

Conservation Commission Meeting
Sharon Community Center
November 21, 2013

Peg Arguimbau, Chairman, Hank Langstroth, Stephen Cremer, Christine Turnbull and Elizabeth McGrath were the members present. Conservation Commission Members Linda Orel and Keevin Geller were absent from the meeting. The Conservation Administrator, Greg Meister, was also present.

7:45pm Trustees of Reservation Solar Panel Request
Trustees of Reservation Solar Panel Request

Jim Younger presented on behalf of the Trustees of Reservations (Trustees), Moose Hill Farm. There is a statewide initiative to lower the carbon footprint of the properties which they oversee/own across the state. They have looked at how to conserve energy and wind/solar opportunities, which would provide renewable energy production.

The property known as Moose Hill Farm in Sharon provides a good opportunity for solar renewable energy. The Trustees are proposing to construct 5 pole mounted solar arrays in the field to the north of the main house located at 396 Moose Hill Street. This installation would provide reduced energy costs for the office and agricultural energy uses at Moose Hill Farm, as well as supply some of the net metered needs for the Archives and Research Center on nearby Everett Street (former Kendal Whaling Museum). The Trustees have submitted a proposal (in file) from 621 Energy, who will develop, own and operate the solar panels for a base period of twenty years. The system would be operated under the terms of a power purchase agreement made with the Trustees.

There will be no footprint, other than the pole itself. The project will require permitting and a structural engineer.

As holders of the Conservation Restriction (CR) governing land where the Trustees would like to construct and install the solar arrays, the Trustees are before the Commission requesting written approval (as stated in the CR) to construct and install the 5 solar arrays in the farm core.

Motion was made to draft a letter to the Trustees, as grantees of the farm, in accordance with section 3(h) of the CR which in part states “The Town of Sharon is asked to approve “the construction or placement of new structures and facilities..

McGrath, Langstroth 5-0-0

8:00pm Violation Notice: David & Jodi Ephraim, 439 Massapoag Ave

The Ephraim’s moved to the lake about a year ago. David Ephraim thinks that the violation notice was a mistake. Ephraim explained to the Commission that he only repaired the existing deck and replaced with same dimensions, which existed before. They did not disturb any soil, there was no dredging, no filling, do digging. Ephraim showed pictures of the old deck, which showed the old dock and platform (deck), as well

as the cinderblocks, which the platform sits upon. The older deck was in disrepair and very slippery. The new deck was constructed of pressure treated wood. The footings used for the old deck were used for the new deck.

According to Meister, and with respect to the dock, there will be changes around the lake over the next year. Under Chapter 91, The Massachusetts Public Waterfront Act, all existing and new docks will need to be permitted. Ephraim stated that he reviewed Chapter 91 and will be filing for a dock permit. Arguimbau mentioned that the Commission would look to see if there were any filings from previous owners. Meister brought up that although technically it (the deck) was the same structure and in the same location, it is big enough to be considered a structure, which means that the building inspector should have been consulted.

8:15pm Lake Massapoag Update

Another meeting was held to discuss Lake Massapoag. Those present at the meeting included Peg Arguimbau, Hank Langstroth, Greg Meister, 2 members from the Rec Advisory, Amanda Lavesseur (Rec Director), Puritz (Town Manager), Roach (Selectman), Fowler (Finance Director), Hooper (Superintendent of the DPW) and Chief Bernstein (Police).

Discussion centered mainly on the boat launch area.

- Discussion of Harbor Master. The intent is to get someone who is actually at the lake. Fowler will figure out pay structure for this position (How to structure as not a year round position)
- Citations – Puritz will look into. There currently is a turf war – who has authority to issue tickets? Money is at stake. Who can actually issue tickets? The Environmental Police, DCR and Harbor Master have the authority to enforce and issue citations and according to a legal opinion issued from Town Counsel Gellerman's office, the Sharon Police also have authority to enforce the law and issue tickets.
- Another small session will be held in January. In February, the meetings will be opened up to the Yacht Club, Camp Everwood, Salvation Army. Public awareness and outreach will also be discussed at the January Meeting.
- Hooper discussed the washing system and how it would tie into a gate. The gate discussed is not necessarily the one the Town would purchase; Hooper was just using it as an example of how it would work. He feels tie in to water will not be a problem. May not be able to install over the winter but should be in place as the ground begins to warm up. Until gate up, visual inspections. Chief Bernstein mentioned perhaps using surveillance cameras

- Rec Advisory is meeting on December 19th where they will discuss permitting. The thought is that all boats must be permitted and vehicles parked somewhere else. All in all, according to Arguimbau, it was a productive meeting, with people heading out to follow up on topics and discussion items for the next meeting.
- Ideally, begin implementation in March. Gate may not be in place at that time, but a visual inspection would be. Maybe surveillance cameras.

