

**Town of Foxborough
Conservation Commission Minutes
November 18, 2013**

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

Meeting Opened

Bob Boette opened the meeting, held at the Boyden Library, at 7:00 p.m.

120 Spring Street, Conservation Rental House

Randy Scollins and Bob Cutler, who had been invited to the meeting to discuss how the Commission should proceed with their rental properties, attended the meeting.

Mr. Bill Yukna also invited to the meeting, had visited 120 Spring Street with Bob and Jane on the previous Wednesday. Mr. Yukna explained that he had also met with Bill Casbarra and Roger Hill to discuss the issues at the property. After visiting the site with Bob and Jane, he was concerned that the property's dilapidated garage was a safety concern and a liability to the Town. He thought that it should be demolished and Mr. Casbarra had agreed that it should come down.

Mr. Hill and his Operations Manager believed that it would take the DPW one day to demolish the garage and that a backhoe and two dumpsters would be needed. The cost of the demolition (on a Saturday), would cost about \$600 for each dumpster, as well as time and a half pay for DPW staff.

Mr. Yukna suggested that the garage demolition, stairs construction and other necessary repairs should be addressed on one permit, required for the job. He wanted to do things right and eliminate the Town's liability risk, adding that approximately four windows also needed to be replaced. He believed that the work could be finished in less than 30 days and then the house could be rented. He estimated the total costs for repairs and demolition to be \$8,000 to \$9,000, which would be made back in rent in less than a year. Mr. Yukna added that the property would be saleable once the work was done.

Mr. Yukna's biggest concern was that if the house was left empty and unrented, there could be problems with vandalism and moisture, since moisture starts deteriorating a house at temperatures below 55 degrees. So the main concern was getting a tenant into the property as soon as possible.

Mr. Yukna suggested requesting a Reserve Fund Transfer from the Advisory Committee to fund the necessary repairs, since this was an extraordinary and unforeseen situation. He advised that although the AdCom doesn't meet again until January, the Commission could request a special meeting. Bob, advising that this project was a collaborative effort, thanked Mr. Yukna for all of his support.

Bob asked Mr. Cutler if he would send out the RFP if the AdCom approved the fund transfer. Mr. Cutler responded that the RFP was ready to go, so once funding was approved, it would be sent out.

Mr. Scollins indicated that he would email Jane the AdCom request form. Jane was asked to forward the form to the land management committee. Bob indicated that he would contact the Commission's AdCom liaison to request/set up a special meeting. Val reiterated to Mr. Yukna that the Commission appreciated any assistance that he could provide.

After the attendees left, the Commission directed Jane to contact Mr. Yukna to ask him for a copy of an AdCom request he had used in the past, so she could use it as an example. Val advised that if the Commission receives AdCom approval for the fund transfer, Jane should immediately contact Mr. Yukna to ask him for advice on how to proceed with the repairs.

87 North Street, Conservation Rental House

Regarding the demolition, Mr. Casbarra had indicated that no asbestos was found. The Fire Department will get the DEP permit, but the Commission needed to remove the oil tank prior to the training program/burning.

Jennifer Savickis of the Historical Commission advised the Commission that the Historical Commission intended to abandon their demo delay process and efforts to save the house, since they did not have any available funds for the necessary repairs. Members of the Commission informed her that if there were items in the house that the Historical Commission wanted, they could take them.

Off Cross Street (Map 31, Lot 700), Reported Wetland Violation

Information Reviewed: Letter from Amy Green dated 11/18/13

Dan Krantz of the Kraft Group, Attorney Peter Tamm and consultant Amy Green of Green Environmental attended the meeting to discuss the reported wetland violations.

Mr. Krantz began by explaining that the area was supposed to have been an emergency access road for Gillette Stadium, but they had not kept up with maintaining it. Ms. Green added that although yearly maintenance should have been done, it had not been done for two years. She reviewed the recent activities, including cutting back shrub overgrowth (shrub lopping and then back blading), pruning trees along the sides of the roadway and regrading the road. Most of the work had been done at the beginning of the dirt road, near the first stream crossing. She told the Commission that they had not brought in any fill or impacted the wetlands, but admitted that work was done in the buffer zone.

