Conservation Commission Meeting

Sharon Community Center

December 18, 2014 - DRAFT

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

Meeting started at 7:45pm

**Old Business:** Members signed the 154A Billings Street – Conservation Restriction. Conservation Restriction on file

Arguimbau thanked town resident Alice Cheyer for helping with the restriction, as well as thanking the Glendale neighborhood group for their monetary assistance with the purchase of the land.

**7:45pm – Continuation of  Hearing: Notice of Intent – DEP #280-0565**

**135 Old Post Road, Sharon Residences**

**Kelly Killeen**

Mr. Killeen was before the board to discuss the development of the roadway. Killeen brought a draft plan of the proposed roadway which he plans on submitting to the Board of Selectman (BOS) within the next couple of weeks.  This roadway is not part of the Old Post Road filing, but rather, will be a separate filing.  Kelleen is before the Commission with the roadway plans as the development of the roadway does have impact on the proposed development. Killeen explained that there is currently an existing Order of Conditions for Old Post Road which relates to the previous proposed Mall development and the Mall Road.  This new proposed plan is an “interim” plan should the Mall Road not go in and an alternate plan needed.  The developer will be following the existing grade of the road, there will be no filling in of the bog, and no large culverts.  This proposed road has been designed to support a neighborhood, and not traffic which would have been generated by a Mall. The proposed road is in draft form and will need to go through peer review. The proposed roadway will be installed and maintained by the developer, even after completion of the project.  Additionally, this plan would not prohibit access to the bogs. (There was a brief discussion of Killeen’s involvement with the bog owners (farm plan) filing.)

Killeen asked the Commission how the roadway filing should be handled as he would prefer to keep as a separate order.  If two projects are not related it will be easier to obtain Certificate of Compliance upon completion of each project. Other site will take longer…would like this order completed prior.  Two separate entities developing on same area.  Peg, will need to discuss.  There is currently an existing Order in place on the same property.  Meister would like correspondence on this from the DEP as he is interested in what the DEP has to say, and would like some guidance on how he should proceed with this development.

The developer will be filing a notice of project change for the south and north residential properties.  Killeen mentioned that a traffic study has been prepared, which he will supply to the Commission. Developer will be meeting again with the ZBA on January 28th, will be meeting with the BOS perhaps on the 8th of January, and the project is out for peer review with Mr. Houston.  If Houston is finished with his review, then perhaps can come back to the Commission on January 8th.

**Motion:** Continue meeting to January 8th, depending upon what happens over the next two weeks.  Cremer, McGrath 4-0-0

**Members signed voucher**

**Approval of meeting minutes of November 20, 2014**

Page 2, lake/general update.  Change the word upflow to **outflow.**

Page 2, second paragraph delete section beginning  with: “it is a balancing act, in maintaining quality with current.

At 8:30pm, at parenthesis, replace: what would like to see happen, with **“ what the commission would like to see happen.”**

Bottom page 3, last paragraph and onto page 4.  It was suggested that Meister work on this editing this section**.**

**Motion** to consider minutes of November 20, 2014 at the next Commission meeting. Further clarification is needed prior to meetings minutes being approved. The December 4th meeting minutes will be reviewed after the scheduled 8:15pm applicant hearing.

Cremer, Westman  5-0-0

**8:15pm: Hammershop Pond**

Eric Hooper, DPW Superintendent and Peter O’Cain, Town Engineer, presenting.

O’Cain explained that the permit was filed for the proposed spillway modification.  The permit has been approved by the State.  The wooden structure will be removed and replaced with a cement structure.  The height of the structure was agreed upon by Commission and the State.  The Permit for work comes from the DCR. Conditions for repair should be OK.  With the recent rains, there is a lot of water going through which hopefully will recede shortly.  Once the water recedes, the project will be able to begin, sometime after Christmas/New Years.

The permit from DCR was recorded as per order, with the construction notice sent out by GZA.

Commission members will issue an Emergency Certification allowing the work at the dam to begin.

