

Conservation Commission Meeting
Virtual Meeting
April 21, 2022

Roll call was taken of members and staff present included: Chair, Peg Arguimbau, Meredith Avery, Vice Chair, Keevin Geller, and Stephen Cremer. Alan Westman, Colin Barbera, and Jon Wasserman, were not present. Staff present included Josh Philibert, Conservation Administrator and Jana Katz, Conservation Secretary.

Arguimbau opened the meeting by reading Governor Baker's Executive Order of March 12, 2020. As of June 15, the measure was extended in An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency, allowing by Governor Baker to continue to permitting virtual public meetings until July 15, 2022. Per guidance from the State, Arguimbau noted that all votes would be taken by roll call. She then reviewed the ground rules for the meeting.

The remote meeting was called to order at 7:30pm.

7:34 PM	Public Hearing	OOO Extension DEP SE-280-0579, Sharon Galleries Bob Shelmerdine OBO Ninety-Five, LLC
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Matt Smith the lead engineer on the project at Norwood Engineering joined Attorney Bob Shelmerdine in asking for an extension to DEP SE280-0579 which covers the construction of Old Post Road. The project has been substantially completed and contains storm water management design for a 143 acre watershed. No proposed amendments requested.

Motion: To issue an extension for three years per plan for OOC Dep# SE-280-0579
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Avery moved Cremer seconded Avery- Aye, Geller – Aye, Cremer – Aye, Arguimbau – Aye 4-0-0 Motion Passed
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7:41 PM	Public Hearing	NOI – 61 Eisenhower Drive, Wetland Replication Yury Deych
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The applicant requested a continuance via e-mail until May 5, 2022.

Motion: To continue the hearing on a NOI for 61 Eisenhower Drive filed by Yury Deych until May 5, 2022.
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Cremer moved Avery seconded Avery- Aye, Geller – Aye, Cremer – Aye, Arguimbau – Aye 4-0-0 Motion Passed
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7:58 PM	Discussion Topic	16 Lexington Way – Kelly and Greg Wright, Pool Installation
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Homeowners at 16 Lexington Way, Kelly and Greg Wright appeared before the commission to see about the viability of installing an in-ground pool on their property located at 16 Lexington Way. Upon construction and moving into the house, the owners were permitted to build the yard up to the 65 foot buffer. They were looking for guidance from the members as

to the possibility and likely location of building a pool. Members agreed to perform a site visit and suggested the homeowners come before the commission at the May 5th meeting.

8:10 PM	Discussion Item	Sharon Galleries Sewer Connection
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Robert Shelmerdine and members discussed the wastewater treatment plans for the site known as Sharon Galleries. Historically, an on-site sewage treatment facility was approved which would have kept the water volume within the town. In 2021, the town of Foxborough and Sharon Select Board discussed plans for the Sharon Galleries project to hook into the sewer line serving Foxborough. There is a proposed warrant article that would allow the Sharon Select Board to grant an easement in the road for the construction and maintenance of the line (which Ninety-Five, LLC would be responsible for in perpetuity). The finance committee has reviewed Article 22 regarding the ability of the Select Board to grant an easement.

Matt Smith from Norwood Engineering discussed the two types of wastewater treatment plans. In a decentralized wastewater system, the water recharges into the ground and is treated at an on-site facility. A centralized system treats the water at an off-site facility which can raise concerns about the amount of water that is returned to the site itself. This is of special importance as Sharon gets water from wells and the water would not be returned to the aquifer. Smith informed members that the DPW and town engineer have reviewed these plan extensively.

Shelmerdine noted that the anticipated water usage at the Sharon Galleries site is a small portion compared to town-wide water usage. Avery expressed interest in more water usage data and what will be taken via sewer line to the Mansfield treatment facility. Shelmerdine gave some historical data regarding sewage usage in the area. The estimated anticipated usage will be approximately 34,000 gallons per day from Costco, commercial buildings, and condominiums according to Eric Hooper via Shelmerdine. When Sharon Woods was constructed they homes were connected to the sewer line through the Town of Foxborough, there was an agreement that residents there could collectively utilize 90,000 gallons daily. Currently they utilize 30,000 daily. Due to the underutilization, the Town of Foxborough in recent years purchased back the remaining gallons.

Philibert and Smith discussed groundwater and local hydrology, specifically with the cranberry bogs in mind. Arguimbau stated she would discuss this article with Dan Lewenberg, Chair of the Finance Committee.

The Conservation Commission reached consensus that the easement is appropriate while noting concerns about water efficiency maps being offered to the Select Board.

8:50 PM	Discussion Topic	Lake Management Study Committee MOU with the Neponset River Watershed Association
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Debbie Tatro and Laura Russel presented on behalf of the LMSC. They described the Neponset River Swimming Community Water Network collectively testing 40 sites for six indicators over a

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course of decades. A volunteer was recruited to collect data from Lake Massapoag and Sucker Brook. Plans would include fundraising for the \$1,500 to add a site to the network in addition to the \$450 needed for analysis.

Town Administrator, Fred Turkington, reviewed the proposal and had no issues with it according to Russel. Arguimbau and Russel discussed enforcement actions and the committee plans on handling violations and related matters. Russel replied that the proposed language is in step with what other towns enacted and does not obligate any type of action.

Discussed next was the related Article 15 for Town Meeting. Russel informed members the name of the committee may change and in anticipation, lakemassapoag.net has been secured for data collection and community outreach. Arguimbau praised the website and warrant article. Avery praised the partnership with the NRWA.

9:09 PM	Discussion Item	Conservation Administrator Update
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Philibert looked to members for input after describing a growing concern: private property being stored on town land and residents altering the shoreline on Lake Massapoag without permission. Philibert is hopeful the DPW and Rec Department will participate in addressing this issue. Avery clarified the issues: trespassing and removal of vegetation/site improvements. Property on town land might not fall within Conservation Commission jurisdiction, unlike altering land within a buffer zone which would. Arguimbau stated her support for working with other town boards as this has been a longtime issue. She suggested reaching out to Fred Turkington and the Select Board to create an outreach plan. Philibert would like to send a flyer to the neighborhood around Beach Street, Beach Road, and E. Foxborough so they can properly identify which parcels along the lake are not private land.

Afterward, Philibert shared his screen to show a letter he would like to obtain that grants him permission to give administrative approval in situations with set conditions. Arguimbau and Cremer expressed the desire to include some kind of written documentation for the review for future potential projects at a specified location. Philibert stated he is asking for discretion and not looking to create a list of criteria for projects. Geller praised Philibert's efforts to streamline the permitting process.

<p>Motion: To accept Joshua Philibert's proposal for review pending the description he will submit to the Conservation Commission as amended.</p>
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<p>Cremer moved Geller seconded Avery- Aye, Geller – Aye, Cremer – Aye, Arguimbau – Aye 4-0-0 Motion Passed</p>

8:40 PM	Discussion Item	Conservation Intern Applications
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Members solidified a plan to review candidate applications and make a decision by early May.

9:49 PM Motion to Adjourn

Motion: To adjourn

Cremer moved

Avery seconded

Avery- Aye, Geller – Aye, Cremer – Aye, Arguimbau – Aye

4-0-0 Motion Passed