Conservation Commission Meeting

Sharon Community Center

February 16, 2016 - DRAFT

Peg Arguimbau, Chair, Meredith Avery, Alan Westman, Michael Donatelle, Stephen Cremer, and Keevin Geller were the members present. Jon Wasserman arrived at 7:48pm. 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 7:45pm

**7:45 PM –** **Continuation: Notice of Intent**

*Residential Subdivision with Stream Crossing at 64R Mountain Street & 149 East Street*

Applicant asked for a hearing continuance to the next available Commission meeting date.

**Motion** to continue hearing to next available date

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

Documents passed around for signatures:

* Voucher - Reimbursement for Callan
* Certificate of Compliance - 2395 Bay Road - Signatures

**Approval of Meeting Minutes:**

* January 19, 2017

**Motion** to accept January 19 Meeting Minutes as submitted

Cremer, Avery 5-0-2 (Motion passed)

**8:30PM: Continuation: Notice of Intent**

*1200 Providence Highway, Four Daughters Compassionate Care*

Bill Buckley, Civil Engineer from the firm Bay Colony Group was presenting for the applicant. Also in attendance for the applicant were: Joel Fishman, Attorney and Co-Founder of Four Daughters, Stanley Rosen.

This property is located along Route 1, heading south into Foxboro. As a recap, Buckley explained that a small portion of the proposed driveway is located within 100 feet of wetlands and the Commission asked if the driveway could be moved. Buckley explained that they were able to bring the driveway closer to the building by moving the loading dock structure. With this relocation, there will be no asphalt located within 100 feet of the wetlands.

Buckley also explained that the though the catch basin is adequate, they would like to bring up to the current standards. For the time being this basin will be used as is. When work begins it is their intention to not change the grade, but instead will fill in the bottom for appropriate distance above high groundwater.

A Long Term Operation and Maintenance Plan has been included with the filing.

Water Usage: Attorney Fishman explained that it was his belief that Meister has spoken with Turkington and that the Board of Selectman discussed at their last meeting. A host agreement was mentioned in which approximately 45 thousand dollars would be given to the water department. Meister informed Commission members that he would be taking Turkington out on site visit to Cedar Swamp.

Commission member expressed concern that the Operation and Maintenance plan shouldreference cleaning of the four bay basin on a regular basis and that the Orders should reflect the Yearly Operation and Maintenance Plan. A new page will be brought into the office referencing yearly O&M.

**Motion** to Close hearing:

Geller, Westman7-0-0

**Motion** to issue order of conditions pending receipt of long term Operation & Maintenance plan; Erosion control per plan. Applicant shall notify office 7 days prior to work beginning.

Geller, Cremer 6-0-1 (Motion Passed)

**Lake Update**

Meister has been working with N. Siegal of Lake Management Committee (LMC) regarding treatment of weeds. Need to be careful of the Toothcup plant located near Camp Everwood. Working with Oxbow Consultants for a proposal for treatment. In order to treat the weeds in the LMC will need to work with Natural Heritage (NH). LMC is working with a botanist who has been in discussion with NH about not having to lower the lake for treatment. Also discussed was the possibility of treating patches, instead of an entire area of the lake. Additionally, the LMC is looking into other treatment possibilities. LMC is looking at quotes now and treatment for the lagoon would run approximately $7,000. It is important for the LMC to stay on top and monitor the lake for weeds. In order to treat the lagoon, the LMC will need to go to the Finance Committee for funding. The LMC is hoping to treat the lake in June. The LMC will also be asking for an increase of their budget (currently $2,500) so that a survey of the lake can be performed yearly (which should help with controlling the spread of the weeds.)

**Revision of Zoning Bylaws**

Attorney Shelmerdine will meet with Commission to review the proposed Zoning Bylaw regulations.

**Codification of Bylaw**

Town will be trying to do the codification at this Springs Town Meeting. A copy of what they had as new bylaw was sent, but was not our new bylaw. After a couple of exchanges Arguimbau received updated copy. She reviewed and it seems to have all changes Commission members worked on. To be voted on at Spring Town Meeting.

**8:30PM – Discussion: Warrant Article for Gavins Pond**

Alice Cheyerpresenting to the Commission.

