

**Town of Foxborough  
Conservation Commission Minutes  
December 7, 2009**

**Members present:** Bob Boette, Harold Blomberg, Allan Curtis, Eric Nelson, Judy Johnson, Douglas Davis, and Jim Marsh

**Also present:** Jane Sears Pierce, Conservation Manager  
Bill Hocking, Temp Conservation Manager

**Meeting Opened** - Bob Boette opened the meeting at 7:00 PM, which was held in the McGinty Room, Public Safety Building at 8 Chestnut Street.

**The Commission welcomed Judy Leahy**, the new Conservation Committee secretary.

**Meeting Schedule for 2010** was presented to the Commission. The Conservation Commission meeting is held on the same day as the Board of Health's meetings and, in some instances, they are scheduled for the same date. The Commission's only meeting in January is scheduled for the 11th.

The Commission will try to work with the proposed schedule and, if necessary, they will squeeze in another meeting. Jane asked the Commission to accept the proposed schedule, since she wanted to put the schedule and application deadlines up on the website. Meeting on a different night was suggested, but Bob wanted to keep meetings on Monday nights in the Town Hall building. The schedule, as proposed through March, was accepted by the Commission.

**Ridge Road Conservation Land, Proposed Trail Restoration** - Andy Felix, who recently accompanied Suzanne Walker during her RFD meeting, came into the office last week to ask Jane if he could "clean up" the trails at the new Ridge Road conservation property. Jane advised him to email his proposal to her and invited him to the evening's meeting to discuss it. Mr. Felix sent the email, as requested, but did not attend the meeting.

Commission members agreed that his proposed trail maintenance would be a good idea, but that that Mr. Felix should be given specific written instructions on exactly what he could and could not do. Jane was asked to contact Mr. Felix to arrange for him to meet Bob and Jane at the site.

**Manager's Report** – Jane reviewed the following items:

**Possible list of Manager's Projects and Priorities:**

**Bylaw Revisions** – She indicated that (1) minor revisions to the Bylaw were needed, and (2) Bylaw Regulations were needed. She explained that although Bylaw changes need to go before Town Meeting for approval, Regulations do *not* require Town Meeting approval. She said that Regulations should be discussed during a hearing, after being legally noticed in the paper, but the only the Commission's approval (not Town Meeting) is required.

**Open Space and Recreation Plan** – Jane would like to start tomorrow now that the secretary position has been filled and she will have more time to work on it.

**Website Updates** – Jane reviewed her recent updates, including downloadable application forms. She told the Commission that she wants to add links, information about conservation properties and hiking trails maps; Judi suggested adding the Open Space map. Jane also would like to hold family activities and advertise them on the Website.

**Certify Vernal Pools** – Now that the State certification rules have been changed, this work only can be done in the spring. Bob wants it to be Jane's top priority in the spring.

**Commission Projects** - Allan asked the members to think about potential projects over the holidays, to be discussed at the January meeting. He also wanted the Commission members to be out on site more often to check out trails needing repairs, doing cleanup projects, etc.

**Volunteer Programs** - Jane would like to develop volunteer programs (Conservation Association or Friends of Conservation) to assist in developing trail maps, sponsoring walks, developing brochures, etc.

Bill stated that the Open Space Plan should be Jane's #1 priority at this time.

Jim indicated that he would look over the Bylaws soon. Jane said that she had given her proposed bylaw revisions and regulations information to Jim and was eager to work with him on them.

**Open Space Plan Update** - Eric asked if members were given actual assignments, saying that he would be interested in working on the Open Space Plan.

Judi said that she had been working on the Plan with Jane and welcomed Eric's involvement. She said that the wetland maps and land use maps she had worked on had been converted to jpegs and copies were given to Jane. She said that the town open space map (with parcels) needs a lot of work yet, but at this point, Jane should be able to make the rest of the changes.

Jane reported that the open space plan's language still needs cleaning up, saying that she just needs to sit down to work on it without interruptions to get it done. She told the Commission she had actually made quite a bit of progress, saying that she wrote notes on the large map when Dave brought her around to the town's conservation properties. She asked the Commission whether she should work on the plan wording and order first or the map update first.

Judi will come in to help with editing. Jane will have more time now that secretarial position filled and she can devote time to this project. Jane, Judy and Eric planned to meet on Thursdays to work on open space (meeting dates/times to be determined, starting in January 2010). Jane needs uninterrupted time to get this project done.

**Vouchers:** one voucher was signed.

**DEP #157-443, Clarendon Street, Lots 92 and 93, PCoC** - Bruce Wilson from G-W Site Solutions, representing Lockwood Builders, attended the meeting regarding his request for a Partial Certificate of Compliance for DEP #157-443, Clarendon Street, Lots 92 and 93. He needed the PCoCs for the scheduled bank closing for Lot 93 on 12/28/09. The buyer of the lot would like to change the fence location from original Order of Conditions' specifications. The fence will be installed in the location required by the OoC in the spring of 2009, after other landscaping activities have been completed.

