

Conservation Commission Meeting
Sharon Community Center
May 21, 2015

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

Meeting started at 7:45pm

7:50PM – Notice of Intent

Gander Realty Trust, 216 N. Main Street

Proposed 6 unit multi family dwelling.

Keevin Geller gave a brief history of property since he purchased it in 1995, including an upgrade to the septic system. He then recused himself from this hearing as he is the proponent of the project. Dan Merrikin, representing the applicant, took over the presentation. The property consists of approximately 11.2 acres, upon which is a sawmill and pond. The applicant would like to redevelop the property, using the existing foundation of the sawmill. The first component of the project will include the installation of a new septic system. As the Board of Health has stringent regulations, Geller purchased additional land to allow for a septic system. Work to be performed will be within the buffer zone. The leaching field will be located outside of the buffer zone. Proposed directional drilling will take place at the narrowest part of the pond. PVC piping will be used, and is designed to last 100 years. The full length of pipe will be approximately 700 to 800 feet. A Commission member expressed concern with laying pipes through the pond. Merrikin explained that the building was only about 3 feet off of the Street and that it would be easier to lay the piping through the pond rather than along the street.

The second component of the project is to redevelop the existing structure, with the existing use changing from commercial use to a residential use. Conversion of the saw mill into 6 housing units. The current building foundation will be used, will a bump out proposed in order to square off the building. Merrikin showed an architectural rendering of the building, with garages facing Canton Street, and residences above. There will be a paved parking area at the back of the building (8 visitor parking spaces). The remainder of the current paved surface will be removed and replaced with gravel, mulch and lawn. Approximately 10,000 square feet is within the 100 foot buffer zone. Grading on the pond side is pretty flat. With a beautiful view and area, there was concern that future owners would like to build patios. Would prefer a grassy area and not paved.

Applicant is interested in grating a conservation restriction on the property, but would like to discuss prior to granting.

The Commission owns abutting land and part of the pond. Receiving a conservation restriction would be a great thing.

Storm water. There is currently no storm water control on the site presently. The Commission would like to see a Storm water Management Plan. Look at drainage conditions to be sure that neighbor will not be affected by runoff.

Access to septic system. Will not need to go in with a large truck. Trees will be cut to put in the force main. The applicant is looking to possibly obtain permission from an adjacent property owner to gain easier access to the proposed septic system.

Applicant to return to the Commission on June 18th at 8pm.
Motion to continue hearing to June 18
Cremer, Westman 6-0-0

**8:00 Requested for Determination, 38 Beach Road, J. Nystrom
Proposal to build a small patio and fire pit**

This is a continuation of meeting opened in April, but continued to May 21st. The applicant is looking to clear out a small area to put in a patio and fire pit. Dan Happnie is the owner of the land and Jaimie Nystrom is the applicant proposing the fire pit and patio pavers. The work being proposed is within the right-of-way easement, with five families having rights to this easement. Nystrom was informed that either Happnie should appear at the next Commission meeting, or that she should obtain written approval from Happnie in order for the Commission to make any decisions on this project. Jim McDonald provided information on the proposed project. He described the area where the fire pit and pavers would be located. He also described the work he did prior to being issued a stop order from Meister. (Meister had received a phone call about work being performed at the location.)

A picture was shown of the area (on file). The proposed patio will be about 20' by 20'. Stone dust will be used in the fire pit. There was concern from some Commission members as to whether the use of stone dust was allowed, especially so close to the lake. Meister explained that it was allowed, as long as vegetation was not removed. The proposed work is allowable and not in violation. The work was stopped as a filing of the proposed work needed to be filed with the Commission.

Abutters/other deed holders of the Right of Way easement were concerned with the proposed project. They are not against any upgrades, just the manner in which this project is moving forward. They would like some legal protection with respect to their rights, and that this should be reflected in each of their deeds. Arguimbau suggested that the Commission consult with the Town's legal counsel regarding the holder of the easement and if the Commission in fact had authority to vote on the proposed project. This hearing was continued to June 4th at 8:30pm. In the meantime, McDonald explained the construction of the firepit. He explained that stone dust would be used with a quarter inch of sand in the placement of the pavers. This method would allow the pavers to settle better. Fire brick will be encased in a a metal case around the fire pit which will sit atop

the fire pit. The fire pit is approximately 1 ½ feet down. The patio will be built first, then the fire pit. Discussion about stone dust, and whether it was impervious. McDonald would like to clean up the area. The purpose of the proposed fire pit and patio was for deed holders to be able to go and sit at the lake.

Abutter Millbury spoke about how at this point the fire pit is a hazard. She has sent in paperwork to DEP and the Commission, but has not yet heard back from either. Protection DEP.

