

Conservation Commission Meeting
Virtual Meeting
October 19, 2023

This open meeting of the Sharon Conservation Commission was conducted remotely consistent with An Act Extending Certain COVID-19 Measures Adopted during the State of Emergency, signed into law on June 16th, 2021, and as amended and extended through March of 2025. These provisions allow public bodies to meet remotely if reasonable public access is afforded so the public can follow along with the deliberations of the meeting. For this meeting, the Conservation Commission convened by video/teleconferencing via Zoom, and members of the public were provided with access information so that they could follow the meeting remotely. All votes were conducted via roll call.

The remote meeting was called to order at 7:30 pm by the Chair, Peg Arguimbau.

Roll call was taken of members and staff present and included: Chair, Peg Arguimbau, Keevin Geller, Stephen Cremer, and Susan Drisko. Alan Westman and Jon Wasserman were not present. Staff present included Josh Philibert, Conservation Administrator, and Jana Katz, Conservation Clerk.

Members of the public in attendance: Carol Abram, Timothy Power, Michael Tortora, and Dave Wluka.

7:32 PM	Discussion/Action Item	Birch Hill Extension Request DEP# SE280-0610, Michael Tortora & Dave Wluka
----------------	-------------------------------	---

Michael Tortora and Dave Wluka were present to ask for an extension of DEP# SE280-0610 regarding the Birch Hill subdivision which expires November 15, 2023.

Motion: to extend DEP# SE280-0610 for a period of three years.

Geller moved

Drisko seconded

Geller – Aye, Cremer – Aye, Drisko – Aye, Arguimbau – Aye

4-0-0 Motion Passed

7:34 PM	Discussion/Action Item	104 Massapoag Ave., Timothy Power Administrative Land Disturbance Review LDR0004
----------------	-------------------------------	---

Timothy Power of PVI Site Design presented on behalf of Susan Yeon, the property owner of 104 Massapoag Ave. He shared his screen showing the property and proposed construction plans. Plans include tearing down an existing structure and building a new single family home. The property is located across from Lake Massapoag. Total disturbance will be between 5,000 square feet and one acre. In addition to a single family home, a new driveway and patio area will be constructed. Plans also include grading from the driveway and patio to a small bio retention area and rain garden in the front yard. Another engineer is designing the septic system which was also shown on the plans.

Geller and Arguimbau clarified the scope of the project. The first floor elevation will be 265 feet high on the previously developed lot. The commission is acting as the Stormwater Authority as

the work will remain outside the Conservation Commission's jurisdiction. Philibert praised the rain garden's design on site plans. The pavers will be permeable. Cross-pitched arrows illustrate projected water flow towards the bio-retention area. No zoning relief is anticipated for the project.

Motion: to sign off on the Administrative Land Disturbance Review, LDR0004, for construction of a single family home at 104 Massapoag Ave.

Drisko moved

Cremer seconded

Geller - Aye, Cremer - Aye, Drisko - Aye, Arguimbau - Aye

7:40 PM	Discussion/Action Item	Encroachment, 3 Lily Lane Simon and Vlada Zilberman
----------------	-------------------------------	--

Philibert updated members. The Zilbermans have not decided whether or not to ask for a variance. Philibert explained to the Zilberman's that he does not believe the fill can stay as is without their being a filing. There is no informal way for the commission to permit the violation. Philibert e-mailed them saying they can file or remove the fill to remedy the situation.

7:42 PM	Discussion/Action Item	Signing of CR for Interlochen Land
----------------	-------------------------------	------------------------------------

Members must sign the Conservation Restriction for the Interlochen Land which is tied into the Rattlesnake Hill purchase. Voting already took place. Mass Audubon made a financial contribution to purchasing Rattlesnake Hill with the agreement that a conservation restriction would be put on abutting property. The commission owns the Interlochen Land through gifting, purchase, and subdivision designation. The area totals between 115-120 acres. Mass Audubon will hold the restriction.

