

Conservation Commission Meeting
Virtual Meeting
September 23, 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.

7:32 PM	Conservation Item(s) Conservation Restriction – 256 Mansfield Street Anita Hadlock
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Anita Hadlock described her goals: impose a CR on land located at 256 Mansfield Street to keep the property as a farm and prevent future development. The land is located in a Critical Resource Area which abuts Conservation Land and is an Area of Critical Environmental Concern. Thomas shared his screen and identified the land to be restricted.

Motion: To support the submittal of the Conservation Restriction

Geller moved Avery seconded Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye, Arguimbau – Aye 7-0-0 (Motion Passed)

7:40 PM	Conservation Item(s) OOC Ext SE-280-0580, Briggs Pond Leslie Koval
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Leslie Koval put in an application to extend the current active OOC for DEP# SE280-0580, including the plan to use state-approved and licensed applicators from Solutude to administer herbicides directed towards the presence of bladderwart on Briggs Pond. Goals include maintaining the health and ecology of Briggs Pond. Sonar liquid and pellets have been applied every few years for more than 20 years.

Motion: To issue an extension for SE#280-0580 for three years.

Wasserman moved Avery seconded Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye, Arguimbau – Aye 7-0-0 (Motion Passed)
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**7:45 PM Conservation Item(s) OOC Ext SE-280-0574, 742 Mountain Street
Elizabeth Essex**

The applicant was unable to attend the meeting, she currently uses Solitude to mitigate invasive species on her property.

Motion: To issue an extension for SE#280-0574 for three years.

Barbera moved

Westman seconded

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

7-0-0 (Motion Passed)

**7:48 PM Conservation Item(s) RCOC Ext SE-280-0553, 189 Massapoag Ave
Sue Goltz**

The applicant was present at the meeting. Thomas shared his screen and reported to the members that he assessed the parcel and it is satisfactory. Thomas has spoken with Arguimbau about the small parcel located on the lake and there are no issues with issuing a COC for the project.

7:49 PM Public Hearing(s) RCOC , SE-280-0553, 31 Grapeshot Road

Thomas had no issues with the project.

Motion: To issue a COC for DEP# SE280-0553, 31 Grapeshot Road.

Avery moved

Barbera seconded

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

7-0-0 (Motion Passed)

**7:50 PM Public Hearing(s) NOI 21 Beach Road
Jonathan Moriarty**

The Chair read a public notice opening the hearing. Moriarty and Thomas visited the 24,000 sq ft lot with a 1,400 sq ft, two bedroom home with an adjoining rear deck. Construction began in 2008 under an OOC but there was never a COC issued. Construction is now out of compliance, a contractor was hired in the interim to do work that was never permitted. Thomas shared the non-conforming plans on his screen. The application packet shows a wetland on the property. Moriarty and Steve Ives from Ives Environmental consulted on a mitigation plan.

Arguimbau stated she would be fine with Thomas meeting with Ives and the applicant returning with an adjusted mitigation plan for approval at the next meeting.

Motion: To continue the hearing for 21 Beach Road to October 7, 2021.

Cremer moved

Barbera seconded

Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
7-0-0 (Motion Passed)

**8:05 PM Public Hearing(s) RDA 20 Dehart Avenue
Frederic Appel**

Arguimbau read the public notice identifying plans for septic system replacement and associated grading. The applicant requested a continuance.

Motion: To continue the hearing for 20 Dehart Avenue to October 7, 2021 at 7:45 PM.

Avery moved
Wasserman seconded
Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
7-0-0 (Motion Passed)

8:08 PM Other Business Lake Management Update

Thomas reported good lake levels. There is concern over e. coli levels being elevated due to up stream activity and potential sources.

8:09 PM Other Business Approve Minutes from September 2, 2021

Motion: To approve minutes from September 2, 2021

Cremer moved
Barbera seconded
Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
7-0-0 (Motion Passed)

**8:05 PM Continued Public Hearing(s) AOOC SE-280-0602 25 Tiot Street
Bob Shelmerdine**

Bob Shelmerdine represented the developer with Shane Oates.

