

**Town of Foxborough  
Conservation Commission Minutes  
November 16, 2009**

**Members Present:** Bob Boette, Chairman, Judi Johnson, Harry Blomberg, Eric Nelson and James Marsh

Jane Pierce, Conservation Manager was also present

**Members Absent:** Doug Davis and Al Curtis  
Bill Hocking, Temp Conservation Manager was also absent.

**7:00 pm. - Meeting opens,** held in the Town Hall Meeting Room at 40 South Street.

**Request for Determination of Applicability – Rt. 140, Mass Highway**

**Note:** The 1000 County Street address published in the legal notice in the Foxboro Report was an error; the correct address is Rt. 140.

Tom McGuire, Mass Transportation Office, Division 5 Engineer presented a plan to remove a 12x18 foot building on-site and replace it with a 12x20 foot building with handicapped access within 200 foot the riverfront area (Robinson Brook). No change to the septic system is proposed. There will be a slight increase in the concrete pad to accommodate the handicapped access.

**Motion** by Harry Blomberg that Condition #2 on the State form (Negative Determination) applies. Seconded by Judi Johnson. **Vote: 5.0.0.**

**Motion** by Harry Blomberg that Condition #4 on the Town form (Negative Determination) applies. Seconded by Judi Johnson. **Vote: 5.0.0.**

**Continued RFD –79 Ridge Road, Suzanne Walker**

There was further discussion with Ms. Walker on the proposed modifications to the house at 79 Ridge Road. Since the last meeting, the septic system passed the Title 5 inspection. The 25 foot buffer zone and 100 foot buffer zone were located on the plan (provided at the meeting and dated November 16, 2009).

It was determined that the extension to the deck (proposed to be 5 to 7 feet) will not extend into the 25 foot buffer zone. The deck will be extended into an area that is an existing lawn. Ms. Walker will provide a current-condition plan to the Commission after the design is finalized (by Bay Colony). Hay bales will be installed as necessary for erosion control. Deck footings will be hand-dug and soil from the holes will be temporarily stored on and covered by a large tarp until the holes are refilled. No other soils may be stockpiled within 100 feet of the reservoir/wetland.

**Motion** by Harry Blomberg that Condition #2 on the State form (Negative Determination) applies. Seconded by Judi Johnson. **Vote: 5.0.0.**

**Motion** by Harry Blomberg that Condition #4 on the Town form (Negative Determination) applies. Seconded by Judi Johnson. **Vote: 5.0.0.**

**Proposed Project Guidance for T-Mobile National Grid Easement on East Street**

Josh Delman of T-Mobile Northeast described a proposal to increase cellular coverage in the area. The proposal involves the installation of three antennas on an existing National Grid pole, accompanied by an elevated 15x15 foot steel platform to house appurtenant equipment. There are wetlands adjacent to the existing utility pole and the path that is proposed as access to the site

crosses the Canoe River. Six utility poles are proposed for installation along the path to bring electrical service to the unit.

The Conservation Commission is said to be the property owner although addition work is needed to confirm property ownership. A Notice of Intent will be submitted by T-Mobile, to be signed by Bob Boette, if the property is owned by the Commission.

Prior to a NOI submission the following information will need to be determined:

1. ownership of the property needs to be definitely determined,
2. the property deed needs to be researched to determine any deed restrictions,
3. the payment structure for a town-owned utility easement (including poles installed to provide electricity),
4. construction and maintenance access needs to be defined in order to address the stream crossing regulations, etc.

### **Accept Minutes**

**Motion** by Harry Blomberg to accept minutes dated October 19, 2009. Seconded by Eric Nelson.  
**Vote 5.0.0.**

**Motion** by Harry Blomberg to accept minutes dated November 2, 2009. Seconded by Eric Nelson.  
**Vote 5.0.0.**

### **3 Clarenton Street, DEP #157-443**

The owner of the property wants to move an existing stone wall to the 25 foot buffer (to the required location of a split rail fence, required by the OoC). A house is currently being built on this property. The Commission discussed this proposal but was concerned about the possible secondary impacts of this change (including additional fill, effects on adjacent trees, etc.) and therefore, determined that the stone wall and split rail fence should remain as written in the OoC.

### **80 Beach Street**

To be discussed at the next meeting.

### **Foundry Pond ROW.**

Bob and Jane will visit the site before the next meeting.

### **Neponset Dam Repair, DEP #157-449; Request to Cut Tree**

PARE recommended the removal of one tree that is located in close proximity to the dam repair work. Tree roots will need to be cut, which would threaten the stability and survivability of the tree. Further root growth may interfere with the integrity of the dam in the future. If the tree dies due to compaction or root cutting, public safety may be an issue or damage to the dam structure due to windfall.

The Commission determined it would be prudent to allow the removal of this tree. Jane will notify PARE of the Commission's decision. She was also asked to inform PARE of residents' concerns about the current low water levels' potential adverse effect on fish that breed only in the coves, since the covers are now dry.

### **Planning Board Referral – Chestnut Green**

There are some changes proposed to a housing development at Chestnut Green (multi-family to single family homes, age restricted to non-age restricted), however, the footprint of the plan did not change. Therefore, no additional submittals or addendums are required by the Commission.

### **Secretary Resumes**

Bob and Jane will review secretary resumes.

*(Eric Nelson left the meeting at this point.)*

**2010 Meeting Schedule.**

The 2010 Meeting Schedule was provided. The meeting schedule for 2009 changed.

**Please note that the Nov 23 meeting is in the Town Hall Meeting Room. The Dec 14 and Dec 28 meetings are in the McGinty Room at 8 Chestnut Street.**

**9:10 pm - Meeting Adjourned**

**Motion** by Harry Blomberg to adjourn. Seconded by Judi Johnson. **Vote: 4.0.0.**

Draft Minutes Recorded by Judy Johnson

Approved by the Commission: 12/7/09