7:46 PM	Discussion/Action Item	Lake Update
----------------	-------------------------------	-------------

Cyanobacteria is still present in the lake. Philibert opened up the gate to let water out. The lack of rain and wind have contributed to the presence of cyanobacteria in the lake. The lake is being drawn down, levels should be between 9.5 and 9.8 through the winter. It is currently at 9.7. Anticipated weekend rain will likely flush cyanobacteria out of the lake.

7:47 PM	Discussion/Action Item	Conservation Administrator Update
----------------	-------------------------------	-----------------------------------

Philibert shared photos on his screen of the cranberry bogs. He described work being done in the "near bed" where the plan is to remove 6" off the top and replace it with 6" of loam. As soon as digging began, groundwater surfaced which he described as "a great sign." Philibert anticipates this portion of the land will support vegetation well.

Other photos showed phragmites-removal areas and land previously covered with poison ivy and bramble. Philibert noted that for the most part the wetland areas were undisturbed. It seems crews are working to remove ballast and a signpost as well as debris on the ground. Using a

separate photo, Philibert described how phragmites' roots remain in the soil even when the growth under the water's surface is removed. Drisko asked if plans include herbicidal treatment. Philibert confirmed plans include spot treatment.

Another photo showed the sandy soil profile. Images also depicted successful phragmites removal. One image showed structure preventing water from flowing through it. It will be removed and riprap will be placed to enhance water flow. The presentation also showed evidence of Billings Brook flowing into the site.

Philibert also provided an update regarding incoming NOIs which will be heard at the November 2, 2023 meeting: the PFAS Water Treatment Facility and the Sharon Marketplace Parking Lot Reconfiguration. Philibert will be sending accessible digital plans to members.

7:54 PM	Discussion/Action Item	Linda Berger, Recreation Director Community Garden Relocation
----------------	-------------------------------	--

Recreation Director, Linda Berger, and Recreation Advisory Board member, Gary Bluestein, joined the meeting to continue a discussion about the potential relocation of the Sharon Community Gardens. Currently, the gardens sit on recreation land next to the tennis courts at Deborah Sampson. At the February 17, 2022 Conservation Commission meeting, Berger asked members for input about the idea of relocating the community gardens. Berger asked members to consider the idea of moving them to the corner of Morse St. and Lakeview St., also known as Horizons for Youth field, which is conservation land.

The Recreation Department is hoping to construct a new multi-purpose athletic field in town. The number of fields do not currently meet residents' programming needs. The next step in this long-term process is to secure funding for a schematic design of a proposed project. The Recreation Department hopes to get the commission's support and permission to move forward with a plan to move the community gardens from recreation land to conservation land. This would free up recreation land for building a new multi-purpose field in town.

Located at the corner of Morse St. and Lakeview St., the Horizons for Youth field was a former baseball field. Although it once served as an athletic field, it has since been turned into conservation land. Conservation land limits permitted activities to "passive recreation" like hiking, gardening, birding, and picnicking. The site has an open field which has not been consistently maintained and forested lands. There is also a trail entrance in the rear corner.

In addition to addressing logistical site constraints, this plan would be a cost effective option. As the plan would involve conservation land, commission approval is required to work with a consultant on schematic design. The design would include plans for the multi-purpose field on E. Foxboro St. and the Community Gardens at the Morse St. and Lakeview St. location. Currently, the estimated relocation cost is about \$600,000 and likely to rise in the future. The multi-purpose field construction would be predicated on the feasibility of relocating the gardens.

During the previous discussion, the Conservation Commission had inquired about the Sharon Community Gardens members' opinions. Berger summarized the process this far and informed

the commission that Sharon Community Gardens had a mix of opinions. Some gardeners were opposed to the idea while others were willing to relocate. A number of gardeners developed a “wish list” of requests they would like to see accommodated if the move happens. Fencing, Wi-Fi, and water were mentioned. Gardeners also prioritized protecting the gardens from wildlife in the new, more remote location. Arguimbau thanked Berger for the update. The chair expressed interest in including Philibert and members in the design process, especially regarding access. She hopes the Conservation Commission and Philibert will be consulted in planning stages, as well as decision-making regarding equipment, soil composition, fencing and markers. Berger agreed, adding that there were also discussions proposing the DPW transport the soil currently at the E. Foxboro St. location to the Horizons for Youth field.

