

Conservation Commission Meeting  
Sharon Community Center  
June 15, 2017 - DRAFT

Peg Arguimbau, Chair, Meredith Avery, Keevin Geller, Michael Donatelle, Alan Westman, and Jon Wasserman were the members present. Stephen Cremer was not present. The Conservation Administrator, Greg Meister, was also present.

A sign-in sheet is on file in the office listing other attendees of the meeting.  
Meeting started at 7:52pm

**7:30pm Violation, 346 North Main Street**

Ed Little was before the Commission. He explained that at this point in time, he has 99 percent of the manure moved out. The back part of the area has been hydro seeded. He has hired someone with a track machine to come in and remove the remaining manure and pile next to the corral, then he will hydro seed that area. Meister was at Little's earlier in the day. He will return tomorrow morning to review the work done. It is Little's hope that he will have everything completed by July 15. Of course, this depends upon the weather. The Commission informed Little that all work should be completed no later than August 1<sup>st</sup>.

The Commission discussed asking Little to post a \$2,000 bond. If work is completed by the August 1<sup>st</sup> deadline, then Little would receive the \$2,000 back and no fines would be levied. Once work is completed, Little should phone the office and let Meister know. Little was also informed that there is a two year growth cycle and that 75% of what he is planting should still be growing two years from now.

Little was asked where he is currently stockpiling the manure and if he had someone lined up to remove what was removed from the resource area. Little explained that the manure was being stored behind the horse barn, towards the middle. Moving forward, he will be hiring someone on a yearly basis to remove the manure.

**Motion** That Little would post a \$2,000 bond. All work shall be completed no later than August 1 (resource area cleared, area hydro seeded, and stockpile removed from the property.)

Geller, Westman 6-0-0 (Motion Passed)

**7:45pm ANRAD 350R Massapoag (Postponed, rescheduled to a later date)**

**8:00pm RDA, 6 Osprey Lane**

Attorney Goldberg representing the applicant. Goldberg mentioned that there was an application currently pending before the ZBA. He explained that his clients recently purchased the home and were making interior renovations as well as renovating the existing sundeck. He explained that the sundeck protruded out 16 feet, but that there was an incorrect notation on plans which led the building inspector to think that they were extending the deck out further. Goldberg mentioned that he has information from

the surveyor proving that the sundeck being renovated is within the existing footprint. Work on the home triggered hearings before the ZBA and the Commission.

Meister interjected, and noted for the record, that construction started without a building permit or a filing with the Conservation Commission. Additionally, the project is located 35 feet from wetlands. Meister had also asked for the contractor to be present at tonight's meeting and he thought they were going to be here. Currently, work is halted.

Meister was concerned that this project began without any permits, further stating that three different permits were needed, and that not one was applied for. Also, for Goldberg to talk about the project without mentioning anything about permits, this was problematic for Meister.

Goldberg apologized as he was not aware that permits were not filed. He was at tonight's meeting filling in for the lead lawyer.

Arguimbau asked if there were any pictures of the site, if there was any lawn area located behind the home, and how much work has been performed to date. The homeowner explained that there was sparse grass area and that there were mature trees. Their intention is to build upon the same footprint of the original sundeck. New footings have been put in to replace the old rotted footings. The structure they were replacing was unsafe and was falling off the home. Some pictures of the old sunroom were shown from one of the applicant's cell phone. The new structure to be built will be considered enclosed living space. It was noted that the previous sundeck was enclosed and fully insulated.

Meister informed applicant that either an Abbreviated Notice of Intent or a Notice of Intent should be filed with details on the plan of exactly what the applicant wishes to do since work will be performed within in the 50 foot buffer.

The home was built during the 1960's. The building department may have plans for the original structure which may include details of the size of the sunroom. If applicant wishes to proceed further, then they must refile. The DEP does not give file numbers for RDA's. Also, the DEP must receive a copy of the filing, notice given to abutters and a legal notice published.

