

# Conservation Commission



19 WASHINGTON STREET  
SHERBORN, MASSACHUSETTS 01770

June 6, 2013

Sherborn Town Hall

7:00 P.M.

Minutes of the Meeting

**Members Present:** Steve Gaskin (Chair), Kelly McClintock, Michael Lesser, Susan Tyler, Alex Dowse, and Bridget Graziano (Administrator/Agent)

**Absent Members:** Andrea Stiller and Julia Jacobson

**Guests:** Scott Barnard, Dave Killeen, Daniel Tyler, and Alex Hurt

## **Determinations:**

### **57 Harrington Ridge Road – Proposal to perform soil testing and installation of system:**

No one was present to represent the applicant. The Agent presented the proposal for the soil testing location. She reported that during her site visit, wetlands were located on site and that soil testing would be located outside the Commission jurisdiction but the installation of the system would not, so the septic installation project would most likely require the filing of a NOI. The Agent recommended a Negative Determination for soil testing only. Mr. Gaskin moved to accept the Agent's recommendation. Mr. Dowse seconded and it was voted to approve 4-0.

### **102 Washington Street – Proposal to install an in-ground pool**

No one was present to represent the applicant. The Agent presented the applicant's proposal to install an in-ground pool. She reported that at this time the proposed project is outside the Commission's jurisdiction. Therefore, she recommended a Negative Determination. Mr. Dowse moved to accept the Agent's recommendation. Mr. McClintock seconded and it was voted to approve 5-0.

**204 South Main Street – Proposal to construct a deck and screened-in porch:**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct a deck and screened-in porch. She then reported that the project was found to fall outside the Commission's jurisdiction. Therefore, she recommended a Negative Determination. Mr. Gaskin moved to accept the Agent's recommendation. Ms. Tyler seconded and it was voted to approve 5-0.

**169 Forest Street – Proposal to construct an addition to the existing dwelling:**

No one was present to represent the applicant. The Agent presented the applicant's proposal to construct a new addition. She reported that the addition itself is outside the Commission's jurisdiction but the staging of materials (soils) would be within 80-100' of a freshwater wetland. Therefore, she recommended a Negative 3 Determination with special conditions, specifying erosion controls. Mr. Gaskin moved to accept the Agent's recommendation with conditions. Mr. McClintock seconded and it was voted to approve 5-0.

**19 Thoroughbred Drive – Proposal to construct a new addition for a stairway:**

No one was present to represent the applicant. The Agent presented the applicant's proposal for an addition to the existing dwelling. She reported that it was within 90-100' of a freshwater wetland, but would be within an existing brick patio footprint. Therefore, she recommended a Negative 3 Determination with special conditions. Mr. Gaskin moved to accept the Agent's recommendation. Mr. Dowse seconded and it was voted to approve 5-0.

**Discussions:****Discussion #1 – Appointment and Re-appointment recommendations to the BOS for the Conservation Commission**

The Agent reported that six members of the Commission are up for re-appointment and would like to be reappointed. The Commission interviewed one new applicant, Jessica Pettit. Applications will be accepted until June 10<sup>th</sup>, so more individuals could still apply. The Board of Selectmen will vote on June 20<sup>th</sup>.

Mr. Dowse motioned that in this particular case the Commission should forward a letter to the Board of Selectmen stating that all seven applicants are qualified for the position without making a specific recommendation as to whom the Commission thinks should be chosen. Mr. Gaskin amended the motion stating that the Commission is not giving up its right to make recommendations to the Selectmen in general for candidates seeking appointment or re-appointment to the Commission and that this time is a special circumstance. Mr. McClintock seconded the motion and it was voted to approve 4-0-1. Mr. Lesser abstained.

**Discussion #2 – Hunting on Conservation Land Scott Barnard**

Scott Barnard presented the Wildlife Management Committee's recent discussions and developments on a deer hunting program. He reported that that the Committee wanted to provide an update to the Conservation Commission on their progress with the deer hunting as the Committee will be requesting that all town-owned lands are opened to hunting. This would include conservation land. The Wildlife Management Committee had a quorum and called their meeting to order at 7:45 p.m. The Committee agreed to accept the Commission's minutes as its minutes of record.

