

**Town of Foxborough
Conservation Commission Minutes
November 2, 2009**

Members Present: Bob Boette, Chairman, Judi Johnson (recorded meeting minutes), Harry Blomberg, Al Curtis, Eric Nelson and James Marsh

Members Absent: Doug Davis
Jane Pierce, Conservation Manager and Bill Hocking, Temp Conservation Manager were also absent.

Meeting Opens

The meeting opened at 7:00, which was held in the Town Hall Meeting Room at 40 South Street.

“Safe Yield” Letter to Gov. Patrick.

Motion by Al Curtis to send the letter, written by Bill Hocking, to Deval Patrick (*attached*). Seconded by Eric Nelson. **Vote: 6.0.0**

Request for Determination of Applicability – Aleksandr Pokrovskiy at 10 Mill Street.

Mr. Pokrovskiy described the work to be conducted within 200 feet of the Cocasset River; removal and replacement of an existing shed and the replacement of an existing concrete pool deck. The work will be done by hand. Hay bales will be installed prior to work commencement (to be checked by the Conservation Manager).

Motion by Judi Johnson (Negative Determination) that Condition #2 on the State form and Condition #4 on the town form apply. Seconded by Al Curtis. **Vote: 6.0.0.**

Request of Determination of Applicability – Suzanne Walker at 79 Ridge Road.

Ms. Walker described the work to be conducted on her property which involves extending a deck towards the Neponset Reservoir, modifications to the house and building a garage.

The main concern with the plan is the work on the reservoir side (deck expansion). Mr. Boette was concerned about the stability of the footings for the deck since it is expected that water in the Neponset Reservoir will be restored to historic levels after repairs to the dam are completed. Ms. Walker is coordinating the project with the Building Inspector and the Board of Health.

Mr. Boette continued the Request until the next meeting (November 17th) to allow coordination to be completed with the Board of Health (with regard to the septic system).

Prior to the next meeting, the distance from the wetland to the deck will be accurately determined as a modification may be necessary to prevent impacts to the 25 foot no build-no disturb buffer zone. Mr. Marsh also requested that the 100 foot buffer be located on the plan.

Discussion of Proposed Mitigation Area for Neponset Dam Repairs

Briscoe Lang, Pare Corp., described the proposed mitigation area; 1010 square feet located in an existing hay field adjacent to the reservoir. Use of this area is acceptable to Mr. Lawton (farmer) as per discussion with Bill Hocking.

The area will be excavated to a lower elevation to support wetland hydrology. Some of the excavated loam will be reused as backfill and the area will be seeded with a native wetland seed mix. There will a hydrological connection to an existing wetland on-site. No trees or shrubs will be cut in

the construction of the mitigation site. Mr. Lang said that they will provide a Notice of Intent for the project (vs. amending the existing Order of Conditions).

The Commission is the owner of the property and therefore, the Commission will be the applicant (with a request for waiver of the filing fee).

Pursuant to a question from Eric Nelson, Mr. Lang *will add monitoring notes* to the plan (monitoring will be required twice during the summer at fixed plot locations for a period of two years. The standard of success will be 75% cover of native wetland vegetation after two years).

Mr. Lang has discussed the project with Chris Ross, of the DEP and Mr. Ross is satisfied with wetland mitigation concept (and will issue a Water Quality Certificate). Mr. Lang expects to have the necessary documentation ready for the early December meeting.

Ms. Cindy Khalifa, from the Advisory Board (audience), was concerned about the use of a seed mix (preferring natural revegetation). Mr. Lang explained that the seed mix is native and is used to quickly revegetate and stabilize the area (jump start). Ms. Johnson further discussed that seeding with native vegetation helps to prevent non-native opportunistic species from invading the disturbed area.

Order of Conditions – DEP # 157-483 – 36 Ridge Road.

Motion by Al Curtis to sign the Order of Conditions. Seconded by Judi Johnson. **Vote: 6.0.0.**

Minutes:

Motion by Al Curtis to accept the minutes dated October 5, 2009. Seconded by Eric Nelson. **Vote 6.0.0.**

Discussion Items:

178 Chestnut Street. Bob will check with Jane for more information.

3 Clarendon Street, DEP # 157-443. Bob visit the property with Jane to review whether a portion of the stone wall may be moved by the builder to the OoC-required split rail fence line (at the 25 foot wetland buffer zone).

Foundry Pond ROW. Bob will visit the ROW with Jane.

MACC, Eric Nelson. Eric will coordinate with Jane to determine how to be reimbursed for course work.

2010 Meeting Schedule. *Meeting schedule for 2010 is attached.*

Please note that the (2009) Nov 23, Dec 14 and Dec 28 meetings are being rescheduled to Nov 30, Dec 7 and Dec 21 (due to town meeting schedule revision). The location of meetings will be based on availability of meeting room schedule (to be determined).

9:00 pm. Motion by Al Curtis to adjourn. Seconded by Eric Nelson. **Vote: 6.0.0.**

Draft minutes recorded by: Judy Johnson

Approved by Commission: 11/16/09