

**Town of Foxborough  
Conservation Commission Minutes  
July 11, 2016**

**Members Present:** Robert Boette (Chair), Judith Johnson (Vice Chair), Eric Nelson (Clerk), Rich Golemme, Jeff Ambs, James Marsh (at 7:06 p.m.) and Michael Kelleher (at 7:15 p.m.)  
**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.

**Minutes**

The Commission reviewed the minutes of May 23, 2016.

**Motion** was made by Mr. Nelson to approve the minutes of May 23, 2016 as submitted; seconded by Mr. Ambs. **Vote: 5-0-0**

The Commission reviewed the minutes of June 6, 2016.

**Motion** was made by Mr. Nelson to approve the minutes of June 6, 2016 as submitted; seconded by Ms. Johnson. **Vote: 5-0-0**

**Dave Risch Memorial Garden - Lane Conservation Property, North Street**

The Commission met with Heather Harding, Chairman of the Recreation Board and founder of the Friends of Conservation Group, Engineer Jim DeVellis (a member of the Board of Selectmen), who explained he is working on the project as a resident volunteer, and Jack Authelet, Town Historian.

Mr. DeVellis explained that the project for a David Risch Memorial Garden was first proposed by Edie Erickson, a member of the Lane family who sold the property to the town in the 1980's. Dave Risch was a longtime Conservation Agent, from 1978 to 2008, who passed away in 2012. The Friends of Conservation submitted basically the same plan (as Ms. Erickson's) for a grant application to Schneider Electric Company. They were accepting proposals for projects in town and had looked at a number of sites, but ultimately chose to provide funding for the Lane Property project. Mr. DeVellis has also reached out for help from Tree Tech, the DPW Tree and Park Department, the Recreation Department and the Boy and Girl Scouts to help with this project.

*Mr. Marsh arrived at 7:06 p.m.*

Mr. DeVellis explained that they will be making this same presentation before the Board of Selectmen the following evening, but it would be for informational purposes only as this project is on Conservation land.

Schneider Electric is the largest business in town and as part of their corporate directive, they were looking for a project that would be beneficial to the community. An application was submitted to them in May of this year and was recently approved by corporate headquarters. The approved application is for a Learning and Nature Center with a cost of \$100,000. Schneider is waiting for the Friends Committee to receive a 501c3 designation from the IRS before they can officially endorse the project, but did give the Friends Committee the authorization to present the project this evening.

Mr. DeVellis then explained the proposal which is a concept design; the Lane Property is approximately 80 acres with one mile of frontage on the Neponset Reservoir. The entrance to the land will be renovated with new paving and handicapped accessible parking; they will also be renovating the existing garage and parking areas. They will be adding a walking trail between the upper parking area and the garage (which will be converted to an indoor classroom), as well as an observation deck, picnic area and a native plant garden for Dave Risch.

*Mr. Kelleber arrived at 7:15 p.m.*

Schneider Electric wants an increased presence by adding landscaping, stone walls, educational signs and an indoor classroom. Superintendent Spinelli is very excited about the educational component. Seniors could use the facility, as well as the Recreation Department.

At this time, they are looking for input from the Commission, as well as their blessing to proceed with the project. Survey and design work will need to be done, they will be coming before the Commission for a RFD or an NOI, and the timeline is to have some work done this winter with a majority done next spring and completed by next summer. The Conservation Commission has jurisdiction over the land.

Mr. Boette noted that there is farm equipment stored in the garage currently; Mr. Authelet is working on finding a place to move that equipment off site.

Mr. Nelson asked if future maintenance costs are included in the proposal. Mr. DeVellis feels that the maintenance will be taken over by the Town as part of the consolidation of town property maintenance.

It was stressed that security gates are needed. Mr. DeVellis stated that Schneider, who is in the security business, will be contributing towards this, too.

Ms. Johnson feels it will be a wonderful tribute to Mr. Risch, but has concerns for the building and vandalism. Mr. DeVellis will be proposing lighting on a timer as well as security cameras in the area. She also asked if the parking area will be adequate and was advised that since there is a deed restriction on the size of the parking area, the schools and the Recreation Department would bus children there. Ms. Johnson would also like to see a history of the Lane Property as part of the signage; Ms. Harding agreed, stating that this information could be added to the classroom's wall.

Ms. Erickson stated that she wouldn't want any lighting or cameras on her property, which is right next door. She feels the most important thing to be done right now is to have a security gate installed to keep partying teenagers out. She is also not sure an observation deck would be a good thing, since the pond gets green in the summer, but does like the idea of benches and the garden. Ms. Erickson also noted that the parking area is limited to 10,000 sq. ft. and warned that the grade of the roadway is so steep that she slides in the winter. She doesn't want any stone wall that she might slide into, adding that litter is also a problem in the area. Mr. DeVellis stated that he has spoken with Ms. Erickson and feels that all her problems can be addressed.

Ms. Johnson noted that Crackrock Pond was included in the Neponset Reservoir's evaluation for contamination under the Mass Contingency Plan and was found to have heavy metal in it, so fishing can only be catch and release.

Ms. Harding indicated that the Recreation Department has agreed to donate picnic tables. Mr. DeVellis stated that the local Boy and Girl Scout troops will help to clear a trail to the lake from the former house on the hill, and the DPW's Park and Tree staff can work to improve the entrance area. A security gate at the top of the hill is part of the proposal.

Jack Authelet noted that the 1988 town report, which acknowledges the acquisition of the Lane Property by the Conservation Commission, states that their hope at the time was that the property would be used for education and passive recreation purposes, to help children start to appreciate their environment.

