

Conservation Commission Meeting
Sharon Community Center
February 15, 2018 - DRAFT

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

7:45 PM – Notice of Intent DEP #280-0598, 90 Massapoag Ave, Tanzer
Removal Replacement in-situ

John Rockwood, Chief Environmental Scientist for Ecotec was present and representing the applicants. He explained to Commission members the proposed work relative to existing structures on the property. Rockwood noted that all work to be performed will be on the lakeside of the property. He noted that through his research, the stairs, deck and concrete retaining wall have been present at the site, going back to about 1978. Due to disrepair of both the concrete wall and cantilevered deck, the Tanzer's would like to replace in-situ. The concrete wall is failing and is rotating towards the lake. The deck, which is supported in part by the wall and adjacent concrete block counterweight, has twisted and is also tipping toward the lake. The seasonal dock, which was acquired in 2000, will continue to be installed and removed annually. The Tanzer's are proposing to replace the small wooden stairway with a concrete stairway, moving the stairs back slightly so they will be outside of the bank of the lake. The lawn and landscaped areas that are disturbed as part of the project will be restored to grade as lawn and landscaping.

Erosion control: straw bales are being proposed at edge of work zone. There are detailed construction and structural plans which note specifically what needs to be done, including putting back the rocks (which are to be removed) along the wall, which will help prevent the waves from continually hitting the wall. There will be a stockpile area for a limited amount of soil which will be removed. The contractor will re-stabilize the disturbed area and noted that exposed soils will be revegetated. Several trees are located within the area where work is to be performed. The Tanzer's are not planning to remove these. It is expected that upon completion of the project, the site should look the same as it did prior to when construction began.

The cantilevered deck is being built according to building codes and standards as noted on the structural plan. The new deck is at the same height and footprint as the existing deck per flood plain regulations.

A Commission member expressed concern with having to go down four feet to install footings. Rockwood explained that the project will be taking place in the fall, when water levels are lower, and that there was a plan in place for dewatering. (Noted in structural plans). Commission member inquired if the Conservation Commission could dictate when the work was performed. The answer was yes. Rockwood informed Commission members that a letter had been received from the Division of Fisheries and Wildlife noting that under the Natural Heritage & Endangered Species Program, the proposed project would not adversely affect the actual Resource Area Habitat of state-protected rare wildlife species.

Conditions are to include: Dewatering; notify office prior to work beginning. Erosion control outside of water area.

Motion to close hearing. Wasserman, Donattelle 4-0-0

Motion to issue order per plan.

- Dewatering plan submitted to office prior to work beginning
- Work to be completed in the fall when the lake level is low
- Erosion control shall be located outside of the water area
- Phone office prior to work beginning

Motion to approve:

Wasserman, Donatelle 3-1-0

**8:15PM Request for Determination of Applicability, 25 Tiot Street,
Cape Club Builders, Removal of Trees**

John Novak of Conec was representing the applicant.

The applicant is proposing to remove 16 trees from the golf course. Some of the trees are located outside of the buffer, while others are within the buffer to varying degrees (25 to 200 feet). The purpose of the tree removal is for maintenance of the golf course. The applicant is before the Commission tonight in order to inform Commission members of what is transpiring at the golf course, especially in light of the proposed larger project. Trees were marked during the survey process.

A Commission member asked why the trees were being removed. Novak explained that due to maintenance, modification of the golf course and moving the tee box, that the 16 trees needed to be removed. It was noted that due to expansion of the golf course over the years, there really is no true wetland buffer at this point in time. The grass runs right up to the wetland.

Novak explained that the removal of the trees is not near the larger development.

Meister was asked his opinion on the removal of the trees. He informed Commission members that he is fine with the removal of the trees, but requested that a site visit prior to work beginning should be noted in the orders.

In addition, Meister mentioned to Commission members that he has some concern with a prior violation at the stump dump, and that work at that location must be completed prior to any new work beginning.

