

Foxborough Conservation Commission
Minutes
March 23, 2009

Members present: Bob Boette, Chairman, Harold Blomberg, Doug Davis, Judi Johnson, Bernie Marshall, Val Bataille-Ferry

Members absent: Al Curtis

Also present: Bill Hocking, temporary Conservation Manager

7:00 p.m. Meeting opens – Bob B. opened the meeting which was held in the Town Hall Meeting Room, 40 South Street.

7:00 p.m. Carl Fuller Cease & Desist – 6 Mill Street – Carl Fuller and David Bechtel co-owners and roommates of 6 Mill Street were present. An Enforcement Order was issued to the Current Owner of 6 Mill Street on March 16, 2009 for “landscaping, grading, clearing activities within 100 feet of a wetland. There has been no filing for this type of work with the Foxborough Conservation Commission.”

Bob B. explained that they have violated the Wetlands Protection Act. Carl F. said that they had no idea. Bob B. explained that no activity can take place within 25 feet of a wetland and that there can be no activity within 100 feet of a wetland without filing with the Conservation Commission.

Bob B. also explained that they cut down trees on Water Department property and built a bridge over a stream without the permission of the Town. Bernie Marshall, Assistant Superintendent for the Water Department called the police on Friday, March 20, 2009 and a police report was filed. Bob B. said that the Town attorney is looking into the matter.

The Commission would like the owners to present a plan on how they will restore the areas. Carl F. said that they would do whatever the Commission wants them to do. The Commission would like included in the plan the stabilization of the soil with woodchips or leaf litter and also include in the plan what plantings they propose.

Carl F. said that they have started work on an expanded parking lot in front of the house and asked if they could continue to work on that. Bill H. said that he would check the area and let them know.

This will be discussed at the next meeting on April 6, 2009.

Motion by Bernie Marshall was made to sign the Enforcement Order to Carl Fuller and David Bechtel at 6 Mill Street as written with the addition of “destruction of Water Department property and building of a bridge over a stream.” Seconded by Doug Davis. Voted 6:0:0 in favor.

7:04 p.m. Continued Hearing Notice of Intent 45 Lakeview Road DEP File #SE 157-469 – The purpose of the hearing is for the reconstruction of a patio and deck and construction of 645 s.f. of additions to an existing function hall that lies partially within the buffer zone to an inland bank.

This hearing has been continued indefinitely.

Extension Permits: DEP File #SE 157-457 – Clair Limited Partnership for the existing unpaved parking lot to accommodate a total of 406 parking spaces at 119 Washington Street. **Motion** by Harold Blomberg was made to issue an Extension Permit for DEP File #SE 157-457. Seconded by Doug Davis. Voted 6:0:0 in favor.

DEP File #SE 157-466 – Michael Saegh, Foxstar Corporation for the construction of 6 commercial buildings w/associated parking, driveway and utilities that lie partially within the buffer zone to a bordering vegetated wetland and bank at 119 Morse Street. **Motion** by Bernie Marshall was made to issue an Extension Permit for DEP File #SE 157-466. Seconded by Doug Davis. Voted 6:0:0 in favor.

Certificate of Compliance: DEP File #SE 157-352 – for a Partial Certificate of Compliance for the Foxborough by-law to AGA Inc. Great Blue Heron Estates for Parcel C. **Motion** by Bernie Marshall was made to issue a Partial Certificate of Compliance for DEP File #SE 157-352 Parcel C Only. Seconded by Val Bataille-Ferry. Voted 6:0:0 in favor.

Planning Board Referrals – None.

Leases 120 Spring Street, 87 & 89 North St. – The 3 properties were advertised for lease twice in the Foxboro Reporter. A letter was received from John & Beth Zielinski dated March 10, 2009 to lease the house at 120 Spring Street. A letter was received from Janna Bremer dated March 9, 2009 to lease the house at 87 North Street for one year. A letter was received from Mr. and Mrs. Frederick Weckbacher dated March 2, 2009 to lease the house at 89 North Street. Bill H. will contact each of the tenants to meet with them to inspect the properties.

61 & 67 N. High Street – vernal pool & intermittent stream – Bill H. looked at the property on March 12, 2009. He said that there is a vernal pool on the property. Bill H. said he would observe the area on a weekly schedule and check the growing season.

85 Lakeview Road – Possible filling within the Bordering Vegetated Wetland and pile of material on right side within 100 feet of wetland. Bill H. met with Barbara Ellis, the owner of 85 Lakeview Road on March 17, 2009. Bill said that she did not fill anything near the wetlands. Bill H. said that she is aware of the Wetlands Protection Act. There is a pile of stones that she said would be removed if the small patio is not construction.

Hunting on Conservation Land – Put question on survey? – The Commission discussed whether to limit hunting to the following two conservation area: both sides of Willow Street on conservation land, other land only with owner's permission. Harold B. Clark Town Forest, located off Forest Road next to the Gilbert Hills State Forest. Doug would like to walk some conservation properties with Dave Risch and Al Curtis to determine if hunting should be allowed.

The Commission discussed whether a question regarding hunting should be added to the Open Space & Recreation Survey. It was agreed to add hunting to question 6 on the survey.

The Commission agreed to change the wording on question 6 on the survey to read “please indicate the recreational facilities you feel are a priority in Foxborough.”

Open Space and Recreation Plan – Val B. contacted Marc R. to set up a meeting to discuss the open space plan.

Sign Vouchers & Accept Minutes – One voucher was signed for the foxboroconservationsurvey.org website for \$35.00. **Motion** by Harold Blomberg was made to accept the minutes of March 9, 2009 as distributed. Seconded by Val Bataille-Ferry. Voted 6:0:0 in favor.

8:30 p.m. Motion by Harold Blomberg was made to adjourn. Seconded by Val Bataille-Ferry. Voted 6:0:0 in favor. The next meeting will be on Monday, April 6, 2009 in the Town Hall Meeting Room, 40 South Street.