The applicant was informed that the next Conservation meeting is July 6<sup>th</sup>.

Meister mentioned that the applicant must convince the ZBA that this project does not go any further than the existing structure went. The Commission will continue once the ZBA has given their approval. It was the applicant's prerogative to file an RDA, Meister would have suggested they file an Abbreviated Notice of Intent.

Goldberg mentioned that there was no malintent regarding permits.

**Motion** to close hearing.

Wasserman, Avery 6-0-0 (Motion Passed)

**Motion** issue positive determination on this application

Avery, Donatelle 6-0-0 (Motion Passed)

Meister mentioned that the applicant should be OK with filing an Abbreviated Notice of Intent, but the decision is up to them. If paperwork is in on time, then the hearing can be put on the July 6 agenda.

### **8:15pm RDA Walpole Country Club**

Kelly Cordoza was representing the applicant. The Manager of the Walpole County Club was also present. The club was built in 1974 and irrigation was put in at that time. The current system has exceeded its life expectancy. They are proposing to replace the old and outdated irrigation system with a new system.

There are water resources located at site which includes Allen Pond and Spring Brook. These are shown on the map which will be on file in the office.

Arguimbau asked which holes were located within Sharon and was told holes #2, 3, 16 and 17.

All work being proposed is located within areas where they currently mow. As mentioned, part of the project is located in Walpole and part in Sharon. The club will remain open during installation. One hole at time will be worked on, with that specific hole being closed for the duration of work. Cordoza showed members a map of a typical irrigation system which includes both lateral and main lines. (on file in office). She explained that no soils would be displaced with installation of lateral lines. All work would be within the fairway. With this system, they will now be able to control water usage possibly resulting in a 15 to 20 percent reduction in water use once the system is fully installed. At the end of the day's work, everything will be closed up. They are concerned with turf and wetland resources and will take care during the project. They are hoping to begin this project around Labor Day, and believe it should run about 16 weeks. In addition to the installation of main lines and laterals, they will also be doing a bit of horizontal directional drilling (stream crossing) at hole 16 and at a couple of road crossings.

Waddles will be used at stream and road crossings.

**Motion** to close hearing

Wasserman, Donatelle 6-0-0 (Motion Passed)

**Motion** to issue Negative Determination with work done per plan. Office should be notified prior to work beginning.

Avery, Geller 6-0-0 (Motion Passed)

**8:30pm Request for Determination, Department of Public Works**

*East Foxboro St and Mohawk St Water Main Replacement*

Lauren Underwood was representing the client. Underwood explained that the current watermain is at the end of its useful life and needs replacing. A wetland scientist was hired to delineate the area and the wetland areas were incorporated into the plans. There is minimal work which falls within the 100 foot buffer and area of critical concern. All work to be performed will take place within the paved roadway. All drainage will remain unchanged. Filter socks will be placed at the end of driveways/sidewalk to protect runoff from entering wetland. No hay or straw wattles will be used. Meister informed Underwood that he does not want hay or straw wattles to be used. Catch basins will be inspected on a daily basis. It is anticipated that the project will begin in August with a completion time mid spring 2018. (The same contractor will also be used for Route 1 project which will extend the completion time). If a dewatering bag will be used, the office should be notified.

*General Edwards (Route 1) Water Main Replacement*

Ryan Trahan representing the client. Trahan explained that there have been many watermain breaks in that area with other lines failing. A temporary fix was put in place with pipes currently sitting above ground. A more permanent fix is being looked at, along with various options. Since this project includes highway crossings, they must go through MassDot. Trahan has met with DPW staff and discussed various options. His recommendation would be to use directional drilling. Though a bit more expensive, he feels it is less disruptive to the area and less disruption to the wetlands. Once approval has been received from MassDot, they plan to begin the project. The plan is to use the same contractor who will be working on the East Foxboro/Mohawk Street watermain. This may extend the time line for East Foxboro Street/Mohawk Street, but Route 1 is a priority.

