

**Town of Foxborough
Conservation Commission Minutes
April 6, 2009**

Members present: Bob Boette, Chairman, Al Curtis, Harold Blomberg, Doug Davis, Judi Johnson, Bernie Marshall, Val Bataille-Ferry

Also present: Bill Hocking, temporary Conservation Manager

7:00 p.m. Meeting opens – Bob B. opened the meeting which was held in the Town Hall Meeting Room, 40 South Street.

7:00 p.m. 6 Mill Street – Cease & Desist. Carl Fuller and David Bechtel co-owners and roommates of 6 Mill Street were present. Carl and David gave the Commission a letter which said that they apologize for the actions shown on water and conservation lands. The letter stated that they would remove the bridge over the river, remove all foreign materials, plant a tree for every tree they cut down and fill any ruts caused by their ATVs.

Bob B. said that a new Enforcement Order was issued which is in addition to the Enforcement Order dated March 16, 2009. The following language was added to the new Enforcement Order: Destruction of water department property and building of a bridge over a stream.

Motion by Bernie Marshall was made to sign the Enforcement Order for 6 Mill Street. Seconded by Doug Davis. Voted 7:0:0 in favor. Bill H. had hand delivered the Enforcement Order to 6 Mill Street last week.

Dave Risch looked at the property today and said that they have not done any work. Judi looked at the property last week and would like 2 water bars installed 5 feet apart to direct the water into the woods. Bill H. will meet Carl and David on the property to show them where to put the water bars and show them how to take down the bridge. Bill H. will also discuss with them what types of trees to plant. The Commission gave them a copy of the New England Wetland Planting Guide. The Commission would like them to use the “Erosion Control Restoration Seed Mix” near the river and use the “Semi-shade Grass and Forb Seed Mix” on the trails.

7:04 p.m. Continued Hearing Notice of Intent 45 Lakeview Road DEP File #SE 157-469 – The purpose of the hearing is for the reconstruction of a patio and deck and construction of 645 s.f. of additions to an existing function hall that lies partially within the buffer zone to an inland bank.

This hearing has been continued indefinitely.

7:30 p.m. sign lease – 89 North Street – Fred and Dianna Weckbacher were present to sign a 3 year lease for 89 North Street. The rent will be \$650 per month for the first year, \$700 per month for the second year and \$750 per month for the third year.

Bob B. read the goals listed in the lease that the tenant agrees to attain during the three years of the lease: “The tenant shall fix the steps leading into the front porch and paint the house as needed. The Tenant shall repair the screens on the front porch. The rebuilding of the front porch must be completed by July 1, 2009. The tenant will have all gutters cleaned and maintained to full working order at all times. The septic system shall be properly maintained and pumped annually and the tenant shall provide receipts for the annual pumping.”

Bill H. said he inspected the property and said that the chimney was repointed. Dianna said that all the screens have been replaced and the house was painted.

Motion by Doug Davis was made to sign the lease for 89 North Street for Fred and Dianna Weckbacher. Seconded by Al Curtis. Voted 7:0:0 in favor.

7:30 p.m. sign lease – 87 North Street – Janna Bremer was present to sign a 1 year lease for 87 North Street. The rent will be \$650 per month. Bill H. inspected the property.

Bob B. read the goals listed in the lease that the tenant agrees to attain during the one year of the lease: “The tenant will replace the shutters on the side of the house facing Crack Rock Pond and any others needing replacement. The tenant will have all gutters cleaned and maintained to full working order at all times. The septic system shall be properly maintained and pumped annually and the tenant shall provide receipts for the annual pumping.”

Motion by Doug Davis was made to sign the lease for 87 North Street for Janna Bremer. Seconded by Al Curtis. Voted 7:0:0 in favor.

7:30 p.m. sign lease – 120 Spring Street – Beth Zielinski was present to sign the three year lease. John Zielinski will stop by the Conservation office tomorrow to sign the lease. The rent will be \$650 per month for the first year, \$700 per month for the second year and \$750 per month for the third year.

