

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

Members Present: Robert Boette (Chair), Allan Curtis (Vice Chair), Eric Nelson (Clerk), James Marsh, Judith Johnson, and Valerie Marshall
Members Absent: Douglas Davis
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 specially scheduled meeting, held to address the Compost Facility's Restoration Order, which was held in the Andrew A. Gala Jr. Meeting Room, at 7:00 p.m.

Restoration Order, East Belcher Road Compost Facility

Information Reviewed:

- Progress Prints (3 sheets), Compost Site, E. Belcher Road, Foxborough, by Bay Colony, Stamped (unsigned) by Richard J. Leslie, PLS #38384 (including Existing Conditions Plan, Resource Area Restoration Plan and Grading Modification Plan)
- Attachment C to Conservation Manager's Report: Aerial photo overlay

Rich Leslie (Bay Colony), Bob Swanson (Foxborough Highway Department), and Andy Felix (Tree Tech) were present to discuss the Restoration Order for the East Belcher Compost Facility.

Progress Prints for the Compost Site and Pare Corporation's Wetland Delineation Report dated 2/15/13, received by the Commission on March 14, 2013, were reviewed (pages 2 and 3 specifically addressed Conservation issues), including Notes responding to the Commission's Restoration Order. As requested, the word "approved" had been removed before "existing wetland." The Planning Board's Phase I approval would allow the Compost Site to be opened on April 1.

Mr. Leslie explained that the berm would be moved to the originally permitted area and that the design of the pool-swale-pool would allow for a slow flow to meander. Judi advised that wetland seed mix to be used on the berm could be purchased at a company in Amherst.

Mr. Leslie estimated the previously filled area to be 4,077 sq. ft. Judi disagreed, stating that she had estimated the amount of fill to be 4,500 sq. ft. She also didn't agree with the statement on the plan indicating that wetlands had been created by the berm. She advised Mr. Leslie that she reviews restoration and enhancement plans (for the Army Corp. of Engineers) for a living and explained the types of compensation (terms) that are used in the field of restoration. She suggested that the following changes could be made to the plans as well as his square foot calculations:

- the phragmites removal area should be labeled the "mitigation" area; and
- the berm area, which will be moved inland, should be labeled the "restoration" area.

Bob Boette asked Mr. Leslie to change the terminology in the Plan, as suggested by Judi.

Mr. Leslie explained that the Conservation Notes on Sheet 2 follow the Enforcement Order.

Val suggested that a fence should be installed around the brook side of the compost area to prevent encroachment. The Planning Board could then permit the Phase I compost area and then the Phase II logging area. Judi asked where the limits of the Phase I area (i.e. on the side of the brook) were located. Mr. Leslie responded that it would include the existing drainage discharge area, but no trucks would be allowed along the edge of Phase I and there would be no more land clearing towards the brook.

Removal and burning the phragmites in place was discussed. Judi asked how deep the pond was, since only cattail was growing in it (i.e. the water level was conducive to cattail and not phragmites) and was told that it was 2 ½ feet. Judi explained that since the pond was 2½ feet deep and no phragmites was growing in the middle, restoration work should include digging out the phragmites plants and then digging out the soil and roots underneath the plants to a depth of 2½ feet (i.e. into the groundwater), to prevent phragmites from growing back.

Bob Boette stated, for the record, that no wetlands would have been disturbed if the Commission's originally approved Determination (approving a 150' by 250' compost pad) was followed, adding if so, we would not be here tonight.

To clarify, Bob stated that any work outside of the 150' by 250' area would require a Notice of Intent. A Certificate of Compliance will be issued when project is complete. The final plan will be approved at the next meeting. Jim Marsh recommended that a running condition in a Partial Certificate of Compliance would require monitoring the restoration planting for two years to ensure that it is successful, prior to the issuance of a Certificate of Compliance..

Mr. Swanson thanked the Commission for holding the Special Meeting to resolve the issues.

Meeting Adjourned

Motion was made by Valerie Marshall to adjourn; seconded by Jim Marsh. **Vote: 6-0-0**

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares: 4/16/13

Reviewed by Jane S. Pierce: 5/29/13

Approved by Commission: 6/17/13

Documents, Not Referenced Above, Reviewed During Meeting

Attached Documents:

1. Agenda, March 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