Mr. DeVellis asked for a representative of the Commission to attend the Friends meetings. Mr. Golemme volunteered to do this. Mr. DeVellis also let the Commission know that former Commissioner Val Marshall had also offered to help.

**Motion** was made by Mr. Kelleher to support the conceptual plan for the Lane Property; seconded by Mr. Golemme. **Vote: 7-0-0**

### **37 Spruce Street RFD**

Mr. Boette opened the meeting by reading the legal notice, posted in The Foxboro Reporter.

The Applicants, Mr. and Mrs. Andrews were present to review the proposed project, which included the installation of a 17' x 29' in-ground pool in the existing (flat) backyard lawn area, in the 200' riverfront area. They haven't decided on a filter system yet. Mr. Boette noted that if they were to use a back flush system, they would need to drain it to a dry well that would need to be out of the 100 foot buffer.

Mr. Andrews stated that the pool company advised him to remove four trees that were near the pool. After discussion, the Commission agreed that the two trees that were the farthest away from the river could be cut down, but the two trees that were close to the river could only be trimmed. The approximate locations of the trees to be cut were added to the plan, which was then signed (acknowledged) by Mr. Andrews.

The Commission explained that erosion control measures such as silt fencing would need to be installed prior to the start of construction; an erosion control line should also be added to signed plan. Ms. Pierce will go to the property to look at the trees to be removed and to show Mr. Andrews where the silt fence should go.

Mr. Andrews discussed using the excavated soil in his garden and excavated stones to rebuild a stone wall on the property. The Commission determined that soil and stones (excavated from pool area) may be used near driveway entrance area, but any excess materials would need to be removed from the site and not used to fill any areas in the back yard.

**Motion** was made by Mr. Nelson to issue a Negative Determination with conditions that (1) the silt fencing would be shown on the plan and (2) the Conservation Manager would be consulted regarding the trees to be cut and/or trimmed; seconded by Ms. Johnson. **Vote: 7-0-0**

### **22 Prospect Street, Possible Wetland Violation**

Homeowners John and Valerie Santangelo came before the Commission to discuss recent alterations within 100 feet of Cocasset Lake. Mr. Santangelo explained that they were installing a patio behind their house, 130 feet from the water, and had spread out approximately four yards of dirt from the excavated area. When they moved to the property, the understory brush had been cut down to four inches high by the previous owners, but admitted that they had cut the brush to the ground. After Ms. Pierce delivered the Commission's violation letter and explained how they should proceed, they installed hay bales as she suggested. Mr. Santangelo also submitted photos of the areas in question.

Ms. Pierce stated that she observed the spread out dirt and, later, the installed hay bales. She explained to the Santangelos that they should not install grass or dump beach sand near the water and also suggested planting low growing native plants such as hay scented ferns or low bush blueberries. Ms. Pierce will forward the Commission's Buffer Zone Restoration handout and told them that she could meet with them if they have any questions.

### **Hersey Farm, Foxboro Soccer Association Discussions**

The Commission met with Joe Cusack, President of the Foxboro Soccer Association, regarding their interest in converting the Hersey Farm soccer field to an artificial turf field. Mr. Cusack indicated that it would be funded by the Foxboro Soccer Association, so there would be no costs to the town. He said that the Recreation Committee and Recreation Director support their pursuit of the project; the School Committee will need to be asked also.

Ms. Pierce pointed out that the 1986 State Act that allowed Foxborough to have the “care, custody and control” of Hersey Farm indicated that “parcel one in section five may be used by the school department [...] for athletic fields in a manner that will not alter the agricultural value of the soils”.

Mr. Boette felt that the State’s license would restrict artificial turf fields, suggesting that Mr. Cusack should contact Barbara Hopson at the State Department of Agricultural Resources to ask whether artificial turf fields would be an allowed use. Mr. Cusack stated that an attorney has read over all of the Hersey Farm documentation in the Association’s files. He believed that, since the fields were created in 1993, the area was taken out of agricultural use, since the soils were disturbed at that time.

The Commission also questioned whether turf fields would be considered permanent structures, since the license does not allow any permanent structures.

Mr. Ambs was concerned about unauthorized access to the fields, asking whether fencing would be needed. Mr. Cusack stated that the fields are in a remote location, so he was not sure if fencing would be needed. They are not proposing any lights or bleachers in the area.

The Commissioners also advised Mr. Cusack to contact local and state representatives about the issue, since the fields are owned by the State. The Commission would support the installation of a turf field if the State gives their ok.

### **242-244 Main Street, Proposed Lawson Farm Subdivision**

The Planning Board will be opening the Public Hearing for the proposed Lawson Farm subdivision on July 14<sup>th</sup>; Ms. Pierce has submitted comments for the Commission.

### **NRRC Liaison**

The NRRC needs a new liaison to replace Val Marshall, since she has left the Commission. Ms. Johnson agreed to be the new liaison.

### **Miscellaneous**

Ms. Pierce informed the Commission that the ATV abutter letters have been prepared and sent out by the Commission’s summer intern, Ryan Clapp.

A complaint has been received that Foundry Pond is low and that the dam’s boards might be broken. The Town Engineer and a Dam Inspector will be checking on the dam in the near future.

### **Meeting Adjourned**

**Motion** was made by Mr. Nelson to adjourn the meeting; seconded by Ms. Johnson. **Vote: 7-0-0**

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Diana Gray: 7/22/16

Approved by Commission: 8/8/16

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### **Documents, Not Referenced Above**

#### **Attached Documents**

1. Agenda, July 11, 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