Motion to continue hearing to June 4 at 8:30pm
Cremer, DeCarbonel. 6-0-0

Arguimbau suggested that if Happnie can't attend the meeting, that a certified letter from him allowing this project would be helpful.

**8:15pm Request for Determination, Columbia Gas
Proposed replacement of a gas main**

Chris Sandason from Merrill Corp presenting for the applicant. Sandason explained that part of the project will take place within the buffer zone and vegetated areas. Columbia gas is proposing to replace the existing gas mains which are nearing the end of their useful life. Work will occur within the roadway and there will be no impact to the wetlands. Erosion control will be installed. Either haybales or a filtersock will be used. About half of the excavated material will be removed, with clean fill being brought in. They will not work during rain events and catch basins will be protected. Projected start time of this project is sometime this summer.

Commission members expressed concern with erosion control measures being left at the site once the project was completed. It was recommended to include in the orders that the erosion control be removed at the end of the project.

Motion to close hearing
Orel, Cremer 7-0-0

Motion to issue a negative determination.
The office should be called prior to any work beginning. Erosion control measures shall be removed at the end of the project.
Cremer, Orel 7-0-0

**9:00pm – Hearing Continuance, NOI, SE280-0565
Sharon Residences, 135 Old Post Road**

The applicant asked for a hearing continuance to the second meeting in June.

Motion to continue to June 18th
Geller, Westman 7-0-0

8:00PM Old/New Business

Sign Warrant: Gelerman & Cabral
Sign Certificate of Compliance, 4 Wompanoug

Report from Lycott on the Lake. Corrections needed to made on report submitted. Before Cliff Towner left, he phoned Lycott to make corrections on the reports. If the lake needs to be treated again, the protocol for lowering the lake is in this report.

Bylaws and Regulations. Discussed time frame of review, and at what point to submit to Kate Connelly. Commission members would like to like to have something for her to review by Mid-June. It was decided that the Commission should have a working session on June 11th at 7pm to review both regulations and bylaws.

Regional planning. Discussion about regional planning and water use. Arguimbau spoke with Crosby. He informed Arguimbau that it was possible that Weston & Sampson would be presenting to the lake review committee (lrc).

There is difficulty in getting information. Town Manager Turkington informed Arguimbau that the water department has information as well as access to data from other towns. Crosby indicated however that he has not seen enough data to determine the impact of water use from other towns. Arguimbau will go to the LRC meeting on June 28th.

It was suggested that beginning this spring, a plot should be picked and photographed every two weeks so as to have some documentation. It was mentioned that Launstein has already done a lot of that type of work and has some good slides. It is important that the Commission better document the critical wetland habitat areas and the changes taking place.

Meister mentioned that a permit used to be required for vegetated plots located near the wells. This was eliminated which left it up to the Towns to determine where the plots were. Although photographing plots now would be useful, the baseline has already shifted. Plots used to be located next to water bodies with monitoring reports produced. It was recommended that the plots be put further away.

It can't hurt to collect data, and working regionally is not a bad idea. Though DEP has the authority to speak with other towns, we can't make these towns do what we want.

There was a brief discussion on Swammie rights. The comment period is coming up, with the potential of permits being issued for increased pumping rates. Orel will help with a response. She knows people at the DEP, though not sure who is working on this project.

Lake Management Review Committee (LMRC). Avery did a great job presenting. Good questions were asked. One of the things which came out of the meeting was stormwater and how to keep the water in town and to recharge our own water supply. Also brought up was concern when Meister was on vacation or not around. LMRC committee members needed to understand that Meister is a Town employee who reports to the Commission. Meister mentioned that for the past 20 years this has never been an issue. The DPW knows how to reach him and where the wheel in the flume house is.

Meister was concerned that the thought was for him to report to the DPW. They had control once and it did not work out well. He agrees there should be back up, but believes it ultimately falls back on the Commission.

Motion: For Meister to train Commission members in the art of managing the Lake Watershed with Meister identifying two backup contacts.
McGrath, Cremer 7-0-0

Communication: If the lake level is low, a Commission member expressed concern if a number of phone calls come in. Meister informed the Commission that the Lake Management Committee is developing a website and will post lake related information on it which should help with communication. Meister will work with the LMRC and keep them informed.

Discussion about communication with other boards and within the Commission.

Lake water temperature is about 72 degrees. Lake will recede as it always does, and the debate will begin again. The lake can't be managed for water quality and downstream flow. The habitat of the lake should be looked at. Trout are dying which could be a result of the warmer temperatures. How to best maintain the water quality and the habitat? Swimming, boating and fishing are the concerns with the lake.

Meister should manage the lake the way he has always managed the lake. Commission members will support Meister. Commission members should participate in any solutions which may be recommended with respect to the lake.

Next meeting is June 4th.

Motion to adjourn
Westman, Cremer 7-0-0

Meeting adjourned at 10pm