

Conservation Commission Meeting
Virtual Meeting
April 4, 2024

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, Vice Chair, Jon Wasserman, Keevin Geller, Susan Drisko, and Stephen Cremer. Alan Westman not present. Staff present: Josh Philibert, Conservation Administrator and Jana Katz, Conservation Secretary.

Members of the public in attendance: Department of Recreation Director, Linda Berger, Lake Massapoag Advisory Committee and Recreation Advisory Board member, Gary Bluestein, Attorney Bob Shelmerdine, Eric Yenulevich, Amy Fang, Simon and Vlada Zilberman, and Richard Kramer.

After calling the remote meeting to order, Chair Peg Arguimbau informed members that a former Finance Committee member and longtime dedicated resident, Chuck Goodman had passed away.

7:30 PM	New Public Hearing	RDA 82 Gunhouse St. (Memorial Park Beach) Linda Berger, Recreation Director; Sand Replenishment
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Recreation Director, Linda Berger, represented the Recreation Department and, also the Town of Sharon, in explaining the proposal to replenish the shoreline on Memorial Park Beach (82 Gunhouse St.). Philibert shared his screen showing aerial photos of the parcel with the limits of work clearly defined. Berger informed members that it has been about 40 years since the last sand replenishment. Some areas along the beach are only gravel due to overuse, weather events, and runoff into the lake.

The proposal outlines 87 cubic yards, four feet from the waterline, where 2” of sand would be added. The main priority locations on the beach are between the first and second lifeguard stands. The Recreation Department hopes to complete the work by May as the season begins on June 15th.

The sand will come from the same company that Camp Wonderland uses. First choice is something called, “brick sand.” Members asked Linda to investigate obtaining washed sand for the project. Linda noted that Littleton, Natick, Wellesley, Lexington, Wayland and Newton all use brick sand.

The DPW is also in the planning stages of reconfiguring the boat ramp and parking area, this is a separate project. The RDA does not include property currently used for boat access to Lake Massapoag.

Sharon, resident, Richard Kramer expressed objections to pursuing the proposed plan. He began by providing background information on previous landscaping improvements and sand replenishment. He praised the project brought to fruition around the year 2000, a major reconfiguration of the beach. The early 2000s plan was to address the constant bacterial problems in the late 80s into the 90s. The problem was related to the poor condition of the shoreline and storm events, according to Kramer. He worked on the project in conjunction with the Lake Management Advisory Committee, now known as the Lake Massapoag Advisory Committee. The successful campaign stabilized the shoreline, the recreation value of the beach was increased, and eradicated the bacterial problems. State grants funded the project. Kramer offered to walk the beach with commission members and will follow up after the meeting. Specifically, Kramer urged the commission to consider plans to remove the build up of sand on the jetty by the boat launch while not approving the sand replenishment plan. He believes the added sand will continue to clog the jetty and exacerbate the problems affecting the shoreline. Instead of purchasing sand to distribute on the shoreline, Kramer encouraged the town to consider retrieving the build-up of sand mechanically as had been done previously after the 2000 replenishment.

The proposal requests 76 cubic yards of sand. Philibert disagreed with Kramer's assessment, noting that even with retrieving sand from the jetty, it would not total 76 cubic yards. Kramer believes there are 400-500 cubic yards behind the jetty. He asked the commission to consider the depth of the sand at the edge of the shore where he believes the aggregated sand to be at least a foot in depth. Kramer warned against buying sand to reconfigure the shoreline without retrieving the current build-up within the swimming area.

Bluestein urged the commission to consider fiscal year timelines regarding proposal approval. He disagreed with Kramer's calculations regarding the volume of sand that migrated into the water. Arguimbau asked for follow up information from the Recreation Department before the next meeting and encouraged members to walk the beach in the interim.

Motion to continue the hearing at the applicants' request to April 18th.

Drisko moved
Geller seconded

Wasserman – aye, Drisko – aye, Cremer – aye, Geller – aye, Arguimbau – Aye
5-0-0 Motion Passed

8:04 PM	Discussion/Action Item	RCOC for LOC 2021 aka DEP#SE280-0638 40 Manns Hill Rd., Eric Yenulevich Only Local Ordinances Apply
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Property owners: Eric Yenulevich and Amy Fang asked the commission to issue a Certificate of Compliance for orders issued in 2021 pertaining to their property at 40 Manns Hill Road. The project fell within the Conservation Commission's jurisdiction due to local ordinances but did not require filing with DEP. The Conservation Commission issued an OOC and related COC with the number LOC 2021 associated with the NOI filed and given the number, SE 280-0638.

