

Conservation Commission Meeting

Virtual Meeting

March 21, 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, Keevin Geller, Susan Drisko, Stephen Cremer and Jon Wasserman, Vice Chair. Alan Westman not present. Staff present: Josh Philibert, Conservation Administrator and Jana Katz, Conservation Secretary.

Members of the public in attendance: Le Zhang, Vincent Cho, Matt McDonald, David Oberlander, Zakaria Farid, Katherine Hao, Attorney Bob Shelmerdine, Jeff Kane, and Igor Tsinman.

7:30 PM	New Public Hearing	NOI DEP# SE280-0658 24 Beach Road, Le Zhang SFH reconstruction, septic, plunge pool, landscaping
----------------	---------------------------	---

Le Zhang and Vincent Cho, property owners at 24 Beach Road were present to discuss the notice of intent filed for their non-conforming R2 zoning lot on 1/3 of an acre. David Oberlander was present to discuss septic and site grading plans as well as the sediment and erosion controls proposed. The entire project would take place in the 100 ft wetland buffer.

Zhang and Cho plan to remove 2 cesspools on the property, one of which is underneath the garage. A septic system will be constructed in their place. The setbacks on the property will be maintained. The impervious surface on site will be reduced from 2,600 sf to 1,900 sf. The 680 sf reduction includes: removing an impervious patio, reconfiguring the driveway, adding landscaping, and installing a plunge pool in the vicinity of the shoreline. The pool will be filled with chlorinated saltwater. Philibert made note that Article I of the Stormwater Bylaw considers the amount of chlorine used to be “de-chlorinated” and exempt from further review.

Members discussed the placement, earth disturbance, and maintenance of the plunge pool. All drainage will be capturing in a basin and manually removed. Hao agreed to add sketches that show the drainage system to the plans, at the commission’s request.

Drywells will be installed on site to capture roof runoff. Oberlander discussed groundwater elevation at 251.9 and the top of the foundation (which will be constructed as the current home is in disrepair) at 259.

Hao ended the presentation describing detailed planting plans which include: native non-invasive species, mature native trees, ferns, and shrubs. Philibert will be consulted and approve the

Conservation Commission Meeting
Meeting Minutes March 21, 2024

definite planting plan when it is complete. They anticipate completing a planting plan by next winter at the latest.

Members voted to close the hearing pending receipt of the updated plan showing plunge pool elevations.

Motion to close the hearing and issue an Order of Conditions for DEP# SE-0568 for a project located at 24 Beach Road pending receipt of an updated elevation plan.

Cremer moved

Drisko seconded

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

4-1-0

**8:05 PM New Public Hearing RDA 6 Arboro Drive, Igor Tsinman
Garage reconstruction**

Property owner at 6 Arboro Drive presented his plans for demolishing and reconstructing a garage on his residential lot. He had met previously with the commission sharing plans to get guidance on the project. Members approved the project per plan and requested updated plans showing sediment and erosion controls. No land disturbance is anticipated for project.

Arguimbau requested installing erosion control measures around the back corner of the project to protect adjacent wetlands. There were no abutters present.

Members voted to close the hearing and issue a Negative Determination pending receipt of updated plans.

Motion to close the hearing for a Request for a Determination of Applicability filed by Igor Tsinman to rebuild a garage on his single family home, residential lot at 6 Arboro Drive, pending receipt of updated plans showing sediment and erosion controls.

Geller moved

Drisko seconded

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

5-0-0

**8:15 PM New Public Hearing LDP-0004 244-248 Norwood St., Everett Pres. Dev. LLC
After-the-Fact Lot clearing**

Jeff Kane presented on behalf of the applicant, Everett Preserve Development, LLC about the after-the-fact stormwater Land Disturbance Permit application for 244-248 Norwood Street. The developer cleared more than allowable on the combined acreage of two residential lots without a permit. Each lot separately makes up 1.5 acres, triggering the Land Disturbance Permit application process. Mitigation measures will include: onsite rooftop infiltration areas, culic chambers in two different locations per lot, stone filled swale to capture runoff on both

Conservation Commission Meeting
Meeting Minutes March 21, 2024

driveways, proposed gutter guards to maintain working gutters, and prohibiting the use of phosphorus fertilizers. Members voted to approve the project pending receipt of the Stormwater Prevention Plan. Homeowners and landscapers will provide maintenance for the features. Philibert asked for additional erosion controls to prevent runoff from cascading down the slope and onto Norwood Street. For snow removal, plans include provisions to mechanically remove snow from the site if it is in excess of what the proposed systems can feasibly hold. Members approved the plan pending receipt of the stormwater prevention plan.