Scott Barnard informed the Commission that the Board of Selectmen voted to consider allowing limited bow hunting in Town (in Town forest and on conservation land), to help alleviate the deer population. Mr. Barnard explained that hunting may help manage deforestation and Lyme Disease, though the Agent pointed out that the deer population would need to be cut in half to lessen the rate of Lyme Disease, and that bow hunting cannot accomplish this. The Committee would like to model its bow hunting program after the programs in Weston and Dover. However, the program in Sherborn will most likely be more restrictive to avoid offending residents who are against hunting. The season would be October 15 – December 15. A limited number of hunters would be authorized and those hunters would be carefully screened with a proficiency test. The program would be open to town residents and employees first, then proceed with a lottery selection process. The hunters would use temporary tree stands at least 300' from any trail and there would be signage and parking restrictions.

The Committee would like to work with the Commission to determine appropriate hunting locations. Abutters will be notified and a plan will be presented at a public meeting in order to gauge public sentiment. The Committee would like to speak with the Conservation Commission, the Board of Selectmen, and the Town Forest Committee at one combined meeting.

Mr. Gaskin moved that the Conservation Commission will work with the Wildlife Management Committee on a bow hunting plan as long as public input is part of the process and the Commission maintains approval of the final plan and hunting locations. Mr. Lesser seconded the motion and it was voted to pass 5-0.

The Wildlife Management Committee adjourned its meeting at 8:10 p.m.

### **Discussion #3 – Letter from Grace Shepard regarding Rockwood NSTAR easement**

The Agent reported that she recently received a letter from Grace Shepard discussing issues with the communications equipment area off Rockwood Street and the requirements for maintenance under their Special Permit with the Planning Board. She continued to explain that T-Mobile and other wireless communications companies hold a special permit with an easement on conservation land known as Peter's Hill and that currently they are in violation of the terms of the permit due to several issues: a gravel road as opposed to a permitted footpath was installed, there is a considerable amount of erosive run-off from the gravel road on to Rockwood Street (which is supposed to be monitored and maintained), the existing gate has not been locked and

maintained, there is no security fencing, and blueberry bushes were not planted (as required by the Planning Board for screening).

Mr. Dowse and the Agent will work on drafting a letter outlining the issues. The Commission asked the Agent to speak with the Planning Board and the ZBA.

#### **Discussion #4 – 237 Washington Street request for extension and update**

Mr. Hurt of 237 Washington Street was present and requested an extension on the submission of an NOI. Mr. Hurt reported that he misunderstood the June 20th deadline that had been established when he last appeared before the Commission.

Mr. Dowse moved to grant an extension on the NOI until July 3<sup>rd</sup>. Ms. Tyler seconded the motion and it was voted to pass 5-0.

#### **Discussion #5 – Dover/Sherborn Environmental Award**

The Agent and Mr. Lesser both reported on the recent decision to give a Conservation award to a Sherborn student at Dover/Sherborn High School. The Agent explained that she was contacted late in May about the award for June 8th. She contacted Mr. Gaskin and Mr. Lesser who approved the award as there was no Commission meeting in time for broader discussion. Mr. Lesser stated that he did not like the fact that the school did not give the Commission adequate lead time and did not give a choice of students for the award and that we asked last year to have options and to review the candidates who met "criteria" for the Conservation Award. Ms. Tyler reported that she spoke with the Town Accountant who stated that the Commission cannot spend town funds on an award. The Agent stated they were not but that she and Mr. Gaskin were personally paying for and giving a book and not using Town money. The Commission discussed giving the award in the future if the Commission was given choices and could set criteria for the award. Mr. McClintock moved to no longer give the award. Mr. Dowse seconded. The floor was opened to discussion. Mr. Dowse stated he would if there is procedure and criteria. Mr. Lesser asked the Agent to speak with the teacher and request that they find a few candidates that participate in activities that overlap the goals of the Commission. The High School must send email by the beginning of May of candidates and any prize cannot be given out of town funding. The Commission may decide not to give award if no candidates are acceptable or there is insufficient lead time. The deadline for submission of candidates will be May 1 of every year. The vote was called 3-2 in favor of not continuing the award on an automatic basis.

