

**Town of Foxborough
Conservation Commission Minutes
January 24, 2011**

Members present: Robert Boette (Chair), Allan Curtis (Vice Chair), Doug Davis, Judith Johnson, James Marsh and Eric Nelson (Clerk)
Absent: Harold Blomberg
Also present: Jane Sears Pierce, Conservation Manager

Meeting Opened

Bob Boette opened the meeting, held in the Andrew A. Gala Jr. Meeting Room at 7:00 p.m.

Bob reported to the Commission that Harold Blomberg was sick with pneumonia and was being cared for at Norwood Hospital. Also, Harold's good friend and companion passed away recently. Her services would be held on Wednesday the 26th.

NOI, DEP #157-498, Lamson Road, Foxborough Water and Sewer Department

Bob opened the hearing by reading the legal notice, as posted in the Foxboro Reporter.

The applicant's representative, Bill Buckley of Bay Colony Group, Leo Potter (Water and Sewer Superintendent), Mike Stanton (Board of Water and Sewer Commissioner), and Robert Bell, Project Manager/Engineer (AECOM) attended the meeting.

Bill reviewed details of the proposed water treatment facility, rehabilitation of wells 7, 8, 9 and 10, expansion of well 9, and improvement and reconstruction of the driveway. He explained that the proposed project was located on the Water Department's 62 acre property on Lamson Road, a 2,900 foot long gravel road. The site's town wells currently provide 30 percent of town's water supply. The proposed water treatment facility would be located in an old gravel pit, outside of the inner and outer riparian areas and wetland buffer zones.

The wetlands, delineated by PARE Corp., included bordering land subject to flooding (BLSF), riverfront (Billings Brook, a perennial stream), and land subject to flooding (FEMA Zone A designation). They recently learned that the proposed construction area was partially within a designated priority habitat of a not-yet identified rare species (most likely a butterfly), so they filed with the Mass Natural Heritage and Endangered Species Program (NHESP) under the Mass Endangered Species Act (MESA). They should receive a NHESP opinion letter within 20 days.

Due to annual flooding at the (current) dirt road's stream crossing, they plan to rebuild around 100 feet of roadway to be 16 feet wide (currently 15 to 18 feet wide), to prevent future flooding issues. They plan to install rip rap along the sides of the bank to prevent erosion and install Cape Cod berms to enable wildlife movement across the road. Judi wanted soil to be deposited in between the rip rap rocks and seeded with a native grass mixture to create better wildlife habitat. Bob wanted to ensure that the upstream ponds were not dewatered in any way.

The construction of a second driveway from Cannon Forge Drive is proposed as a secondary access for the use of delivery trucks during inclement weather. Track pads would be installed in front of the building, to help contain any materials that might spill; chemicals will be stored in the building.

While discussing the site's priority habitat, Jane thought that it should be difficult to mitigate for construction impacts (if the rare species was a butterfly, as suspected) by landscaping the area with the butterfly's host plants.

Bob voiced his concerns about preventing ATVs from accessing the property. Leo stated that they only have regular locked gates now, but have posted watershed land signs and are putting up blocks to deter ATVs. He said that the police can confiscate ATVs, if caught trespassing on the property.

Bill asked the Commission to continue the hearing to March 14th, to allow time to receive the NHESP's opinion letter and possible subsequent review by NHESP.

Continued NOI, DEP #157-495, 52 Neponset Heights Avenue, Deng & Cheng

The applicant's representatives, Jeff Fertado of Collins Engineering Group, and building, Pat Brophy, were present to review the revised plans. Jeff explained that changes had been made to the buffer zone's restoration planting plan, erosion controls had been added and the left side of house had been widened by four feet.

Pat Brophy explained that the homeowners wanted to widen the home's footprint by four feet and were told that they could, since the width of the house was grandfathered. He indicated that the ZBA approved razing the current house and building a new one, which was 26 feet wide all the way through. The building inspector had indicated that the ZBA decision was written in a way that gave him jurisdiction to approve the change in footprint, since it did not exceed the approved property line setback. Bob stated that the change resulted in a 152 square foot increase in impervious area.

Eric asked if the proposed footprint was the same distance from the water as before; Pat replied that it was. Doug asked about the size of the house. Pat indicated that it was a two story, two bedroom home, 2,280 square feet in size, with a 624 square foot garage and an unfinished, walk-out basement.