Jane said that she would check the Commission's DEP files for the approved maintenance plan that had been referenced, adding that she did not believe it would include widening the road. She also noted concern about the potential vernal pool near Cross Street and asked that hay bales also be installed along the roadway.

Ms. Green had submitted a restoration plan, explaining that some slope stabilization was needed along the road's sides near the middle of the road. Hay bales will be installed to prevent silt from entering the vernal pool at the Cross Street end of the roadway. She said that currently, erosion controls were being installed in areas of work near wetlands. The side slopes of the road will be stabilized with mulch or woodchips. Judi asked that the seeding be done in the spring to prevent invasives from taking over.

Ms. Green stated that going forward, there will be a schedule for maintenance work and, so that there will be a paper trail, the Commission will be notified when the work is being done. She indicated that the site restoration work would begin on November 20th.

Attorney Tamm indicated that a letter would be sent to the Commission regarding future activities and restoration plans. He asked if this would be sufficient to close out the Enforcement Order process. Jane informed Attorney Tamm that she had sent a violation letter to the property owners rather than a formal Enforcement Order, per the Commission's Enforcement Guidelines. Ms. Green advised that she would send the Commission a letter committing to notification of future maintenance activities and to the site's restoration requirements.

ATV Issues, Draft Article for Submission to Foxboro Reporter

Jane updated the Commission about the nearby resident's observations about the extensive ATV activities on conservation land off Willow Street. Judi gave an update about disturbing damage to the vernal pool off Willow Street she had observed. She advised that ATVers had driven through the entire shallow area, which was now bare soil where there used to be sedges and sphagnum. The Commission discussed sending the article's information to other Town Boards and wondered if it also could be sent out in Town mailings, such as water bills or the Recreation Department's regular town

wide flyer mailings. Jane was asked to send before and after photos of the damaged vernal pool with the article when it is submitted to the paper.

Motion was made by Valerie Marshall to approve the ATV article as drafted; seconded by Allan Curtis. **Vote: 4-0-0**

36 Ridge Road, Request for Determination

Information Reviewed: RFD received 10/23/13

As discussed during the Commission's previous (11/4/13) meeting, applicant Michael Eisenhower's original plan (DEP #157-483) for this project had only included the proposed swimming pool's approximate size and location. Since it was not a final design, the Commission had indicated that Mr. Eisenhower would have to submit a final design, if/when the pool would be built in the future. Since a Certificate of Compliance was issued before the pool was built, Jane had asked him to file a RFD. The swimming pool plan's erosion control line, in the same location as before, was approved.

Motion was made by Valerie Marshall to issue a Negative Determination (checking #3 and #6) for 36 Ridge Road; seconded by Judi Johnson. **Vote: 4-0-0**

FY15 Budget

Jane will send copies of the budget forms to the commission for their review. Commissioners wanted to add a new "maintenance" expense item to the FY15 budget.

186 Cocasset Street, DEP #157-366, Certificate of Compliance,

Motion was made by Judi Johnson to issue the Certificate of Compliance for DEP #157-366, 186 Cocasset Street; seconded by Valerie Marshall. **Vote: 4-0-0**

August 12, 2013 Minutes

Motion was made by Judi Johnson to accept the August 12, 2013 meeting minutes as amended; seconded by Valerie Marshall. **Vote: 4-0-0.**

Regulations for Foxborough's Wetland Bylaw (Article IX), Continued Hearing

Motion was made by Judi Johnson to continue the hearing to December 2, 2013; seconded by Valerie Marshall. **Vote: 4-0-0**

Meeting Adjourned

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

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 1/16/14

Reviewed by Jane Sears Pierce: 1/22/14

Approved by Commission: 1/27/14

Documents, Not Referenced Above

Attached Documents:

1. Agenda, November 18, 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