

**Town of Foxborough
Conservation Commission Minutes
April 25, 2016**

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

Members Absent: None

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. He welcomed Jeff Ambbs to the Commission, who was recently appointed by the Board of Selectmen; his term will begin on May 1st.

Public Comments

Lane Property - Edie Erikson spoke about her concerns at the Lane Property. She read a prepared statement, listing her concerns about the state of the Lane Property. She would like to see signage, gates, parking lot upgrades, cleaning, mowing and restoration of the property. Ms. Erikson also described some changes she would like to make to her original plan for the Dave Risch Memorial, which would change the location to the gardens at the soon-to-be-burned 89 North Street property and will speak to Heather Harding about this. She also mentioned that she had seen a bobcat on the property this year.

Ms. Pierce informed Ms. Erikson that she has spoken with Town Engineer Chris Gallagher about installing a security gate, and to Dave Laliberte, DPW Park and Tree, about cleaning up the property, adding that she has also been working on a town conservation trail maps project with Ryan Norton (DPW GIS), including the Lane Property. Ms. Erikson encouraged Ms. Pierce to feel free to visit her anytime she stops by the Lane Property.

479 South Street RFD

The applicant, Ms. Susan Taft, appeared before the Commission to explain that she would like to install an above ground pool in her backyard which abuts the Wading River; the pool would be located 60 feet from the river's edge. Ms. Pierce had visited the site, recommending a negative determination. The Commissioners asked how the pool would be backwashed, as they would not want it to get into the river. Ms. Taft stated that there would be a drywell or hose to the side yard wooded area for backwashing. Mr. Boette would like a written notice from Ms. Taft on the type of filter and the plan for discharge, for the record.

Motion was made by Mr. Nelson to close the meeting for 479 South Street; seconded by Mr. Marsh. **Vote: 6-0-0**

Motion was made by Mr. Nelson to issue a Negative Determination for 479 South Street; seconded by Mr. Marsh. **Vote 6-0-0**

48 East Street DEP #157-550

50 East Street DEP #157-551

The applicant's representative, Bill Buckley of Bay Colony Engineering, requested a continuance for these hearings, since he has not heard back regarding their FEMA letter of map amendment request.

Motion was made by Ms. Johnson to continue the hearings for 48 and 50 East Street to May 2, 2016; seconded by Ms. Marshall. **Vote: 6-0-0**

Minutes

The Commission reviewed and approved the minutes from February 1, 2016.

Motion was made by Mr. Nelson to approve the minutes of February 1, 2016; seconded by Mr. Kelleher. **Vote: 6-0-0**

Ratification of Forbes Crossing Enforcement and Restoration Order, DEP #157-537

An Enforcement and Restoration Order has been issued by Ms. Pierce for violations of the Order of Conditions, including clear cutting of the river banks. The Commission now needs to ratify the Order. The applicant has been asked to attend the next meeting to discuss the proposed restoration.

Motion was made by Ms. Johnson to ratify the Enforcement and Restoration Order, issued by the Conservation Agent for the Forbes Crossing project at 369 Central Street; seconded by Mr. Nelson. **Vote: 6-0-0**

The Commission also discussed potential off site mitigation to improve the water quality of Robinson Brook that should be required as part of the Enforcement and Restoration Order, specifically, the “green” detention basin on Foxborough Boulevard. Ms. Pierce indicated that the basin was on conservation land was asked to verify that the detention basin was, in fact, town land.

120 Spring Street; Possible Sale of Conservation Parcel

The Commission discussed the possible sale of this property. If it is sold, the Commission would need to receive another parcel of town land to replace it, per the State EOEEA’s “no net loss policy” requirement. The Commission discussed the possible transfer of town land behind the capped landfill, since it contains at least two endangered species and numerous vernal pools. The Commissioners would also like to ensure that the proceeds from the sale of the property are deposited into the Conservation Gift Fund, rather than the Town’s General Fund. These funds are needed to clean up and restore Lincoln Hill as well as other conservation areas in town.

Ms. Pierce will ask Town Counsel for assistance in drafting a motion for the Commission’s vote that would include all of the concerns. This would also need to be voted on at a future Town Meeting.

Appointee needed for Dog Park Working Group

Mr. Keegan presented a memo to the Board of Selectmen last week in regards to a Dog Park Working Group. He would like the group to be composed of individuals who can offer expertise and differing perspectives. The Board of Selectmen supported the creation of this group. Since Mr. Keegan would like to have one member from the Commission to serve on this Group, Jeff Amb’s volunteered to be the Commission’s representative. Mr. Nelson stated that he feels that a Commission member should not be a member of the working group but instead be an advisor or consultant to the group; he also noted that if the group may be too large and having members be “for” or “against” the dog park before discussions even start may be counterproductive.

Mr. Boette noted that the VandenBooms delivered packages to the office for each Commission members last week and did not think it was appropriate that the correspondence was opened by Conservation Staff. He stressed that any correspondence delivered to Town Hall needs to be opened as soon as possible and is considered a public record unless it is marked Personal and Confidential.

Town Manager Bill Keegan and Chairman of the Board of Selectmen Jim DeVellis met with the VandenBooms today to discuss the matter further.

Order of Conditions 40 Neponset Heights Avenue DEP #157-552

The Commission reviewed the draft Order of Conditions for 40 Neponset Heights Avenue.

Motion was made by Ms. Johnson approve/sign the Order of Conditions for 40 Neponset Heights Avenue; seconded by Ms. Marshall. **Vote: 6-0-0**

Meeting Adjourned

Motion was made by Mr. Nelson to adjourn the meeting; seconded by Ms. Johnson. **Vote: 6-0-0**

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

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Diana Gray: 5/12/16

Approved by Commission: 5/23/16

Documents, Not Referenced Above

Attached Documents

1. Agenda, April 25, 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