

Conservation Commission Meeting
Sharon Community Center
September 19, 2019 - DRAFT

Peg Arguimbau, Chair, Jon Wasserman, Keevin Geller and Stephen Cremer were the members present. Meredith Avery, Alan Westman and Michael Donatelle 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 – 364 Mountain Street

DEP #280-0611

Removal of trees to create a paddock area for horses

Arguimbau explained that this hearing would be reopened. She noted that there was a glitch in advertising and that the hearing has been re-advertised. All reviews have happened at the State Level. The owner and owner's representative are present this evening and will present the proposed project located at 364 Mountain Street for the removal of trees to create a paddock area.

Commission members took a formal vote to reopen this hearing:

Motion to reopen hearing for 364 Mountain Street

Wasserman, Geller (4-0-0)

Karon Skinner Catrone was presenting for the applicant, Dhruv Grewal. Donald Seabero from Glossa Engineering. Catrone explained the proposed project to the Commission; removal of trees and clearing an area in order to put up a horse paddock. Currently the horses are being boarded elsewhere. The applicant wishes to bring them "home" as they are ill and not doing well. The plan for the proposed project was displayed. Catrone pointed out the area where trees will be removed. She also noted that the trees and stumps would be ground into mulch. Sand will be brought in for part of the paddock area and and noted that the other part of the paddock area will remain in a natural state with natural vegetation, including the planting of native plants. Catrone pointed out on the plan where a small barn will be constructed. Catrone noted that in the original plan submitted to the Commission, the barn was located partially within the 100 foot buffer. The Commission asked the applicant if the barn could be built outside of the 100 foot buffer. The applicant complied and submitted an updated plan reflecting the barn outside of the 100 foot buffer. Additionally, the applicant also submitted a plan to Natural Heritage for approval of the project as much of the area was considered Priority Habitat. Natural Heritage approved the plan and requested that prior to any work being performed, a wetland scientist be brought in to do a "turtle sweep". (An endangered turtle species has been found to be in the area and Natural Heritage wanted to protect them from development). A silt fence will be installed around the area to be worked on. The applicant has also submitted to the Commission a manure removal plan. Catrone also noted that at the request of the Commission, the applicant agreed to grant a Conservation Restriction (CR) on a portion of his property (mostly an area within the wetlands). The CR is noted on the updated plans.

Concerns from abutters:

Two abutting neighbors spoke on the project. One neighbor was concerned about the horses and the amount of excrement the horses would produce and the potential impact upon his

well. He was also concerned that part of the proposed project (paddock area) extended onto his property. He informed Commission members that he owns property on three sides of the applicant's property as well as owning half of the road way leading to the applicant's driveway. It is his belief that the paddock extends onto his driveway. It was pointed out that the applicant has right of way use to the roadway to access his property. Catrone also assured the abutter that the project did not extend onto the roadway. There was also confusion about a second driveway to be used to access the dumpster (for manure). Catrone explained that there is no second driveway; it is just an access point in order to reach the dumpster. Additional abutter concerns included placement of paddock fence. Catrone clarified to the Commission and abutters, that there will be a paddock fence located 25 feet from the property line (per animal regulations) in addition to another fence (possible stockade type) erected along the property line as is the property owners right. Other concerns of the abutter include sharp turn on roadway and sight line of seeing a trailer exiting the property and that the paddock and barn should be at least 50 feet from his well.

Arguimbau explained to abutter that several of his concerns did not fall under the Commission's jurisdiction and encouraged abutter to speak with the building inspector, Zoning Board and the Board of Health. She further explained that the Commission has previously closed the hearing, and prior to doing so, had asked many questions. Arguimbau stated that the Commissions responsibility is to work within the parameters of the wetland protection act and if applicant complies with the regulations, it is the responsibility of the Commission to vote favorably for the applicant.