Cremer asked if there was any discussion about requirement that all boats enter Lake at the boat launch area and not be put in from private property. According to Arguimbau, there was brief discussion. Meister brought up that it needs (discussion) to take place again. Arguimbau reiterated that the meeting was productive and that there were basically five topics, which were discussed:

Langstroth asked for a summary of what the meeting was about. Arguimbau said she would write out her notes.

5 Topics were discussed as follows:

- 1) Changes to boat launch area and boat launch procedures & wash area (at the boat launch area)
- 2) Proposed changes to the permitting process including distribution of educational materials. When boat permits are mailed, an informational brochure either from the state or one we create, will be included.
- 3) Changing of Fees and use of those funds to help pay for Harbor Master position
- 4) Proposed monitoring and enforcement. How to cover the time between February and March to May when town meeting will occur if a vote is needed to approve new Harbor Master position and payment of. Fowler thought there was a funding mechanism he could use and Puritz thought perhaps volunteers could be used.
 - a. Responsibility of Harbor Master, at present would center at boat loading area, but will have authority and jurisdiction over the whole lake. Group will look at other towns who have fresh water Harbor Masters.
- 5) Programs and educational information - public awareness. Will tackle this issue at January meeting.

General feeling is that everyone is on the same page and should be able to implement around the middle of March.

Winter activities? Who is responsible for ice thickness? Is it the Fire department? What about snowmobile use on the lake? Use at own risk? Arguimbau will consult with Rec

Director. There is concern about snowmobiles going on lake and falling through ice. This would/may cause an environmental impact.

Meister brought up that there was pushback about banning Jet Ski's. There was interest from the group that the Jet Ski's may be the source of Asian Clams. Arguimbau reiterated that it was a good working meeting. The meeting lasted about an hour and half. There was a strong feeling that protecting the lake is important.

Langstroth asked if there would be a summary of the meeting. Arguimbau said she had taken notes and that she would put something together. At the next meeting a recorder will be used and the Conservation Commission secretary will be asked to attend to take notes.

8:30pm 25 Sturges Road

There were no changes by the zoning board so can proceed with closing the hearing.

Motion to close hearing

Cremer, Langstroth 5-0-0

Motion to issue Order of Conditions per meeting notes

Langstroth, McGrath 5-0-0.

Signature page passed around.

Old Business

Update on 11 Deerfield Road

Consultant has been hired and survey will be performed. Notice of Intent will be corrected and filed so there will be no need to proceed further in a legal manner.

Review of Meeting Minutes:

October 24 minutes sent via email are incorrect – correct minutes printed and distributed at meeting. Wait to review October 24 minutes at next meeting.

Nov 7 minutes: On first page, correct - Farm plan, not bogs.

3rd paragraph, Kelly Killeen, P.E. is the gentleman from the State. Add colon (7:45pm)

1st page...last sentence.

It would go a long way...a space, long.

Page 3 at top of page. Clarify 25 to 25 *thousand*. Second paragraph, fix spelling of lake.

Should be adjourn not adjoin, missing colon at 9:05.

Question was raised about including the ending time to the executive session portion of meeting. According to the recording secretary, the ending time is listed on executive session minutes which have yet to be distributed and approved.

Motion to accept minutes as amended. McGrath, Cremer 3-0-2

October 24th minutes attached to agenda are correct. These will be reviewed at the next meeting to be held on December 5th. If a filing comes in after December 5th, then there will need to be a meeting on December 19th.

Thursday, Jan 9th is the next Lake group meeting. Meister made a comment, for sake of the lake and with suggestions beginning to come in, if Cliff can't make the meeting would it be possible to get feedback from him? He is very knowledgeable and we know that we will get an honest and direct opinion from him. For the sake of the lake... According to Arguimbau, technically the Lake Management Committee has no jurisdictional role, which is why Lake Management is not at the meetings. Am sure he will have comments, if you want to tell Cliff what is being talked about, sure go ahead. At some point, Lake Management, Yacht Club, Salvation Army, Camp Everwood will all be invited. Want something in place prior to for people to understand what we want to do before. Meister was just suggesting, Arguimbau told Meister that if he wants to run something by him, sure.

Cremer: Had a question about one of the sentences in minutes just approved. "ConCom has power to ban jet skis". He was wondering if that statement was true. According to Arguimbau, it is being looked into. The sentence is located on the last page of the minutes of November 7

Motion to rescind previous approval of meeting minutes of November 7. Cremer so moved. Further, to change the last sentence on page page 3 to say: "Concom has the power to ban Jet Ski's in Mr. Towner's opinion."

Cremer, McGrath 3-0-2

There is nothing new to report regarding land negotiations, so will not enter into executive session. Next scheduled meeting is December 5th at which time will review meeting minutes of October 24.

Motion to adjourn

Cremer, Langstroth 5-0-0.

Meeting adjourned at 8:58pm