

Conservation Commission Meeting
Remote Meeting
May 21, 2020

Roll call was taken of members present: Peg Arguimbau, Chair, Keevin Geller, Jon Wasserman, and Stephen Cremer were the members present. Not Present: Alan Westman, Meredith Avery (joined the meeting at 7:45pm). Staff present, John Thomas, Conservation Administrator and Clerk, Linda Callan

Speakers for the evening include:

Cape Club – Paul Conti

Briggs Pond - Leslie Koval, David Dubois and Nina Frank

Schools – Will Schreefer, Chris Blesson

Town Residents - Debbie Tatro and Cheryl Schnitzer

Arguimbau opened the meeting by reading Governor Baker's Executive Order of March 12, 2020. Per guidance from the State, Arguimbau noted that all votes would be taken by roll call. Arguimbau also reviewed ground rules to conduct business remotely.

Meeting started at 7:30pm

7:30 P.M - Hearing Continance: Notice of Intent –

25 Tiot Street, Cape Club, DEP #SE280-0615

Paul Conti representing the client. Conti began by noting concerns of an abutter regarding potential drinking water contamination due to use of herbicides. Conti informed the Commission that there are no surface water intakes located within ¼ mile of any application.

Motion: to close hearing and issue orders as per plan with any changes made during course of the hearing.

Abutter, Laura Nelson. Edgehill Road, questioned the location of private wells. She asked for the location of the boundary of the ponds so as to see how close these ponds were to potential wells. Conti explained that the smaller ponds are not being treated. Nina Frank, Briggs Pond Road, was concerned with chemicals to be used to treat the ponds and also asked why the ponds were being treated. Conti explained that these ponds have not been treated, and invasives have become problematic. Additionally, during the warmer months there have been algae blooms. The Cape Club is looking to have an aquatic pond management plan in place to better monitor the larger ponds on the property. These ponds are used for irrigation and are located within the golf course.

Motion: To close and issue the Order of Conditions

Wasserman, Cremer 4-0-1 (motion passed)

Wasserman – Aye; Cremer – Aye; Arguimbau – Aye; Barbera – Abstain; Geller - Aye

Conti will be in touch with Thomas to pick up the Order of Conditions.

Arguimbau asked members to sign docusign for the Order of Conditions to be issued for the High School project.

7:40 P.M - Briggs Pond – Discussion: Briggs Pond Home Owner's Association, current pond levels and future operations and management to preclude flooding to Bay Road and neighboring properties.

Trustees of the Briggs Pond Board Association are present this evening. Koval, Briggs Pond Road, Trustee of Briggs Pond Association, mentioned that Solitude (company which treats Briggs Pond) was at the pond today. They found the pond in pristine condition, and based on past management, believed that no treatment was needed at this time.

Arguimbau noted that Solitude also treats Lake Massapoag for invasives and weeds. She also mentioned that there is a lake level policy in existence for Lake Massapoag, which provides for management of the Lake, including regulating the lake level. She wondered if Briggs Pond Association could come up with something similar to regulate water levels at Briggs Pond. This would help with ensuring that the water in the pond is not too high nor too low. Koval agrees that a policy might be very helpful and is looking forward to working with the Commission. She mentioned that the water level of Briggs Pond has been an issue for abutters along the pond. A document prepared by Koval was emailed earlier in the day to the Commission office. It is her hope that all parties can work together to come up with a proposal and policy that works for everyone. Thomas said he would forward Koval's comments along to Commission members.

Arguimbau explained the need to be considerate to homeowners along Bay Road and to ensure the water level is such as to not lead to flooding.

Koval mentioned she would like to better understand the cause as to why water is coming up over the grass towards a home of an abutter.

Arguimbau visited the site and mentioned that she did not notice anything along the shore line to cause the rise of water onto a homeowner's property. She said that it is important, for now, that until a policy is in place, that folks work together and that a water level is maintained which does not lead to flooding. Thomas can assist with this if needed. At this time, Koval explained that the water level is fairly low as it was lowered in anticipation of treatment by Solitude. She has put the boards back and hopefully the water level will come back to a more moderate level.

Putting in a water gauge at a suitable location would be helpful in marking and determining the water level, instead of relying on rocks and trees. Another site visit by Thomas is welcomed. Arguimbau, trustees and others are invited to meet to discuss putting in place a workable plan.