A second abutter also spoke. He also shares the driveway with first abutter and the applicant. He asked what the Commissions job is. Arguimbau gave a brief overview of the responsibilities of Conservation Commissions. She also explained that it is the Commissions responsibility to work with applicants and to understand their needs as well as what needs to happen in order for their project to move forward. Arguimbau noted that often times it was a give and take process, (as in this case, applicant was asked to move barn out of the buffer and there were additional concerns with the wetlands, resulting in the Conservation receiving a Conservation Restriction on a portion of the applicant's property). Sometimes the Commission can work with applicants and come up with a favorable plan benefitting both the applicant's wishes and protecting the wetlands. Sometimes though, things do not work out and no approval to proceed is granted. In the end, it is the Commission's responsibility to work within the framework of the wetland protection act and to comply with the regulations as set forth.

Applicant has agreed to not cut down some trees on the edge of property so as to provide a bit of a gap and a buffer. Updated plans will need to be submitted to the Conservation Office. Upon receipt of updated plans, the Orders can be issued.

Motion to not close hearing until updated plans have been received
Cremer, Wasserman (4-0-0)

8pm – Request for Determination of Applicability – 194 Edge Hill Road

Propose to regrade, loam and reseed existing rear lawn within 25-100 buffer zone; clear overgrown vegetated area adjacent to dwelling and replant and mulch.

Shelmerdine was presenting for the applicant. He explained that this lot previously had a home built on it (built about 1958). Showing Commission members the “Plan to accompany RDA application”, he explained that the applicant would like to regrade and replace the existing lawn area (shown on map in green). Shelmerdine noted that the green area on the map is located within the 100 foot buffer, but that it was also an existing lawn. Currently a home is under construction. The home is located outside of the buffer. A deck is also being built, with an overhang into the buffer area. There will be no footings within the buffer area however. Meister visited the site and suggested that an RDA be filed. Commission members asked questions about what was going to be mulched, where the mulch was going, and what was to be the lawn area. Geller asked what was meant by “regrading”. Shelmerdine explained that the purpose of the project was to regrade and replace the existing lawn area. A home will be built with a deck as mentioned above. Shelmerdine pointed to the regrading lines on the plan explaining that the applicant would like to build up the backyard a bit.

There were additional questions regarding removal of vegetation and what was being mulched. Meister explained that the area where vegetation was to be removed existed of sumac and other weedy plants. Cremer had a concern about how the lines were coming together, that it looked sharp, and could they be smoothed out. Geller asked about the maintenance shed. Shelmerdine explained he did not know what was going to be done about the shed.

Arguimbau asked about irrigation sprinklers for the back lawn area. Shelmerdine did not know what the plans were. Arguimbau noted that no underground irrigation would be allowed within the 100 foot buffer zone.

Motion: to continue hearing to October 3, 2019.
Geller, Cremer (4-0-0).

Update on bogs

Meister asked Shelmerdine about the cranberry bogs and the developer’s plans about turning them over to the Commission in working order. Developer agrees that they will be turned over to the Commission in working order. Meister noted that it is looking like things will be too late for a cranberry season next year.

Voucher

Commission members signed voucher

Meeting Minutes of September 5, 2019

Page 2, add the word drainage at “roadway”

Motion: to approve meeting minutes of September 5, 2019 as amended.
Wasserman, Cremer (4-0-0)

Open Space and Recreation Master Plan

Arguimbau informed Commission that the report was sent to other town boards for review, as well as MAPC. No feedback has been received to date.

Town Master Plan

The Town Master Plan has been completed and distributed. The next stage is for the creation of an implementation committee.

Town Warrant for November Meeting

The proposed building of a new high school will be in the Town Warrant.

Arguimbau is hoping that Rattlesnake Hill (and potential purchase) will also be in the Town Warrant.

She believes that as a Commission, we should show our support for the purchase of Rattlesnake Hill and for the Town to use CPA funds. Rattlesnake Hill is the number one priority for the Commission and is so listed in the Conservation Open Space Master Plan.

Motion: to support the purchase of Rattlesnake Hill using CPA funds in addition to other public or private funding from partnerships as approved.

Geller, Cremer (4-0-0)

Sidewalk update: road leading to Community Center. The DPW is working on putting in the sidewalk.

Next Commission meeting is scheduled for October 3, 2019.

Motion to adjourn

Cremer, Geller (4-0-0)

Meetings adjourned at 9:15pm.