

**Conservation Commission Meeting**  
**Virtual Meeting**  
August 5, 2021

Roll call was taken of members and staff present included: Chair, Peg Arguimbau, Vice Chair, Meredith Avery, Keevin Geller, Colin Barbera, Stephen Cremer, Alan Westman and Jon Wasserman. Staff present included John Thomas, 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 April of 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.

<b>7:35 PM</b>	<b>Public Hearings AOOC 25 Tiot Street #SE 280-602, Residential Construction</b> <b>Bob Shelmerdine</b>
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**Motion:** To continue hearing at applicant's request to September 2, 2021.

Geller moved

Avery seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye, Arguimbau – Aye

7-0-0 (Motion Passed)

<b>7:36 PM</b>	<b>Public Hearings ANRAD 330-334 Mountain Street Lot A, SE-280-0636</b> <b>Dimitry Deych</b>
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Dimitry Deych with Diamond Builders Corp. filed an ANRAD for approval of wetland resource boundaries of 334 Mountain Street Lot A. Ken Thompson presented on behalf of the applicant, identifying 330 and 334 Mountain Street combined lots as well as wetland lines. The wetland was flagged as BVW and plans include the edge of a vernal pool. There was a channel in question during the survey on the northern corner of the parcel. Thompson, Thomas, and the hired surveyor did not find evidence of a channel: they were in agreement. The entire parcel is hilly and mountainous.

Thomas noted concerns for future development and utility pole locations. Arguimbau noted that the town likely has a map with up to date information. Thompson also noted that he is familiar with the Natural Heritage process for moving forward. There were no other questions. The DEP# is SE-280-0636. The certified mailing green cards for abutters are at the Conservation Department office. There were no abutters present.

**Motion:** Close the hearing and issue orders per plan.

Wasserman moved

Westman seconded

Geller – Abstain, Avery – Aye, Geller – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye, Arguimbau – Aye

6-0-1 (Motion Passed)

**7:45 PM      Public Hearings AOOC SE 280-0609 MWRA Realignment for Proposed Bioretention area**

Allie Goldberg presented on behalf of the applicant requesting a realignment of a bio retention area Eversource had placed during construction. Eversource had placed a second utility pole. The pole was not provided in any designs from Eversource. The realignment's goal is to avoid getting conduits in the retention area. The square footage, under drain, and limit of work will remain the same. Site grading was slightly altered to make the plan work. The contractors placed compost filter tubes around the limit of work and no other changes are anticipated. Thomas does not have any issues with the reconfiguration. No abutters were present.

**Motion:** Close the hearing, accept the relocated retention area design and issue an AOOC to reflect the new plan.

Geller moved

Cremer seconded

Geller – Aye, Avery – Abstain, Westman – Aye, Barbera – Abstain, Cremer – Aye, Wasserman – Aye, Arguimbau – Aye

5-0-2 (Motion Passed)

**7:50 PM      Other Business**

**Conservation Days**

E-mail read into the minutes:

Katz corresponded with Sustainable Sharon Coalition via e-mail on August 4, 2021

I spoke with John Thomas, the Conservation Administrator, about your willingness to have a table at Conservation Days. We are grateful and delighted!

There are actually 2 days of events (although the whole agenda is very low key).

Saturday, Sept 11<sup>th</sup> and Sunday Sept 12<sup>th</sup> will have the same agenda. Setup will be from 8:30-8:50. Please feel free to come at 8:50. Cleanup will be at 11 AM both days.

I will be sending over a flyer with more information. Two Scavenger Hunts will be taking place each day. The first for pre-schoolers and families at Beech Tree Park and the Scavenger Hunt for older students will take place on Massapoag Trail. The youngins' Scavenger Hunt will take place at 9:30 and the older students/adults/families will begin at 10 AM.

The Scavenger Hunt items will be compostable containers with seeds and compostable/biodegradable seedling containers for planting next Spring. There may be additional trinkets, if you have any ideas, please let us know!

There is a trivia portion of the morning at 11:50 with prizes.

**Rattlesnake Hill**

On August 10, 2021 there will be a presentation celebrating the preservation of Rattlesnake Hill.

Open Space and Recreation Plan Meeting

Arguimbau and Thomas met with Linda Berger and Gary Bluestein of the Recreation Advisory Committee and Jennifer Goldson's assistant to discuss goals and action plans for the OSRP. Priorities include: SWA, dam management, and ADA components.

Quincy Street Boardwalk

Kurt Buermann will be coming to a September meeting to discuss the project.

Resident Eagle

Thomas informed the commission that an Eagle has made a nest near Camp Wonderland in the larger pines and that the eagle might have a mate.

**8:00 PM      Public Hearing RDA 168 Massapoag Ave Floating Dock  
Jonathan Saphire**

Roberta Saphire presented on behalf of the applicant. The plan proposes putting a floating dock on the property associated with 168 Massapoag Ave annually on June 1<sup>st</sup> and taking it out of the lake on November 1<sup>st</sup>. The Salvation Army is in agreement with the plan. Historically there had been a dock in that location. Thomas reviewed the proposed location and spoke with Saphire about removing debris for improved access. He also explained to Saphire the need to come before the commission in the future should installing any permanent structures be proposed.

Arguimbau asked Saphire about the property line location. Saphire stated that the deed reads that it goes into the water. Arguimbau told Saphire she could send the language to the commission after the meeting and noted additional concerns regarding pressure treated wood.