Doug asked whether the Board of Health (BoH) had signed off on the septic system. Pat replied that it hadn't been submitted to the BoH yet. Bob reminded Pat that they had talked about flipping the septic sideways to be able to push the house back towards the road and away from the water.

Doug indicated that he wanted to find out what the BoH had to say about revising the septic plan to push the house away from the water, adding that he was concerned about the number of bedrooms. He also wanted to see the Building Inspector's written signoff. Jim agreed, saying that he did not want to approve a project that could be subject to changes, adding that he thought it made sense to wait for the BoH to make their decision, since the design could change which could change the Commission's decision.

Jane reviewed the proposed project's environmental impacts, stating that environmental improvements included the new septic system, roof runoff groundwater infiltration via drywells, pervious pavers in the patio area and restoring the buffer zone by landscaping with native plants. The proposed plan's negative impacts would be the increased amount of impervious area, asking whether the Commission believed that the project would result in a net environmental benefit.

Allan made a motion to close hearing, seconded by Judi, but Doug thought the Commission should wait until the BoH made their decision before closing the hearing. Allan withdrew his motion.

The applicant asked to continue the hearing to February 14 to give them time to go before the Board of Health.

Cocasset River Recreation Area - Proposed Memorial Trail for Bill Hocking

Maria and John Kent, members of the Friends of St. Augustine, attended the meeting to discuss their proposal to change the name of a Cocasset River Recreation Area trail in Bill Hocking's memory. They were very saddened by Bill's sudden passing, adding that it was a big loss for the Friends of St. Augustine; he was a strong supporter of their cause. When they heard that the Commission was establishing a memorial fund they wanted to create a living memorial of Bill's love of science and mentoring. Their intention was to create an educational and recreational trail system,

explaining that Bill had created a narrative about the trail, as well as area's geology and history. He also led nature hikes on the trails, believing that experiencing nature firsthand was very impactful.

John explained that they wanted to hold a trail dedication ceremony and name the new trail the "William O. Hocking Hiking and Nature Trail." They would also like to install benches made of recycled materials along the trail and have one dedicated to his memory. They also wanted to create an outdoor educational after school program named after him as well. They don't anticipate that the trail system will open until some time in 2012. They would appreciate input and feedback from the Commission.

Bob thanked them, adding that he thought that it was a fantastic idea. He informed them that several other memorial projects had been proposed, but no plans had been finalized. He said that the Garden Club wanted to clean up and maintain the front of the Sallie Property (one of Bill's favorite places) in Bill's memory. Judi advised that the NRRC wanted to donate and dedicate a bench at the Lane property. Bob added that there might be Hocking memorials all over town.

Maria stated that from a personal standpoint, she wanted to see the Commission's work to be better publicized since their work was what made our community really special. She asked if anyone else should be notified of their plans. Judi advised them to write a letter to the BoS. Jane wondered whether their project's publicity might increase donations, which would help to pay for additional work on the trail, educational brochures, maps, etc.

DEP #157-493, Nadia Estates, Order of Conditions

The applicant's representative, Jim Pavlik of Outback Engineering, had submitted a letter asking to extend the Act's 21 day OoC issuance requirement. Jane reviewed her draft of the Nadia Estates Order of Conditions with the Commission, advising that she had drafted a list of possible conditions for their consideration and would finalize the Order of Conditions on February 14.

DEP #157-420, 186 Cocasset Street, Request for Permit Extension

Motion was made by Allan Curtis to issue a one year Town Order of Conditions Extension Permit for DEP #157-420. Seconded by Eric Nelson. **Vote: 6:0:0.**

Town Manager Act Language Revision

Judi informed the Commission that she had submitted an article to the Foxboro Reporter concerning revising the Town Manager Act to exempt Conservation land, stating that she stressed (at the end of the article) that she wrote it as a resident, not as a representative of the Commission.

Meeting Adjourned

Motion was made by Judi Johnson to adjourn. Seconded by Allan Curtis. **Vote: 6:0:0**

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Eric Nelson, Clerk

List of Documents, Reviewed during Meeting

For the applications, reviewed above, please see Commission's DEP file folders.

Draft minutes taken by Judy Leahy: 1/24/11

Reviewed by Jane Sears Pierce: 3/08/11

Approved by Commission: 3/14/11

Conservation Commission Minutes, 1/24/11

Page 3 of 3