Conservation Commission Meeting

Sharon Community Center

November 20, 2014 - DRAFT

Peg Arguimbau, Chairperson, Elizabeth McGrath, Linda Orel, Keevin Geller and Stephen Cremer were the members present. Members not present: Merideth Avery and Alan Westman. The Conservation Administrator, Greg Meister, was also present.

Meeting started at 7:50pm

7:45pm – Hearing: Notice of Intent – DEP #280-0563

Carroll Advertising, 4 General Edwards Highway

Proposed construction of a 2-sided billboard, including footing, in proposed construction

Applicant was before the Commission requesting construction of a 2-sided billboard within the buffer zone of the BVW. Excavation for a concrete footing to install the billboard. Once billboard is erected, disturbed area will be restored. Additionally, the project will involve cutting and trimming vegetation along Route One so as to improve the visibility of the billboard. No clearcutting is being proposed, would like for Meister to supervise the area and provide guidance on what to cut and what can be trimmed.

Applicant will replicate the area and plant trees which are agreeable to the Commission.

The billboard will be installed first. After which it will be determined what trees will need to be cut, and what can be trimmed. Once billboard is erected the applicant will need to return to the Commission with a count of the number of trees to be removed, along with the size and type of tree. (This should be put in the Order of Condition). The applicant would like to begin the project as soon as possible and anticipates he can come back to the Commission in February.

A Commission member inquired about a maintenance plan for future trimming and that the plan should be included in the Order.

**Motion to close hearing**: Move to close hearing, Cremer, McGrath 5-0-0.

To issue Order of Conditions to allow the installation of billboard, with understanding that the applicant will return to the Commission with a plan and inventory of trees, as well as the type, size and number. Meister will monitor.

Motion to issue Order of Conditions: McGrath, Geller 5-0-0.

**8:15 pm – Request for Determination of Applicability** (read at 8pm and 8:15pm)

36 Beach Road, Christine Milbury

Hearing was opened and continued as no paperwork has been handed in.

Motion to continue hearing: Cremer, McGrath 5-0-0.

Commission members signed document for 18 Castle Drive.

Commission members signed voucher.

**Approval of Meeting Minutes of October 30, 2014**

Vote to accept meeting minutes of October 30th Geller, McGrath 3-0-2

**Approval of Meeting Minutes of November 6, 2014**

Vote to accept meeting minutes of November 6 McGrath, Geller 3-0-2

**Lake/General update**

Lake levels are up. Because of the political climate, he is restricting lake discharge. Meister informed the Commission that he would like to go back to manage the lake the way it should be managed, unless someone has an objection.

Restricting the outflow once the lake is turned over is not advisable. Arguimbau suggested there perhaps there could be a compromise. Meister said there are pros and cons managing the lake we normally do. The Lake will come up based upon precipitation over the next several months, while well pumping is down during the winter months. It is important that at this time of year the lake be flushed. It is a balancing act in order to keep the lake usable.

There is an existing policy which dates back to 1992 (Order of Conditions) governing management of the lake. Meister normally would not ask Commission for their support on managing the lake, however, given the current political climate surrounding the lake at this time, he is requesting the Commissions concurrence.

It is Meister’s opinion that by the Spring, the lake level should be up. Last year there was concern with Asian Clams and Fanwort. Lowering the level of the lake this past summer allowed us to address these concerns as per the State requirement.

Meister will provide Commission members with a web link to “Sustainable Water Initiative”. This was set up by the State to establish safe yields for well withdrawals and protecting the environment.

The skating pond is still very low, and has not come up very much.

Vote: Commission members expressed a vote of confidence in Meister and his management of Lake Massapoag. Cremer, McGrath 5-0-0

**8:30 Discussion of Hammershop Dam** (and what the Commission would like to see happen)

Two hard copies of the Town’s filing for ‘Permit Process’ to begin were passed out to Commission members. Permit is on file in the office. Commission members will need to look at the permit application and review.

Breaching vs Repairing.

Cremer does not support breaching. He believes the dam should be returned to functional operation.