Prior to the Commission's issuing this Partial Release, Bruce was instructed to send a letter to the Commission stating that all required site work will be completed in the Spring of 2009. Commission has received letter.

**Motion** by Bob Boette was made to issue a Partial Certificate of Compliance for DEP #157-443, Lots 92 and 93. Seconded by Al Curtis. **Vote: 7:0:0**

**State Conflict of Interest Form** - Doug signed his copy and gave it to Jane. Commissioners were reminded that all Town employees are required to take an on-line test to comply with the law. After successful completion of the on-line test, members will need to print the certificate of completion and give it to the Town Clerk.

**Mail** – A copy of a letter was sent to Commission from Invensys concerning the Neponset Reservoir Public Involvement Plan (PIP) for the final Phase III Draft report for the Neponset Reservoir Tier 1A site. It appears that Invensys does not intent to modify the PIP which was requested by petition by a group of citizens in Foxboro. Judi will keep letter and investigate at the next NRRC, Inc. meeting coming up.

**Neponset Dam Repairs Update** – Bill informed the Commissioners of the presence of muskrats, who are burrowing into the mud at the base of the dam and undermining the repair process. Traps had been set to remove the animals but only one had been caught, so far. Jane explained that the removal of muskrats fall under the same protocols as removal of beavers, which are under the jurisdiction of the Board of Health. She spoke to Pauline, the Health Agent, about the muskrat issues but Pauline was unaware of the Board of Health's role in their removal.

Bill said that only one leak was found in the foundation located on the south side of the dam, behind the stop logs. The workers have it partially stopped and they have to seal it up prior to putting in the grout; they are close to having it 100% sealed up. Grout has not been put into the dam yet, since it will be the last work to be performed. Everything looked good.

Bob asked Bill how many of the dam's boards had been replaced. Bill told him that boards are only put in when they are working at the site, adding that a diver was supposed to be grouting the last under-water areas earlier in the day. After the grouting is done, they will start replacing the boards.

Jane added that she had asked for an extra line of hay bales to prevent the muddy roadway from eroding into the water.

Judi informed the Commission that the NRRC, Inc. had aerial flight pictures taken of the Neponset Reservoir on December 4th by James Sewel Company. Since the water level is the lowest it's been, the NRC decided that it was a good time to take aerial pictures. Bill will let her know the exact level of the reservoir on the 4th. She said that the Commission will receive copies of the photos in the next couple of weeks.

### **Minutes**

**Motion** by Judi Johnson was made to accept November 16, 2009 minutes as distributed. Seconded by Eric Nelson. **Vote: 7:0:0.**

**Motion** by Judi Johnson was made to accept November 30, 2009 minutes as distributed. Seconded by Al Curtis. **Vote: 7:0:0.**

**Cell Tower on Conservation Property** - Doug raised the topic of the NOI for placing a cell tower on conservation property and expressed his concern that an appropriate rental amount be negotiated with the cell phone company. Randy Scollens will be handling the negotiations.

**80 Beach Street Violation** – Nothing is going on at the site; the homeowner never came in to a recent Commission meeting, as requested. Homeowner was instructed not to build a shed without Commission's approval. Members mentioned that when the reservoir is refilled, this back yard will be very wet.

Judi reported that NRRC, Inc. sent out a newsletter to residents surrounding the reservoir, discussing the return of historic water levels in the Neponset Reservoir. Bill indicated that many residents around the reservoir will see a big difference in the water level and the effects on their properties.

**Appeal Questions** – Jane had brought up some concerns/questions about a recent appeal; Jim is looking into these.

**Application Forms** – She told the Commissioners that she had added “Foxborough Wetlands and Groundwater Protection Bylaw, Article IX” to the DEP’s wetland application forms and said that they are now downloadable on the Commission’s website.

**Website Updated** – Jane reviewed her updates to the website, saying she will soon be adding website links. Bill asked her to include a link Borderland’s website.

**New Filing Distributed** – Wetland Replication for Neponset Reservoir Dam Repairs

**Holiday Social** - Due to a busy December, the annual Holiday Party will be put off until January. Doug will contact the Lafayette House to reserve a room on two possible evenings: Friday, January 29 and/or Saturday, January 23.

**Motion** was made by Bob Boette to adjourn. Seconded by Al Curtis. **Vote: 7:0:0.**

Meeting adjourned at 9:00 PM.

Draft minute submitted by: Judy Leahy on 12/9/09

Approved by Commission: 12/21/09