Motion to issue a Certificate of Compliance for LOC 2021, orders regulating local ordinances only pertaining to the NOI filed with DEP, which received a number of: SE 280-0638

Wasserman moved

Drisko seconded

Wasserman – aye, Drisko – aye, Cremer – Aye, Geller – aye, Arguimbau - aye

5-0-0 Motion Passed

8:08 PM	Discussion/Action Item	3 Lily Lane, Vlada and Simon Zilberman
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Vlada and Simon Zilberman, property owners at 3 Lily Lane, were before the commission to discuss efforts to remedy encroachments and other non-compliant work performed on their property. Philibert had been in touch with the Zilberman's since 2022 and formally invited them to meet with the Conservation Commission in 2023. The Zilbermans have been meeting periodically with the commission to address an unauthorized retaining wall on their property and its structural integrity. Peter O'Cain, Kevin Davis, and David Abbott have walked the property and inspected the site throughout the process. Philibert shared his screen showing the on-site progress.

Members were pleased with the latest update. Future planting plans will be approved by Philibert. This will likely be taken up after the silt fences preventing erosion are removed, at the property owners' pace. Members voted to accept the location and integrity of the retaining wall on at 3 Lily Lane. The Zilbermans were in agreement with this finding.

Motion to accept the retaining wall at 3 Lily Lane as satisfactory to the Conservation Commission

Geller moved

Drisko seconded

Wasserman – aye, Drisko – aye, Cremer – aye, Geller – aye, Arguimbau – aye

5-0-0 Motion Passed

8:15 PM	Discussion/Action Item	Event Recap Invasive species in the Neponset River Watershed
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Josh Philibert and Regen Milani along with background assistance from Jana Katz, hosted a group of Conservation Administrators from communities in the Neponset River Watershed. The goal was to come together to discuss the presence of invasive species in the watershed.

Attendees hope to collaborate in various ways (like job sharing, funding regional mitigation plans, and supporting a cohesive approach to maintain water quality and access within the river-shed).

Susan Drisko and Rory McGregor have been assessing the invasive species presence in Beech Tree Park and working with Kevin Davis, the Assistant Town Engineer, on removing dead trees, choked out from the bittersweet growth. They have been working with the Recreation Advisory Group, on which Gary Bluestein serves, and the Sustainable Sharon Coalition.

8:23 PM	Other Business	Lake Update
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Lake levels are 10.7 with recent intense rainfall, resulting in an increased discharge rate.

8:24 PM	Other Business	Conservation Administrator Update
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Realtors and prospective buyers have been contacting the Conservation Department asking about parcels near Rock Ridge Cemetery that have recently been put on the market. Philibert found plans showing a subdivision that was never constructed and evidence of more than one vernal pool. It is a five-acre piece lot with one house on it.

Gary Bluestein of the Recreation Advisory Committee and Lake Massapoag Advisory Committee discussed LMAC's potential treatment plans for the coming fiscal year. Last year, action included a low dose alum treatment in the south cove. Future plans include a March alum treatment next year. The allocations will be voted on at Town Meeting in May.

8:27 PM	Other Business	Topics Not Anticipated MBTA Communities Act
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Arguimbau discussed the upcoming public meeting on *The MBTA Communities Act*; M.G.L. c.40A Sec 3A that instructs municipalities to rezone areas near public transportation to allow for multi-unit residences. Due to the Sharon Train Station's proximity to wetland resource areas, groundwater supply and water usage. In addition to maintaining a healthy water quality, the potential increase in population size poses threats to the town's water supply. There will be a meeting on Tuesday, April 9th inviting public comment on the matter. Members discussed that these projects would not come before the Conservation Commission due to physical proximity to resource areas. Groundwater protection, however, is tied to the Wetlands Protection Act.

8:36 PM	Adjourn	Adjourn
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Motion: to adjourn

Cremer moved

Drisko seconded

Wasserman – aye , Drisko – Aye, Cremer – Aye, Geller – Aye, Arguimbau – Aye

5-0-0 Motion Passed