance**52 South Main Street**

- Email from David K. Kertzman, Esquire, of Kertzman & Weil, LLP, dated February 19, 2013
- Request for Certificate of Compliance, DEP #283-142

Public Hearings**Public Hearing #1**

- Sherborn Wetlands Regulations, amendments from Michael Lesser, dated February 14, 2013

Discussions**Discussion #2 - 26 McGregor Drive**

- Enforcement Order (WPA Form 9), DEP # 283-0349, dated February 12, 2014
- Order of Conditions (WPA Form 5), DEP # 283-0349, dated

Discussion #3 - 247 Washington

- Memorandum to Town Administrator, dated August 27, 2012
- Letter from Laura Mann, dated January 17, 2014
- Plans titled, "Plan of Land, Sherborn and Holliston, MA" by GLM Engineering Consultants, dated July 9, 2012
- Plans titled, "Plan of Land, Sherborn and Holliston, MA" by GLM Engineering Consultants, dated July 3, 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