**Motion** to close hearing.

Geller, Westman 6-0-0 (Motion Passed)

**Motion** to issue Negative Determination

Work per plan, amend silt sock location

Geller, Wasserman. 6-0-0 (Motion Passed)

**8:45pm RDA 8 Queens Circle Irrigation well, minor loaming and seeding.**

B. Patel, applicant is before the Commission seeking approval for an irrigation well and minor grading within 100 foot buffer zone. Steve Ivas is the project manager for the project, though he was not present for this meeting. Commission members believe this filing to be precedent setting, as they have never allowed irrigation wells to be installed within a buffer zone. If the applicant wishes to be on Town water, the Commission allows that, however, with regards to a private well, there is virtually no way to

regulate, and that is concerning to Commission members. Loaming is OK, but a private well is of concern.

The Commission is concerned as they don't know how much water will be potentially pumped out nor do they know any potential impacts to the wetlands. There is concern that the well may dry out the existing wetland. Due to having to be 125 feet from the leaching field and 50 feet from the property line, this is the only place where the well can be placed.

Commission members believe that they need more information in order to make a determination. If applicant wishes to proceed further then they will issue a positive determination on this RDA filing and ask that an Abbreviated Notice of Intent or Notice of Intent be filed. Given Commission members concerns, an RDA is not sufficient.

Commission members will allow grading and loaming. Irrigation is not a problem if applicant hooks up to Town water. It is the private well for irrigation that is problematic. Distance to wetland is the biggest issue. If well was outside the buffer, then the Commission would not have jurisdiction.

Applicant spoke with Andrews from DPW about private wells. Both private wells and use of Town water are subject to the Towns regulation on water use. If applicant decides to do another filing, the plan should reflect what is going to be there (plan currently showing a circular driveway)

Meister informed the applicant that if a correct plan with driveway modifications and change in grading, then he can resubmit if he wishes to use town water. If this is what the applicant prefers, then a negative determination would be issued with certain aspects of the work being approved.

Grading is part of project and needs to be done. Applicant has the right to refile and can ask for a continuation if he wishes to get guidance.

**Vouchers:**

Commission members signed 2 vouchers (one was blank for any additional bills which may come in as at end of fiscal year)

**Meeting Minutes of May 18, 2017**

**Motion** to accept meeting minutes of May 18, 2017

Donatelle, Avery 4-0-2 (Motion Passed)

**Lake Update:** Trying to coordinate treatment of fanwart. Tributary under Morse Street is still flowing. The lake is currently at 10.36

**Proposed friendly 40B: 126 Morse Street**

An active 55+ project is being proposed at 126 Morse Street on approximately 8 acres. This project would consist of three buildings containing a total of 82 apartments. Conceptual drawings were passed around to members. Members were concerned as this type of development is not conducive to that type of property. There are wetlands located on three sides of the property, along with a brook running through the property. The Developer presented to BOS. It is believed that the Commission members should weigh in to BOS before any decisions are made. The BOS heard a presentation on the project, but as of yet, no decisions have been made. Commission members believe they should let the BOS know that they are not in agreement with this proposed project. A letter was discussed with Arguimbau asking members to weigh in and send their comments to her comments to be included in letter.

**Open Space Planning**

Rec advisory committee has a copy of the survey. Arguimbau has asked for them to send in comments. Arguimbau also spoke with Berger who will work on after the 4<sup>th</sup> of July. A meeting will be scheduled for June 29<sup>th</sup> to work on survey of the open space plan. Nothing else will be scheduled for this date. 7:45 to 9pm should be sufficient.

**Next Meetings:**

July 6 and August 3.

**Old Business**

Meister has received bids for the survey of Gavins Pond. He has been squirrelling money away as he believes it will be up to the Commission to pay for the survey. He believes he has about \$4,000 and will take \$4,000 from the next fiscal year.

**Motion to adjourn**

Westman, Geller 6-0-0 (Motion Passed)

Meeting adjourned at 9.35pm