Barbera agreed with Arguimbau's concerns about using pressure treated wood. Geller informed commission members that newest versions of the wood do not contain arsenic and other chemicals. Westman said he was looking forward to learning more about the material details and how it will be fixed to the shore.

No additional questions, there was a motion to continue the hearing to the September 2, 2021 meeting.

**Motion:** To continue the hearing to September 2, 2021 for 168 Massapoag Ave.

Westman moved

Geller seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye,  
Arguimbau – Aye

7-0-0 (Motion Passed)

**8:11 PM Other Business**

**Lake Update**

Thomas stated Lake levels are rising with increased rain after noticeably low levels. Members are hopeful this rain will help flush out the cyanobacteria and levels will be at 10.5 by September or October. Barbera and Thomas discussed that it is a collaborative effort observing levels of algae or scum on the lake and any residents' observations or concerns should be directed to the BOH. The Community Center and Memorial Park Beach were both open at the time of meeting.

**Hybrid Meetings**

Arguimbau is making plans for the September meeting to be a hybrid meeting so attendees are allowed to zoom in. The main obstacle is meeting place location as the School Department and Select Board's meeting rooms are compatible with hybrid formats but not necessarily the Community Center conference rooms.

**8:15 PM PUBLIC HEARING NOI 11 Cheshire Road SE280-0637 Pool Removal  
Yang Liang**

John Glossa from Mundeen Engineering represented on behalf of the applicant, Yang Liang. There was an NOI filed to remove an in ground pool which has been partially removed. Plans showed the house, the existing concrete patio behind the house, and the location of said pool. The previous contractor did not complete the pool removal correctly, instead piling concrete and other materials from the surrounding patio into the pool and then backfilling it with available materials. Regulations state that slabs must be less than three inches or removed from the site. Public Health and Safety issues can come up regarding rainwater and infiltration.

Recommendations include installing steel road plates over the septic tank and part of a leech field and stabilizing the entrance for truck access. Removal plans include using an excavator to removal all concrete in the pool and then removing the pool. The concrete will be crushed and reused, the pool will be filled with gravel, four inches of loam, and seed. The entire area will be loamed and seeded including disturbed areas. Arguimbau noted that work is planned within the 50 foot buffer on previously disturbed land. Glossa stated separately that there will be a 30 foot wide drain easement on the property. The office received certified mailing receipts from the applicant. There were no other questions.

**Motion:** To close the hearing for DEP#SE-280-0637 and issue the Order of Conditions according to plan.

Geller moved

Wasserman seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye,  
Arguimbau – Aye

7-0-0 (Motion Passed)

**8:28 PM Other Business Approve Meeting Minutes from July 5, 2021**

**Motion:** To accept the meeting minutes from July 1, 2021 as amended

Wasserman moved

Barbera seconded

Geller – Aye, Avery – Abstain, Westman – Abstain, Barbera – Aye, Cremer – Abstain, Wasserman – Aye, Arguimbau – Aye

5-0-2 (Motion Passed)

**8:29 PM Continued Public Hearing AOOC Old Post Road SE280-0490 and SE280-0491  
Bob Shelmerdine**

Bob Shelmerdine presented on behalf of the applicant INSERT NAME seeking extensions to OOC regarding construction of business and residential buildings on the property located at Old Post Road. Applicants have met with the ZBA and have had a hearing continued to the September 1, 2021 meeting. The town has files on two proposed phases of construction resulting in retail establishments on the ground floor and apartments on the second floor. Traffic, stormwater, lighting, and signage reviews are being done in conjunction with Tom Houston and town departments as well as the Town Engineer, Peter O’Cain. Negotiations are being made for securing access to sewer infrastructure that runs through Foxborough and Mansfield. MA DEP has also been reviewing applications for offsite work needed, additional traffic lights, widening South Main Street. MA DOT and related federal agencies have also signed off on the project, according to Shelmerdine.

SE-280-0490 and SE-280-0491 would expire in August 2021 if not extended. The project has changed and applicant understands an AOOC would require a separate hearing.

**Motion:** To extend Se-280-0490 and SE-280-0491 for a term of three years.

Avery moved

Westman seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Abstain, Wasserman – Aye, Arguimbau – Aye

7-0-0 (Motion Passed)

**8:40 PM Public Hearing 350R Massapoag Ave ANRAD**

Arguimbau read the public notice regarding the ANRAD for a property located at 350R Massapoag Ave. There was a formal vote taken to continue the hearing until September 2, 2021.

**Motion:** To continue hearing until September 2, 2021

Wasserman moved

Avery seconded

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

5-0-0 (Motion Passed)

**8:42 PM Other Business Stormwater Bylaw Updates and Discussion**

Members discussed the proposed Stormwater Bylaw language and noted the finer details would be included in regulations at a future date. The language was voted on in case there is a town meeting in

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the Fall and language for the warrant would be due soon. Cremer and Arguimbau discussed the parts of the regulations he would like to review with the commission members including: 7.7 timelines for inspections, 7.9 final approval and related signatures, 10 enforcement and funding, and the rates of precipitation for 20 and 100 year storms.

**Motion:** To support the Stormwater Bylaw only to be submitted for approval at next Town Meeting.

Wasserman moved

Westman seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye,  
Arguimbau – Aye

7-0-0 (Motion Passed)

**Motion:** To adjourn

Cremer moved

Barbera seconded

Geller – Aye, Avery – Aye, Westman – Aye, Barbera – Aye, Cremer – Aye, Wasserman – Aye,  
Arguimbau – Aye

7-0-0 (Motion Passed)