

**Town of Foxborough  
Conservation Commission Minutes  
September 9, 2013**

**Members Present:** Allan Curtis (Vice Chair), Eric Nelson (Clerk), Judith Johnson, James Marsh  
**Members Absent:** Robert Boette (Chair), Douglas Davis, Valerie Marshall,  
**Staff Present:** Jane Sears Pierce, Conservation Manager, and Lee Ann Tavares, Secretary  
**Others Present:** See attached sign-in sheet

**Meeting Opened**

Allan Curtis opened the meeting, held at the Andrew A. Gala meeting room, at 7:00 p.m.

**Discussion re: Conservation Rental Properties:**

Jack Authelet, Town Historian, and Andrew Puntini, Foxborough Fire and Rescue, were present.

Judi provided a brief history of the Commission's four rental properties, advising that they were recently informed that it is no longer legal to have caretaker-type lease agreements as the Commission had done in the past. She explained that the 10 Fairbanks Road house has septic issues and has also been vandalized. Currently, the Town is not receiving any rental income from the property, nor are there any funds for the necessary repairs to make it habitable.

Mr. Authelet indicated that although it (Fairbanks) has a colorful history, it is not of significant historical value. He stated that the historic value of the 120 Spring Street house is long since gone, due to the renovations that were done years ago. Mr. Authelet indicated that 89 North Street, built by Cliff and Edith Lane, was almost a new house in a historical sense, advising that Cliff was a civil engineer who worked at the Foxboro Company and Edith wrote the book "This is Foxborough." Out of respect to Cliff and Edith Lane, he would like the property to be preserved.

Mr. Authelet wanted to know how the house at 87 North Street had become uninhabitable. Judi explained that the tenant had come with the Lane property, but she was unable to maintain the house. Al indicated that he and Dave Risch had helped her by reroofing the garage, replacing siding on two sides of the house, and knocking down an old pantry to the rear of the house. Doug added that the tenant was ill near the end of her tenancy and had let the house go. The Commission felt that 87 North Street now needed to be demolished, since it would be too costly to repair. Mr. Authelet responded by indicating that what the Commission had was "demolition by neglect." He stressed that caring for properties was a far greater job than what a volunteer board could do. A landlord himself, he admitted that being a landlord is not something that comes easy to most people.

Mr. Authelet explained the Town's Demolition Delay Bylaw which dictates that buildings over 50 years old need to have a Demolition Permit from the Building Commissioner, prior to demolition. Jim asked Mr. Authelet whether a Demolition Permit would be the Commission's only legal hurdle and was told "yes." Mr. Authelet advised the Commission to ask Bill Casbarra whether they would need to go through the demolition permit process.

Due to the Fire Department's request to do a controlled burn of the house for training purposes, Judi wondered whether the house should be photo-documented, or its memory preserved some other way. Perhaps certain features such as woodwork could be removed.

The Historic Commission will plan to tour the property. Mr. Puntini indicated that he would follow up with Bill Casbarra regarding the necessary permits, etc. The Commission noted that funds will be needed to remove the oil tank, as well as anything left over after the burn.

Before leaving the meeting, Mr. Authelet praised Jane for her extensive work on the Open Space and Recreation Plan.

#### **44 Neponset Heights Avenue, Request for Determination**

Al opened the meeting by reading the legal notice, as posted in the Sun Chronicle and the Foxboro Reporter. The applicant, Mike Stewart, attended the meeting to review his proposed project. He explained that he had spoken to Jane about removing a large tree (rotten with a hole in it) that was very close to his house. Since his neighbors (46 Neponset Heights) were having tree work done, he could get a reduced rate if his tree was removed at the same time. After visiting the property, Jane told him that he could have the tree cut down and then file an after the fact Request for Determination. Mr. Stewart indicated that as mitigation, he would like to remove a set of unused concrete stairs and associated cement walkway, as well as invasive vegetation (Japanese knotweed) along the shoreline. The knotweed extends from his property onto his neighbor's property. Judi requested that he follow Judy Schmidt's process for removing the knotweed (from 46 Neponset Heights' filing) and plant only native species.

**Motion** was made by Judi Johnson to close the meeting and issue a Negative Determination (checking #3 and 6) for 44 Neponset Heights Avenue; seconded by Jim Marsh. **Vote: 4-0-0**

#### **46 Neponset Heights Avenue, DEP# 157-512**

Jane discussed her conversation with the property owners, who had asked her if they could wait to plant the rain garden after construction had been finished. They were concerned that any newly planted landscaping would be trampled during construction activities. Jane told them that they would have to ensure that all disturbed areas were properly stabilized. They will also wait until spring to plant the areas where the Japanese knotweed was removed. In the meantime, the area should be stabilized with biodegradable erosion control mats without plastic mesh in them.

**Motion** was made by Eric Nelson to allow the delay of planting the rain garden, provided that an erosion control blanket is installed to protect the area until the planting is complete; seconded by Judi Johnson. **Vote: 4-0-0**

#### **Ratification of DPW Emergency Certification for Morse Street**

The Commission signed the document and asked Jane to send information to Bob Swanson about the wetland seed mix he should use.

#### **July 22, 2013 Minutes**

**Motion** was made by Eric Nelson to accept the July 22, 2013 meeting minutes as amended; seconded by Allan Curtis. **Vote: 4-0-0.**

#### **Kersey Point, Trash Complaint**

Bob Cutler received a complaint via email on 8/22/13 about trash at Kersey Point. He asked Jane to check into it and follow up with him. The Commission discussed taking out the site's trash barrel and adding signage regarding "carry in-carry out" and the need for volunteer stewards to assist with the property. Jane was asked to inspect the property on the following day.

Jane was asked to contact the DPW to ask them to remove boards in the Neponset Reservoir's dam and to weed-whack the sides of the dam.

#### **Conservation Rental Properties, 89 North Street**

Jane provided a list of quotes received for repair work for both 89 North Street and 120 Spring Street. She informed the Commission that there were six people living in the 89 North Street house. The property is in need of repair that requires immediate attention, per a letter from Bill Casbarra that outlined work that had to be addressed within 30 days. Judy, Val and Jim will meet with Bob Cutler to discuss the properties.

**Planning Board Memo Re: Scenic Roads**

The Commission agreed to support the Planning Board's Article regarding Scenic Roads.

Formatted: Space After: 12 pt

**Hersey Farm Property, Downed Tree Complaint**

Jane reported that she had received a letter from Barbara Hopson from Massachusetts Department of Agricultural Resources (MDAR) regarding a tree that had fallen onto the property at 27 Valley Forge Way from Hersey Farm. The property owner, who had also called the office, wants it to be removed.

**Meeting Adjourned**

**Motion** was made by Jim Marsh to adjourn; seconded by Judi Johnson. **Vote: 4-0-0**

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 12/30/13

Reviewed by Jane Sears Pierce: 1/9/14

Approved by Commission: 1/27/14

---

**Documents, Not Referenced Above**

Attached Documents:

1. Agenda, September 9, 2013
2. Meeting Sign In Sheet

Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in Conservation Commission's office.
4. Referenced projects' documents: please see Conservation Commission's project file