

Conservation Commission Meeting  
Virtual Meeting  
January 5, 2023

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

Arguimbau opened the meeting by reading the Governor Executive Order of March 12, 2020. As of June 15, 2022 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 March 31, 2023. 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 7:30 pm.

<b>7:33 PM</b>	<b>Discussion Item</b>	Elect Officers
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Jonathan Wasserman nominated Margaret D. Arguimbau as Chair of the Sharon Conservation Commission and Meredith Avery as Vice Chair of the Sharon Conservation Commission.

**Motion:** to elect Margaret D. Arguimbau as Chair of the Sharon Conservation Commission and Meredith Avery as Vice Chair of the Sharon Conservation Commission.

Wasserman moved

Westman seconded

Wasserman - Aye, Westman - Aye, Geller - Aye, Arguimbau - Aye

4-0-0

<b>7:36 PM</b>	<b>Continued Public Hearing(s)</b> NOI 61 Eisenhower Drive, Yury and Maya Deych Wetland Replication SE280-0648
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Per the applicants' request, members voted to continue the hearing to January 19, 2023.

**Motion:** to continue the public hearing for SE280-0648 for a wetland replication project located at 61 Eisenhower Drive to January 19, 2023.

Wasserman moved

Geller seconded

Geller - Aye, Westman - Aye, Wasserman - Aye, Arguimbau - Aye

4-0-0

<b>7:37 PM</b>	<b>Discussion Item</b>	AOOC for 2R 4R General Edwards Highway (990 Providence Highway), David Wluka SE280-0612
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David Wluka came before the commission to discuss a potential AOOC he would like to file regarding DEP# SE280-0612 for a project to build a hotel on the property bordering the towns of Sharon and Walpole located at 2R 4R General Edwards Highway also known as 990 Providence Highway. Since the OOC was issued and extended, the applicant's plans have changed from proposing to construct a hotel to proposing to construct a cannabis warehouse. No cultivation or manufacturing would occur on site, unlike the proposed hotel,

this project would only be located within the Town of Sharon. Wluka discussed the matter previously with Philibert and would like to bring the matter to the commission's attention.

The new plan reduces the amount of paved surfaces but does require new construction within the 100 ft buffer setback. Impervious surfaces would be reduced by 16,000 sq feet under the new plan. The stormwater subsurface infiltration system will remain the same in both plans.

The commission requests more information regarding calculating the difference in disturbances in the buffer between the two plans. Due to the new plan proposing new construction within the buffer, the commission recommended Wluka file an RDA for the new project. Members also suggested finding ways to keep the new construction outside of the setback because the commission would not want to set a precedent of approving construction in buffer zones.

Members were in agreement that a separate application would be best and the applicant agreed. The applicant plans to submit a request to close out DEPSE280-0612 and file an RDA with the new project proposal.

<b>8:00 PM</b>	<b>Discussion Item</b>	<b>Enforcement Update: 61 Eisenhower Drive</b>
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Philibert asked members to consider whether they would like to re-issue the enforcement order to the Deych's instead of Altieri. He explained that the original Enforcement Order's language described replanting of a wetland area that had been cleared. He believes that wetland has been revegetated and there is nothing left to replant. Philibert also believes that addressing one violation does not preclude asking for something else to be addressed. Although there is no documentation, there is photo-based evidence.

He suggested asking for additional trees to bring back the forest-like vegetation that was present before the clearing took place. Philibert noted the lack of documentation could become a legal matter. It is the applicants' position that they can address the violation in the NOI.

Philibert noted that the commission asked for DEP Data Sheets and soil information in May. The applicants have failed to bring in the requested information and have they repeatedly request continuances. Philibert would like members to think about potential responses if the information is not presented at the next meeting. He also asked them to consider how strongly fill within the buffer should be pursued as well as the possibility of asking for additional plantings. He noted Town Counsel may need to consult with the commission on this matter.

Arguimbau suggested members think about these concerns before the next meeting.