The Commission does not have an exact plan or methodology at this time. The Commission has spoken about bringing the dam back as to close to what it was, not only wetland impact, but ability to control stormwater and flood control and utilize in that way.

Mr. Spielman spoke about the dam and of the documents he has reviewed. In reviewing the documents, he found nowhere in the documents any mention about the integrity of the dam, but rather, the main issue is with the wooden structure at the spillway. It is his opinion that whatever decision is made, that the decision is made on correct information.

Questions and suggestions from abutters:

Would like to go on the record to have Hammershop Dam be restored.

Can volunteers help out

With respect to process to date. The State initially required the Town to take out all the boards. Meister requested a meeting with the State to discuss. The State allowed the Town to set Jersey Barriers on the cement spillway, leaving remaining boards in place. This is only a temporary measure. The dam will need to either be repaired (to original level) or breached.

Arguimbau informed those in attendance that it is important to be aware of what is going on. Capital Outlay meetings and CPC Meetings (regarding funding of the project) will be on-going as well as other meetings (ZBA, ConCom). If residents would like their voices heard, they must follow what is going on.

At this time the Commission needs to determine if they will be filing application jointly with the DPW.

Commission member Geller believes that the Commission should make a motion to take an official stand, not only for neighbors, but for other town agencies.

Proposed motion: That the Commission support the restoration, and specifically to not remove the dam. Geller, Cremer

Further discussion on the motion: Commission member McGrath is not yet ready to support that motion. She does not feel that there is enough information to make that decision at this point. In her opinion, there is value to a free flowing stream. She would prefer real data, a detailed report of environmental impact if the dam is breached. Additionally, not sure if the numbers proposed are correct and take into consideration the cost of replication should the dam be breached. Commission member Orel agrees with McGrath.

Meister discussed reasons why he feels that the dam must remain. Included in the discussion were the following comments:

\*Capital Outlay is meeting on December 4th and DPW has made it clear they will be supporting the cheapest option with respect to the dam \*Hammershop Pond provides critical flood storage when lake discharge is at its maximum. The dam absolutely protects other structures and property downstream on Massapoag Brook, including Manns Pond Dam and Billings Street.

Arguimbau suggested that members read through the permit application and look at the hydraulics. Capital outlay meeting is December 4th, and the Commission is listed as a joint applicant.

Some Commission members inquired about ecological advantages to removal of the dam and what would happen if a free flowing stream.

If the Commission does not take a position, then the Commission would need to find an alternate proposal for the repair of the dam other than the $400K being proposed. However, the concern of McGrath is that it was her understanding that the temporary repair was to prevent the destruction of wetlands and to have time to vet options with respect to either breaching or repairing the dam. But with Capital Outlay meeting and a decision needing to be made, she feels uncomfortable in having to take a position on 1 of 2 options which have not been completely vetted.

Discussion continued about flood control, ecological impacts, cost of repair vs. breach, what is best for the town, the environment, etc… Lack of communication between DPW and Commission dating back to removal of boards.

**Motion:** to support restoration of Hammershop Pond and explore alternative restoration plans for the highest interest of the resource. Orel, McGrath 5-0-0

Next Commission meeting is December 4th. This is the same day as Capital Outlay. Not sure if there will be any discussion on Hammershop Dam. Thought is that most likely will not get into discussion until January.

**Future meeting dates**. Dec 4th. McGrath to provide update of recent New Lake Committee meeting. Continue discussion of water supply to the Town. Arguimbau will speak with Meister about who will attend the Capital Outlay meeting. Perhaps if there is not a lot of business, Commission meeting will be short, or if new business comes in, possibly starting at 7pm. December 18th is the holiday gathering.

Arguimbau will be meeting with the Selectmen on December 9th about reappointment.

Meister will provide Commission members with Groundwater resources weblink. There is lots of information on the website. If members would like a better look at the maps, they are on file in the office.

There was a brief discussion on water-recharge and what could be done. Cedar Swamp was brought up.

Meeting adjourned at 10:20pm Cremer, Geller 5-0-0