#### **Discussion #6 – 44 Mill Street Determination of Applicability approval**

The Agent explained that the plans submitted to the Commission office for soil testing had incorrect scales and caused confusion with the review of new plans for installation of septic system. The Agent dealt with the issue and resolved it. The Commission asked her to write a letter to the consultant stating their dissatisfaction with the problematic plans supplied to our office.

**Conservation Administrator/Agent Report**

- **Agent Vacation Time** - The Agent report she will be taking vacation July 8-12 as approved by the Chair, Mr. Gaskin.

- **Beaver Dam at Leland Mill** - The Agent reported she conducted a site visit with Mike Callahan at 32 Saddlebrook Road. She was reviewing a new issue with flooding from a beaver dam. A pipe that carries stormwater from the street into Mill Pond that discharges in to the wetland is under water 21". The water needs to be lowered approximately 21" based on measurements with CM&D. A flow device can be installed, but it is unclear who will pay for it. In previous situations, the aggrieved party has had to pay. In this case, the Town is the aggrieved party. The Board of Selectmen may authorize funding from the Commission budget if they see fit. The Agent stated that the Commission has some money left over in its budget and could assist with payment. Mr. Gaskin stated that the Commission will not set a precedent of paying for beaver issues since all money in our budget is budgeted for other specific uses. This year was different due to some donations for mowing of Conservation Land. He thinks that the Highway Department should pay given the road drainage problem. However, the Selectmen, if they so choose, can ask the Commission to pay for the beaver dam out of its budget with the possible need for supplemental funding.

Mr. Dowse suggested speaking with the Wildlife Management Committee to create a fund going forward. Ms. Tyler suggested speaking with the Board of Selectmen about creating a \$2,000 revolving fund since an average of \$1,500 is spent each year for beaver management. Mr. Lesser suggested that each incident is dealt with as needed due to the intermittent nature of this problem. The Agent will discuss the issue with the Wildlife Management Committee and will get on the Board of Selectmen's agenda.

- **Algonquin Gas Transmission Line Emergency**- The Agent reported that Algonquin Gas notified her that an anomaly was found in the gas line, requiring maintenance. The Agent reported she found that work would not take place within the Commission's jurisdiction.

- **Land Management at Barber Reservation** - The Agent reported that she had been contacted by a resident who told her that cars have been driving down to the fields through the gate which is normally and should always be locked. The Agent re-locked the Reservation's gate.

**Approval of Meeting Minutes of 5/29/13**

Minutes will be reviewed at the next meeting.

**Adjournment:**

There being no other business to attend to, Mr. Gaskin moved to adjourn the meeting at 8:50 p.m. Ms. Tyler seconded the motion and it voted to pass 5-0.

Respectfully submitted,

Jessica Pettit  
Minutes Clerk

**Documents Presented at the June 6, 2013 Public Meeting**

All documents shall be kept in the Conservation Commission Office files.

**Discussion #1 – Appointment and Re-appointment recommendations to the BOS for the Conservation Commission**

- Jessica Pettit Resume and cover letter requesting appointment to the Commission

**Discussion #2 – Hunting on Conservation Land Scott Barnard**

- Draft proposal for deer hunting program, titled Qualifications for public land hunting applicants, dated May 22, 2013
- Weston Conservation Commission Memorandum to Board of Selectment, Subject Deer Management Program, dated July 11, 2013

**Discussion #3 – Letter from Grace Shepard regarding Rockwood NSTAR easement**

- Letter from Grace Shepard no title, dated May 14, 2013 regarding Conservation Land off Rockwood Street Peter's Hill easement for Wireless Communications equipment boxes