Bob B. read the goals listed in the lease that the tenant agrees to attain during the three years of the lease: “The tenant will have all gutters cleaned and maintained to full working order at all times. The septic system shall be properly maintained and pumped annually and the tenant shall provide receipts for the annual pumping.”

Beth said that some of the windows may need to be replaced soon. The Commission would like the Zielinskis to keep a record of all their major expenses.

Motion by Doug Davis was made to sign the lease for 120 Spring Street for John and Beth Zielinski. Seconded by Al Curtis. Voted 7:0:0 in favor.

Extension Permits – None.

Certificates of Compliance – None.

Planning Board Referrals – None.

DEP File #SE 157-467 – 204 East Street – second on-site meeting has been scheduled for April 30, 2009 at 10:30 a.m. at 204 East Street with DEP.

MEPA Review – Bill H. reviewed the copy of the Notice of Project Change for the new Patriots Stadium Phase II project. In Bill’s memo to the Commission dated March 27, 2009 he said that he visited the property twice and found that there is too much water flowing into the two main wetlands between the proposed Center and the Walpole town line. Bill H. said the water is coming out of the overflow pipe. A meeting has been set up for Thursday, April 9, 2009 with Amy Green at the site. Bill H. said that there is a Federal wetland that they will potentially fill in.

LL Bean – Bill H. said that he meet with 3 representatives from LL Bean at Kersey Point last week to look at the site. They said that they are interested is using the property for their kayaking tours. Bill H. said that this is a good opportunity for people to use the Reservoir for passive recreation. The Commission discussed the issue. LL Bean will be taking all the liability. The License Agreement will be given to Andy Gala for review.

Motion by Al Curtis was made to allow LL Bean to use Kersey Point for launching kayaks into the Reservoir from May 1, 2009 through October 31, 2009. Seconded by Doug Davis. Voted 7:0:0 in favor.

Town Forest Trails – The New England Mountain Bike Association would like to use the trails in the town forest for their “Mountain Bike Day” in August. They will be using recreation’s facilities on Mill Street and have guided and self-guided rides for all abilities. The majority of the rides will take place in the State Forest.

Motion by Bernie Marshall was made to allow the New England Mountain Bike Association to use the trails in the Harold B. Clark Town Forest. Seconded by Doug Davis. Voted 7:0:0 in favor.

Upper Carpenter Dam – A site meeting has been scheduled for Thursday, April 23, 2009 at 10:30 a.m. at Upper Carpenter Dam with Dam Safety, EPA and GZA.

Bike Racks – Marc Resnick wanted to know if the Commission needed any bike racks for any conservation properties. The Commission does not need any bike racks.

90 Spruce Street (Hassett) – Steve and Darcey Hassett will be before the ZBA on April 16, 2009 at 7 p.m. to request a variance to create a buildable lot located at 90 Spruce Street. The Commission looked at the plan. There are wetlands and a vernal pool in the area. Bill H. will take pictures and Bill H. and Bob B. will go to the ZBA hearing.

Neponset Reservoir – Bill said that he contacted Briscoe Lang, Pare Corp. about the Water Quality Certificate and Briscoe said he would follow up with DEP. The board discussed the restoration or replication area.

Hunting on Conservation Land – Doug, Al and Dave Risch visited some conservation land to see if hunting should be allowed. Al said he would like to keep hunting on the conservation lands as it is now. Doug said as areas become developed, the Commission can revisit the hunting issue.

Open Space and Recreation Plan – Bob B. has been working with Chuck Drayton on the survey.

Sign Vouchers & Accept Minutes – Two vouchers were signed for the foxboroconservationsurvey.org website for \$35.00. **Motion** by Doug Davis was made to accept the minutes of March 23, 2009 as distributed. Seconded by Harold Blomberg. Voted 6:0:1 in favor. Al Curtis abstained as he was not at the meeting.

9:30 p.m. Motion by Harold Blomberg was made to adjourn. Seconded by Val Bataille-Ferry. Voted 7:0:0 in favor.