For context, Philibert shared his screen identifying the Morse St and Lakeview St. property. He identified the wetland buffer in the forested portion. He believes the field may have once been farmland. Describing the soil composition as fine sandy loam, Philibert noted it would likely be fine soil for gardening. Additional site prep would be necessary on the forested land.

Next, Philibert pulled up an aerial map showing the gardens’ current two-acre site on E. Foxboro St. Drisko asked for more background on the project. Arguimbau, Geller, and Berger discussed active versus passive recreation. Plans would include one multi-purpose field with the inlay of a softball and baseball field on E. Foxboro St.

On the Morse St. and Lakeview St. site image, Philibert identified where parking would be located on the approximately 2.3 acre site. Berger described the previous discussion with the commission to locate the gardening plots closer to the wooded area to try and leave as much of the area as open as possible. Philibert described the open land as the remnants of a ballfield with a backstop still there.

Drisko asked why the open field would not be used for gardening. Berger described the commission’s previously expressed preference to preserve the open space. Grassland is in shorter supply because temperate deciduous forest is abundant in Massachusetts. There are also signs of a Baltimore Checker spot Butterfly that, though not endangered, is considered threatened by the EPA. Geller noted the field habitat supports the local hawk and owl populations.

Cremer shared concerns regarding forcibly displacing gardeners. Arguimbau said it would be hard to get 100% support for the move. Cremer said it does not have to be 100% but it should be a considerable number. Berger agreed saying the Recreation Department is committed to hearing and trying to accommodate gardeners’ requests.

Berger optimistically shared an anecdote. At one time the gardeners had asked to keep harvesting bees on site. Due to the community gardens’ proximity to the Deborah Sampson playing fields, safety concerns prevented allowing beekeeping there. Berger suggested revisiting the request when considering the Horizons for Youth field location.

Arguimbau and Bluestein discussed the existing trail system which will not intersect with the planned community gardens area. Assessing potential ADA accessible features will be included

in the schematic design. Plans will prioritize maintaining a buffer between the field and the street to keep neighborhood aesthetics unchanged.

Sharon Community Gardens host 80 plots in approximately two acres. On average less than ten cars are parked on site. Philibert will consult on pathway configurations and parking at the proposed site, as well as, plot placement, fencing, and utilities.

About 65 participants take part in the Sharon Community Gardens. About 1,500 participants take part in organized athletics.

There were no other questions. Members agreed to vote by consensus that they were in favor of pursuing the funding for schematic design. It was the consensus of the commission to proceed with the plan.

8:18 PM	Other Business	Approve Minutes for October 5, 2023
----------------	-----------------------	--

Cremer noted there was verb missing from the first sentence in the fourth paragraph during the discussion of the encroachment on 3 Lily Lane. Katz will insert “removing” after the first word in the sentence.

Motion: Motion to accept minutes for October 5, 2023 as amended

Drisko moved

Cremer seconded

Geller – Aye, Cremer – Aye, Drisko – Aye, Arguimbau – Aye

4-0-0 Motion Passed

8:18 PM	Other Business
----------------	-----------------------

November will be busy. November meeting dates will be on the 2nd and the 16th. Before November 2nd, Philibert and Katz will be sending out meeting materials electronically. The two Notice of Intent hearings on November 2nd should be well-attended.

Drisko and Arguimbau discussed encouraging interested residents to contact the Select Board and apply to fill the vacancy on the Conservation Commission.

8:20 PM	Motion to Adjourn
----------------	--------------------------

Motion: Motion to adjourn

Cremer moved

Drisko seconded

Geller – Aye, Cremer – Aye, Drisko – Aye, Arguimbau – Aye

4-0-0 Motion Passed