A Commission member asked if there was to be any replacement of the trees being removed, perhaps tying the replacement of trees into the larger project.

Novak indicated that would probably not be a problem and that developer is willing to work with the Town and the Commission. He also mentioned that the developer is planning a lot of landscaping on the larger project

A Commission member inquired about the overall plan for the golf course, and that it would have been nice to see the larger plan. Novak informed members that these plans were currently with the Planning Board for review.

A Commission member noted that there was a larger size mature tree within the buffer and it was sad that it would need to be removed. He would like the developer to track the trees being removed so that this could be part of the larger projects mitigation plan. As mentioned previously, the Developer is committed to replanting. Another member asked of four of the trees could remain, as he did not see why they needed to be removed.

Meister believes the Commission should concentrate on area which has been recently impacted and is now being restored. A base plan has been established which will make it easier to move forward. In the past, the golf course has cleared out areas on the edge of the woods. They will discontinue this practice. They are trying to work with the Commission moving forward and correct errors made in the past.

To include in Negative Determination: Condition that a bank of trees or a certain number of trees (based on the 16 trees being removed) will be replaced in the larger project development at the golf course, and that the trees to be replaced shall be similar in size and caliber, as well as suitable and noninvasive variety of tree.

Motion to Approve: Cremer, Donatelle 4-0-0

8:15 PM – Request for Determination of Applicability, 2 Cobbler Lane, Florio

For limited site work associated with garage expansion, construction of pool and limited clearing

Jason Florio was in attendance. He distributed to Commission members the scope of the project and a new plot plan. He is proposing to convert their unfinished basement into additional living space, expanding garage, and pushing the driveway over fifteen feet from its current location. In addition, they are planning to install a fiberglass pool with surrounding patio and fence (all plans on file in office). Clearing of brush surrounding pool area is the only part of the project which enters the buffer zone (approximately 10 feet). Applicant shall phone office prior to work beginning. No stockpiling and nothing is to be dumped over the fence. Erosion control needs to be in place prior to any work beginning. Meister will review with applicant.

Motion: to close hearing, Donatelle, Wasserman 4-0-0

Motion: to issue a Negative Determination with conditions. (see above)
Donatelle, Wasserman 4-0-0

Other Business:

Vouchers signed for Meister (phone) and Callan (postage).

CR Billings Street (Schaffel). The CR has been completed for this parcel, with all required signatures being gathered. The CR for this property has been worked on for many years, and now protects 12 acres contiguous to existing conservation land along the Massapoag Brook corridor. In addition, the Schaffels will be providing a local CR on property they own across the street from this parcel (147 Billings Street). The BOS have already signed. A thank you to Lisa Whalen, of Town Counsel's office, was given for her hard work in helping to finalize the transaction. All Commission members signed.

Motion to approve meeting minutes of February 1, 2018

Grammatical corrections.

Meister will draft letter to Cape Club Builders declining right of first refusal for land.

Motion: to accept minutes as amended

Cremer, Wasserman 4-0-0

Hunting discussion for March 1st Arguimbau contacted the Town of Easton. They currently allow hunting on their property. She also contacted the Town of Canton. Canton does not allow hunting; however they have a lot of DCR property in town which does allow hunting. A call was placed to the Town of Mansfield, however, Arguimbau has not heard back from them. All were informed about the March 1st meeting, and were invited to attend.

Kramer contacted the Towns of Foxboro and Mansfield and invited them to attend as well. The March 1st meeting will be held in the larger meeting room where the Planning Board traditionally meets, in order to accommodate a large audience.

Arguimbau also spoke with Susan McCarthy from Fish and Game who will be speaking that night. She informed Ingalls that she will be given 25 minutes for a presentation and 20 minutes for questions and answers.

Open Space Survey

Discuss feedback from survey regarding the recreational questions.

Motion to adjourn

Cremer, Wasserman 4-0-0

Meeting ended at 8:55pm