Motion to close the hearing and issue the Land Disturbance Permit for LDP-0004 to address unauthorized clearing at 244-248 Norwood Street.

Drisko moved

Wasserman seconded

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

5-0-0

8:15 PM Continuances

NOI DEP# SE280-0657 299-303 N. Main St.

Everett Preserve Development, LLC

Trowel Shop Pond Condominiums

The hearing regarding the NOI filed by Elena Lande for a condominium project at 299-303 N. Main Street known as the Trowel Shop Pond Condominiums continued by discussing the limit of work and proposed lawn areas per condo. Members requested a visual barrier marking the end of the conservation land the boundary between the residential area be a fence. The applicants complied. Further discussion about demarcation and boundaries within the division was complicated by the fact that the ZBA had already approved the current plans as they are. Alterations at this point would require the applicants to begin part of the permitting process again. Plans keep a 50ft no disturb zone in place.

Motion to close the hearing regarding DEP# SE280-0657 and issue an Order of Conditions with special conditions regarding fences along the detention basin, boundary demarcation, and erosion and sedimentation controls at the limit of work.

Geller moved

Drisko seconded

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

8:51 PM Other Business

Topics no anticipated within 48 hours

With language ready for review, Attorney Bob Shelmerdine continued the discussion regarding the Conservation Restriction on Parcel CE-2 and the deed regarding CE-3. Both pieces of property were reviewed at the last meeting. While they both enjoy a restrictive covenant, which was placed on them years ago. NHESP has recently informed Attorney Shelmerdine's client, Cranberry Place, LLC that a conservation restriction deed to be placed on Parcel CE-2 which and

Conservation Commission Meeting
Meeting Minutes March 21, 2024

the Parcel CE-3 should be deeded to the town. Both parcels are part of four vacant properties between S. Main St and Old Post Road.

Members voted to accept the conservation restriction on Parcel CE-2.

In a separate vote, members voted to acquire Parcel CE-3.

Motion accept and place a conservation restriction from Sharon Gallery, 95 LLC, on Parcel CE-2 between S. Main Street and Old Post Road, and be held in perpetuity.

Drisko moved

Cremer seconded

Drisko - aye, Cremer - aye, Geller - aye, Wasserman - aye, Peg – aye

5-0-0

Motion to accept the deed for CE-3 from Cranberry Place, LLC on behalf of the Town of Sharon, acting by and through the Conservation Commission.

Drisko moved

Geller seconded

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

8:59 PM	Discussion/Action Items	“The MBTA Communities Act” M.G.L. c.40A Sec 3A as related to zoning changes
----------------	--------------------------------	--

Members discussed the “MBTA Communities Act,” M.G.K. c.40A Sec 3A as related to zoning changes. The topic of groundwater protection was discussed as were the limitations of the Conservation Commission’s jurisdiction.

9:21 PM	Discussion/Action Items	Lake Update
----------------	--------------------------------	-------------

The Salvation Army met with Josh on site to discuss taking down trees between buildings and the lake. Philibert denied their request. Lake levels were fine.

9:22 PM	Discussion/Action Items	CA Update
----------------	--------------------------------	-----------

Philibert sent letters to property owners surrounding Rattle Snake Hill where he witnessed violations of placing matter on Conservation Land.

The Department of Forestry and Grounds completed mowing the grasslands on Gavins Pond Road to hopefully help prepare the land for a flourishing elfin butterfly population feeding on wild indigo.

9:24 PM	Other Business	Approve Minutes for March 7, 2024
----------------	-----------------------	-----------------------------------

Motion: to approve the minutes for the March 7, 2024 meeting.

Conservation Commission Meeting
Meeting Minutes March 21, 2024

Drisko moved
Cremer seconded
Drisko – Aye, Cremer – Aye, Geller – Aye, Wasserman - Abstain, Arguimbau – Aye
4-0-1 Motion Passed

9:45 PM Adjourn Adjourn into Executive Session

Motion: go into Executive Session and adjourn at the end of the Executive Session until the next meeting on April 4, 2024.

Cremer moved
Drisko seconded
Drisko – Aye, Cremer – Aye, Geller – Aye, Westman – Aye, Arguimbau – Aye
5-0-0 Motion Passed