<b>8:05 PM</b>	<b>Public Hearing(s)</b>	<b>NOI 0 Edge Hill Road, FRANKSIMS Property, LLC Irrigation Plan SE280-0649</b>
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Eric Dias from Strong Point Associates presented on behalf of the applicant, Franksims Property, LLC. He shared his screen to describe the proposed project: installation of a

private well and irrigation conduit at 0 Edge Hill Road, Brookmeadow Country Club. Dias noted that while the business' physical address is a Canton location, the property encompasses land in Sharon as well. The project was designed in such a way to only perform work on portions of the parcel located in Sharon.

The location lies within the 100 foot buffer zone to a BVW, bank to a pond, and intermittent stream. No work is being proposed within the boundaries, only buffer zones. No impervious surfaces will be added to the site, the total proposed disturbance will be about 3.150 sq. ft. and be contained in previously disturbed areas.

The site includes an artificial pond which is only fed through overland flow. Droughts in the summer time negatively impact the golf course grounds. The applicants met with Philibert earlier in the process to discuss options. The project proposes filling the pond with groundwater via pumps when needed. The maintenance shed is in Canton. The applicants performed a well test and were able to pull 600 gal/min from the ground. No trees or other clearing proposed in the project description. Dewatering protocol includes a centrally located sum pump with a discharge point as far away from the wetland as possible.

Arguimbau and Dias discussed erosion controls and discharge from the pond. Geller and Philibert discussed whether the project would impact any Sharon wells and it was noted there is no concern. Members agreed to approve the plan pending receipt of revised plan showing a pond inlet and a dewatering plan.

**Motion:** to close the hearing and issue an OOC for DEP# SE280-0649 for a project located at 0 Edge Hill Road pending receipt of revised plans.

Wasserman moved

Geller seconded

Wasserman - Aye, Geller – Aye, Westman – Aye, Arguimbau – Aye

4-0-0

<b>8:21 PM</b>	<b>Discussion Item(s)</b>	Will O'Leary, Eagle Scout Candidate, Project Description
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Eagle Scout Candidate Will O'Leary described a project he would like to complete with volunteer effort and department funds of \$450. O'Leary plans to install a pressure treated wood poles to make a railing on a steep incline on Beaver Brook Trail. The safety feature will benefit people of all ages and mobility levels. Geller kindly offered to donate galvanized screws to the project and invited O'Leary to get his contact information from the office. Philibert has reviewed the site and project. O'Leary will be contacting the office prior to beginning construction.

<b>8:34 PM</b>	<b>Discussion Item(s)</b>	45 Old Wolomolopoag Rd Emergency Access Route
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Captain Greenfield from the Town of Sharon Fire Department and 45 Old Wolomolopoag Rd property owner, Bill Traut, were present at the beginning to discuss the temporary allowance of utilizing an emergency access road off Cannonball Road for construction vehicles. The two prior Conservation Administrators had approved use of the access road without bringing the matter before the commission. The item was put on the agenda to address the presence of a vernal pool on the property. Benefits to the neighborhood will include minimizing the number of construction and other

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types of vehicles accessing the site of proposed development through a more residential portion of the neighborhood. Traut understood the permission granted would end after construction was complete. Captain Greenfield and Philibert discussed materials for placing a barrier across the access road to prohibit vehicle access after the project was finished.

<b>8:53 PM</b>	<b>Discussion Item(s)</b>	Stormwater Permit Forms
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Philibert is creating a checklist for members to review along with the storm water rules and regulations language. All documents will be formally reviewed by the commission together so the forms may be used immediately after a vote is taken on the rules and regulations. The public hearing on the language will need to be advertised. Copies of the text will be available at Town Hall, the Conservation Department Office, the Town Library, the DPW and online.

<b>8:58 PM</b>	<b>Discussion Item(s)</b>	Lake Update
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At 10.14 the lake level is high for this time of year (typically the average has been 9.8).

<b>9:00 PM</b>	<b>Discussion Item(s)</b>	Conservation Administrator Update
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The commission is actively seeking new members.

**Motion:** To adjourn

Wasserman moved

Avery seconded

Geller – Aye, Avery – Aye, Westman – Aye, Arguimbau – Aye

4-0-0 Motion Passed