Cheyer is looking for an Official votefrom the Commission to support her Citizens petition article regarding Gavins Pond.

Arguimbau read the article into the record. (On file in the office)

Cheyer explained that the intention in 1987, with respect to the land at Gavins Pond, was that this area was to be used as resource protection area. It is Cheyer’s belief that with this article, this can be accomplished.

There are two components to protecting the land known as Gavins Pond. First, the article must pass Town Meeting. If the article passes, then at a Board of Selectman meeting, the Selectman must also take a vote that they are in support of the Article. Both votes will then need to be filed together at the Registry of Deeds. Cheyer mentioned that she understands from Town Council, that if the article passes at Town Meeting, the BOS will also most likely support and vote for.

The area around Gavins Pond is considered priority habitat. Since the soccer fields have been put in, things have changed and that is why she believes it is important to protect the land.

A Commission member mentioned that there was no guarantee that the article will pass at Town Meeting. He believes that there is another way to protect the land and which could save the Town approximately 25 thousand dollars. It was suggested that if the BOS agree to a joint motion between the Selectman and Commission, that any future use would have to be approved by both of the boards.

Concern with that proposal is that it does not accomplish permanent protection of the land. At this time, a joint motion between both boards may not be of concern, but boards change and there is no guarantee that future boards will feel the same way. To date, there have been three attempts to put in additional soccer fields at Gavins Pond. Each attempt failed at Town Meeting. The idea of this article is to permanently protect this area, an area consisting of priority habitat as well as two town wells.

The original intent of the land swap was for protection of this land. However, language noting permanent protection did not make it into the deed. This warrant article is intended to put that language back in protecting the land from further development.

As Cheyer’s article has been accepted as petition article by BOS in terms of action at Town Meeting,Commission will take a vote to support article as read into the record

Geller, Cremer 5-0-2 to support article (Motion Passed)

**MACC Draft letter for the pipeline.**

MACC has presented a sign-on opportunity to all Conservation Commissions in Massachusetts to stand against new gas pipelines. Bri McAlevey has forwarded to the Commission an email, noting that since our town is presently impacted by one of the pipeline proposals, there is concern that by signing on to this letter the Commission could risk prejudicing themselves for any potential future wetland permitting that would be required should the project move forward, or even if the pipeline company came before us for permitting during their surveying and finalizing phases. McAlevey is asking the Commission to take Eugene Benson, Executive Director of MACC, up on his offer to discuss these concerns before deliberating about the sign-on opportunity.

Arguimbau will forward McAlevey email to Commission members so they can review

**Master Town Planning**

Arguimbau mentioned that she missed the last meeting. It is her understanding though, that the Committee is looking for money so that they can hire a consultant to assist with the Master Plan. It is Arguimbau’s opinion that the money being asked for is a lot to spend on a consultant. She is not sure what has been decided.

**New/Other Business**

For the March 3rd Commission meeting, would like to set aside approximately 45 minutes to discuss open space. Perhaps from 8:15pm to 9pm.

Meister informed Commission members that last summer he attended a potential grant meeting on the superfund site located in Walpole. Due to a settlement at that site, one million dollars had been approved for groundwater restoration within the Neponset River Watershed. At that meeting, Meister provided a copy of the Cedar Swamp project, thinking that nothing would result from that meeting. A couple of days ago he received an email looking for more information on the Cedar Swamp and a possible site visit. Meister is not sure how many projects are being looked at, but this could be beneficial to the Town. The Cedar Swamp project falls into many categories, and though there may not be enough money to bury the ditch, there may be enough money to do further work. Perhaps the Town could provide matching funds? Or maybe the CPC could provide funding? Meister will keep members informed.

Arguimbau mentioned that she received a phone call from an Eagle Scout who would like to upgrade wetland area crossings on Horizon for Youth at Lakeview and Morse Street. (Connecting Horizon for Youth and Everwood.) There are a lot of wet areas with board crossings, but he would like to upgrade. He would like to meet with Commission members to discuss, possibly at a March meeting.

There is trail information located at the library and at the kiosks at Lake Massapoag. Additionally, the Friends of Conservation have maps of trail and other trail information on their website.

**Motion** to adjourn

Cremer, Avery 7-0-0 (Motion Passed)