**Motion:** to sign Emergency Certification upon completion of the presentation by Hooper/O’Cain.  Geller, Cremer 5-0-0

Commission members signed the Emergency Certification.

O’Cain presented information on the costs associated with the dam.  This will be added to the Hammpershop Dam file.

Discussion continued regarding the plans for the temporary dam structure.

**Meeting minutes of December 4, 2014**

Note that McGrath arrived late to the meeting, coming in during the discussion on the lake.

Bottom of page 1: Remove “and turtle”.

**Motion:** to accept December 4, 2014 minutes as amended

Cremer, McGrath  3-0-2

Meeting minutes of November 20, 2014 will be held until January 8th meeting.

3 warrants were passed around for signatures.

Cremer inquired about the open meeting law ……  He has taken the exam on-line but was unable to print out.  Should there have been a page to print out?

**Update on new lake committee meeting -** McGrath summarized the meeting.  Both the DPW and Water Management presented at the most recent meeting.  Materials were brought for Commission members to review.  Precipitation data was provided by Selectman Heitin and pumping rates and monitoring well information was presented by the Water Management Committee.

McGrath believes meetings are a good source of information gathering, education and learning about the lake and other factors affecting the lake.  According to McGrath the new lake committee members are interested in understanding the lake, not in blaming anyone.

Geller mentioned that it would be nice to have a chart with the following information:

1) lake levels   2) precipitation data and   3) pumping rates.  Add  to this chart, the average august flows.  Having all this data in one place would allow for a better picture.

Meister informed the Commission that he was asked to present at the new lake committee, but has respectfully declined.  Commission members concerned that Meisiter has chosen not to present at the new lake committee meeting and discussion on this took place. Meister’s central question regarding the new lake committee is: What is the purpose of this new lake committee and what is this commission going to do about addressing issues that are clearly within its mandate?  No definitive answer to this question has been given.  And while Meister believes discussion of the lake and its issues is great and that discussion should take place, for him, his reasons of not speaking in front of the new lake committee is one of both professional and personal reasons.

Last winter he attended numerous joint meetings with the BOS, Recreation, Rec Advisory, Police, Conservation, and Town Manager (lake steering committee) to come up with a plan to protect the resources of the lake, but as yet, to date, no action has been taken.  This is problematic for him.  He reports to the Commission.  His main concern is what will be done differently at the lake this summer?  It is difficult for Meister to attend the new lake committee meetings when nothing has been resolved from previous meetings. He also feels that Commission members should be concerned about that as well, especially since the lake is their responsibility. At this time, Meister would like to educate the Commission, so that members can do their jobs.  Meister would rather work with this Commission, do his job as required, and have the Commission exert its authority when appropriate.

Arguimbau suggested that members vote to send Meister to the meeting.  Further discussion.

Some questions and concerns regarding issues of the lake include:

* High precipitation rates do not tell the whole story.  Much of that water does not get re-charged as the water flows out of Town.
* Cedar Swamp - folks should be educated on Cedar Swamp, what a wetlands is and how it works.
* Management of the Lake
* Education of the lake
* Studies and reports have been provided to the BOS.  To others?

There was further discussion on why Meister should attend new lake committee meeting.

A motion was made to have Meister attend  new lake committee meeting.

Before voting, Geller suggested that the Commission wait and see what the BOS response is to Meisters email.

McGrath suggested that Selectman Heitin be contacted to clarify topics which will be discussed at the new lake committee meeting.

Further discussion on why Meister should attend new lake committee meeting.  Perhaps Meister could speak about wetland resources and lake management.  How things are done.  What guidance there is.  The amount of time involved in managing the lake. The other boards in Town should have an understanding on how the lake is managed and what needs to be done at different times.

No vote was taken.  Meister agreed to attend the next new lake committee meeting at the Commissions request.

**Regular Meeting adjourned at: 9:40pm**

**Vote** to enter into executive session to for purposes of land acquisition and for meeting to conclude at the end of executive session.

Geller, Cremer 5-0-0

Arguimbau - Yea

Geller - Yea

Cremer - Yea

Westman - Yea

McGrath - Yea