

**Town of Foxborough  
Conservation Commission Minutes  
January 11, 2016**

**Members Present:** Robert Boette (Chair), Judith Johnson (Vice Chair), Eric Nelson (Clerk), Valerie Marshall and Michael Kelleher

**Members Absent:** Douglas Davis and James Marsh

**Staff Present:** Jane Sears Pierce, Conservation Manager, Diana Gray, Land Use Administrator

**Others Present:** See attached sign-in sheet

**Meeting Opened**

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

**29 Baker Street, RFD, Mark & Beth Ferencik**

Mr. and Mrs. Ferencik attended the meeting to explain that they would like to downsize by subdividing their lot, building on the rear portion, and selling their current house on Baker Street, but were concerned about wetlands near the rear of the property. Ms. Pierce stated that the DEP's GIS data layers did not show any wetlands on their property, but wetlands are shown along the old railroad track line across the street. Mr. Ferencik stated that the house next door, with wetlands in the rear, subdivided their lot years ago and gave the back portion to the Town/Commission.

The Commission indicated that an NOI would be necessary for the project, recommending that the wetlands should be delineated so the property owners will know where they are. The Commission also advised that there would be a 25 foot no disturb zone from any approved wetland line and the proposed septic system (FAST system) would need to be at least 100 feet from wetlands.

Greg Spier, who was in the audience, said that he was familiar with the site and suggested that a swale should be installed as the wetlands drain across the street.

**Motion** was made by Ms. Johnson to issue a Positive Determination for 29 Baker Street; seconded by Mr. Nelson. **Vote: 5-0-0**

**2 Peterson Lane, DEP # 157-544, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to continue the Public Hearing for 2 Peterson Lane until later in the evening; seconded by Ms. Marshall. **Vote: 5-0-0**

**11 Authelet Way, DEP #157-TBD, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to continue the Public Hearing for 11 Authelet Way until later in the evening; seconded by Ms. Marshall. **Vote: 5-0-0**

**15 Authelet Way, DEP #157-545, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to continue the Public Hearing for 15 Authelet Way until later in the evening; seconded by Ms. Marshall. **Vote: 5-0-0**

**242-246 Main Street, DEP #157-546, ANRAD**, Lawson Farm LLC

The Applicant's representatives Atty. Frank Spillane and Paul Fokman were present. Atty. Spillane stated that Ms. Pierce and some of the Commissioners were able to go visit the site on the previous Friday to review some of the wetlands flags but not all of them. Atty. Spillane asked for a continuance to January 25<sup>th</sup>, to allow the Commission to review the remainder of the flags.

Mr. Boette asked whether the Lutheran Church (he is a trustee) should have received an abutter notification, since no notice was received. Atty. Spillane will ask the Assessor's Office about this.

**Motion** was made by Mr. Nelson to continue the Hearing for 242-246 Main Street, DEP #157-546 until January 25, 2016; seconded by Ms. Marshall. **Vote: 5-0-0**

## **Regulations for Foxborough's Wetlands Protection Bylaw, Chapter 267**

The Commission reviewed the most recent changes made by the Subcommittee.

**Motion** was made by Mr. Nelson to adopt and approve the following sections of the Regulations for Foxborough's Wetlands Protection Bylaw, as reviewed and amended during the hearing: *Section 1, Purpose; Section 2, Statement of Jurisdiction; and Section 3, Definitions*; seconded by Ms. Johnson. **Vote: 5-0-0**

**Motion** was made by Ms. Johnson to continue the Hearing for Regulations for Foxborough's Wetlands Protection Bylaw, Chapter 267 to January 25, 2016; seconded by Mr. Nelson. **Vote 5-0-0**

### **London Estates' Lots:**

**2 Peterson Lane, DEP # 157-544, NOI**

**11 Authelet Way, DEP #157-TBD, NOI**

**15 Authelet Way, DEP #157-545, NOI**

Applicant Briarwood Construction's representative, Bill Buckley of Bay Colony, came before the Commission regarding three individual London Estates lots. Mr. Buckley explained that portions of the proposed work on lots 2, 4 and 14 are within the 100 foot buffer zone, so NOI's have been filed, even though there will be very little activity within this buffer, and most has been reviewed/covered under the filing for the subdivision's proposed infrastructure. None of the lots are within 100 feet of the site's certified vernal pool. They considered the Peterson Lane lot's issues when they designed the roadway.

The septic system for lot 2 will be installed outside of the 100 foot buffer zone, but within the 150 foot buffer, so they are using a FAST system that has been approved by the Board of Health.

Lot 4 is outside of the buffer zone, but a small portion of the driveway within the buffer zone (less than 50 square feet) will be impacted; a FAST system has been approved by the Board of Health.

Lot 14 is the last lot closest to the site's bordering vegetated wetlands, so they have pushed the house and the FAST septic system as far away from the BVW as possible to get out of the 100 foot buffer zone, but will still be within the 150 foot buffer.

Each house will have a roof drain system that captures the roof runoff on the lots.

**2 Peterson Lane (London Estates), DEP # 157-544, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to close the Public Hearing for 2 Peterson Lane; seconded by Ms. Marshall. **Vote: 5-0-0**

**11 Authelet Way (London Estates), DEP #157-TBD, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to close the Public Hearing for 11 Authelet Way; seconded by Ms. Marshall. **Vote: 5-0-0**

**15 Authelet Way (London Estates), DEP #157-545, NOI**, Briarwood Construction

**Motion** was made by Mr. Nelson to close the Public Hearing for 15 Authelet Way; seconded by Ms. Marshall. **Vote: 5-0-0**

### **Meeting Minutes**

The Commission reviewed the minutes of November 2, 2015, November 16, 2015 and November 30, 2015 as well as the Bylaw Sub-Committee minutes of June 18, 2015, July 21, 2015, August 17, 2015, December 8, 2015 and January 4, 2016

**Motion** was made by Mr. Nelson to approve the November 2, 2015 minutes as submitted; seconded by Ms. Johnson. **Vote: 5-0-0**

**Motion** was made by Mr. Nelson to approve the November 16, 2015 minutes as amended; seconded by Ms. Marshall. **Vote: 5-0-0**

**Motion** was made by Mr. Nelson to approve the November 30, 2015 minutes as submitted; seconded by Ms. Marshall. **Vote: 5-0-0**

**Motion** was made by Ms. Marshall to approve the Bylaw Subcommittee Minutes of June 18, 2015, July 21, 2015, August 17, 2015, December 8, 2015 and January 4, 2016 as submitted; seconded by Mr. Kelleher. **Vote: 5-0-0**

**Lincoln Road, DEP #157-109, Request for Certificate of Compliance**

A request has been received for a CoC for DEP 157-109, which is required as part of the property's sale. The work was completed many years ago. Since a CoC had yet to be drafted, Commissioners were asked to come into the office to sign the form, once completed.

**Motion** was made by Ms. Johnson to issue a Certificate of Compliance for DEP #157-109, Lincoln Road; seconded by Mr. Nelson. **Vote: 5-0-0**

**Master Plan Section 5, Minor Revision Request**

The comment letter for the Planning Board in regards to the Master Plan has been completed and will be sent over to the Planning Board.

**Meeting Adjourned**

**Motion** was made by Mr. Nelson to adjourn the meeting; seconded by Ms. Johnson. **Vote: 5-0-0**

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Diana Gray: 2/3/16

Approved by Commission: 4/11/16

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**Documents, Not Referenced Above**

**Attached Documents**

1. Agenda, January 11, 2016
2. Meeting Sign In Sheet

**Location of Other Documents**

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