Oates shared his screen to highlight the buffer zones on the original OOC and the amended plans. In the first two phases of development, the buffer zone and environmental impacts will remain the same. The Planning Board has approved the new proposals. The total impact will be reduced to 3.59% in the new plans, down from 4.51% in the original plans. Members praised an excel document which will be included in the amended document and explains the existing design, proposed amendments, and drainage facilities. The latest revision was dated 6/11/20.

Motion: To issue an AOOC for DEP#SE 280-0602

Geller moved
Barbera seconded
Averyr – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye

7-0-0 (Motion Passed)

**8:24 PM Continued Public Hearing(s) RDA 000 Massapoag Lane
Nancy Rae**

The applicant requested a continuance until the October 7th meeting.

Motion: To continue the hearing for 000 Massapoag Avenue to October 7, 2021.

Wasserman moved
Avery seconded
Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
7-0-0 (Motion Passed)

**8:28 PM Continued Public Hearing(s) NOI SE-280-0634 61 Eisenhower Drive
Yury Deych**

The applicant requested a continuance until the October 7th meeting.

Motion: To continue the hearing for 61 Eisenhower Drive to October 7, 2021.

Wasserman moved
Avery seconded
Avery – Aye, Cremer – Aye, Geller – Abstain, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
6-0-1 (Motion Passed)

**8:29 PM Continued Public Hearing(s) AOOC DEP#SE 280-0602 Sharon Galleries
Bob Shelmerdine**

On September 2, 2021, the Commission heard a presentation about Sharon Galleries and there was a question about how to properly record a change in plans so the order reflects the most current revision. Bob Shelmerdine represented the owner and developer at that meeting. Joining Bob at the September 29th meeting was Matt Smith from Norwood Engineering and Matt Watsky. Watsky presented on behalf of the group. Watsky drafted an attorney's affidavit stating the minor modifications on the plan, the names and dates of revisions, the OOC number and subsequent amendments as well as where it is recorded in the registry. With the Conservation Commission's approval, the affidavit can be recorded in the title so anyone searching for the property and status of the OOC would find it in the referenced plans. Of the six separate sheets submitted of the revised plan, each one will be listed by name and revision date. Plans will not be recorded, instead only referenced. There were no other comments.

Motion: To accept the updated plans as the plans of record consistent with the OOC for DEP#S#-280-602, which required submittal of any such details.

Avery moved
Cremer seconded
Avery – Aye, Cremer – Aye, Geller – Aye, Barbera – Aye, Wasserman – Aye, Westman – Aye,
Arguimbau – Aye
7-0-0 (Motion Passed)

8:40 PM Other Business Briggs Pond Lake Level Issue

Members of Briggs Pond Homeowners Trust addressed the commission about water levels at Briggs Pond with information regarding: water levels, management plan schedules and procedures, and historical levels. Arguimbau and Thomas went to Briggs Pond to assess water levels and impacts on water levels.

Bruce Moyer, 9 Briggs Pond Way, who has lived in Sharon for 34 years noted his physical mobility issues prevent him from enjoying the lake when water levels get too low. His concern for any management plan utilizing a dam will lower water levels too much for him to enjoy the body of water.

Arguimbau explained that some peoples' properties were facing increased water levels and a require hydrologist to formally assess the cause. Leslie Koval, a trustee, reported back that the plan to install a gauge (per request from the Conservation Commission) had been a success for 2021. Naomi Weiner presented on behalf of her mother, Esther Weiner advocating for continued monitoring and management.

9:00 PM Other Business Lake Management Committee

Barbera reported to the commission that the LMC is collaborating with the Massapoag Yacht Club, the Board of Health, the Department of Public Works, and the Sailing Club. The LMC would like to expand the charter so all groups are formally coordinated. Noah Siegel will be invited to the October 21st meeting.

9:04 PM Other Business Cranberry Bogs

Members discussed obtaining the cranberry bogs before work was finished on restoring them. On behalf of the town, Maria Del Fuente is working on a grant application for funds that would help bring the bogs back to working conditions. As the bogs also date back to the Civil War era, there may be some CPA funds available. The current owners are motivated to turn over the bogs by October 1, 2021. Geller and Westman expressed concerns with acquiring the land before the work was done. Geller suggested a bond as a potential component of the agreement until the work is completed.

9:10 PM Motion to Adjourn

Motion: To adjourn

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

Conservation Commission Meeting
Meeting Minutes September 23, 2021

7-0-0 (Motion Passed)