Dubois, Trustee of Briggs Pond, spoke about some homeowners along Briggs Pond who prefer the water to remain at a higher level. They swim and boat, and if the water level is too low, they get tangled up in weeds or the water is not deep enough for a kayak to pass through. Again, consideration needs to be given that water level of Briggs Pond is not too high as to cause flooding onto Bay Road. Frank noted that she has never seen water spill onto Bay Road.

Arguimbau believes a site visit of interested parties will be a good starting point. A meeting should be set up with Thomas and all those interested in attending are welcome.

Dubois mentioned that the water level at Briggs Pond during the spring is usually watched more closely, due to the melting of snow and spring rains. It is a small pond and can be regulated easily.

Need to look at the pond as a whole, and how the water level affects all homeowners along the pond. Rising water onto homeowner property can be looked at during the site visit. Arguimbau appreciates the willingness of the Trustees and others to work together on this.

Arguimbau will have Thomas forward the lake policy to Koval so that the Trustees can begin to strategize on how Briggs Pond can fit into a model similar to that of Lake Massapoag.

Arguimbau noted that the next Commission meeting is scheduled for June 4th. She encouraged a site visit prior to that meeting with a July 1st date of having a process in place. Another discussion with the Commission will be scheduled after the site visit.

Geller asked the depth of the pond. Koval noted that a barometric map listed the center at approximately 12 feet. The pond was originally a marshy area which was dammed up approximately 100 years ago by the Ames family.

7:50 P.M. – Hearing Continuance: Notice of Intent –
Sharon High School Fields; DEP #SE280-0617

Arguimbau announced that there would be no deliberating by Commission members this evening. Information would be received and listened to only. A review of Commission member eligibility to participate and vote on the project is being conducted. It is hoped that a vote can be taken at the next Commission meeting.

Debbie Tatro of Sustainable Sharon presented concerns of the proposed project. These concerns include threat to natural resources, the lake, drinking water, long-term potential health effects and financial burden of installing an artificial turf at the proposed location. She is speaking tonight on behalf of Sustainable Sharon, and is focusing on the health effects and the financial burden installing an artificial turf will have on the town, as she does not believe that other town committees have taken their concerns seriously.

Sustainable Sharon is concerned with the toxic chemicals used to maintain artificial turf as well as toxic chemicals used in the manufacture of artificial turf. They do not believe that the consultant has fully answered and addressed their concerns as materials presented by the consultant say there are no toxic chemicals, yet data Sustainable Sharon forwarded to the Commission show otherwise.

Tatro explained that PFAS is considered a forever a chemical, that PFAS is stable and does not break down. She noted that top scientists believe that toxics of PFAS present delay in developmental learning in infants and young children; suppresses the immune system and increases the risk of certain cancers among other things.

Further, Sustainable Sharon is concerned that the consultant hired, David Teter, only performed limited testing on a small panel of PFAS. Of over 4,700 PFAS, only samples of 29 were taken, and these were mostly on older PFAS. Overall, there is much concern with the consultant's report. Among other things, Sustainable Sharon believes that Teter glossed over polyfluorene and the potential harmful effects it may have; are concerned with why total fluorine was not tested for; and is curious as to why Teter did not sample polymeric PFAS and how it breaks down.

Through research, Tatro learned that Sprinturf contains high levels of fluorine. Weston and Sampson (consultant used by the Town), claimed turf fields did not contain PFAS. However,

through the Freedom of Info Act, it was found that Spritnturf backing contains 81 ppm fluorine and plastic blades account for and contain 430 ppm fluorine.

Other concerns include:

- **The Town Lake.** Though the consultant for the project claims water from the artificial turf field will not drain into the lake, the concern is that the drainage ditch does lead towards the lake and there is potential for PFAS to enter the water at the Lake.
- **Town Drinking Water.** Sustainable Sharon believes there is a threat to the Town's drinking water. Wells are located down gradient from the football field and provide 60 percent of the Town's drinking water. Water regulations from Massachusetts DEP will soon regulate PFAS in drinking water at 20 parts per trillion. Why regulated at such a low level? Perhaps due to the suspected toxicity of PFAS?
- **Plastic blades.** At the last meeting a proponent of the turf field claimed that blades do not break off the turf nor do they disperse in the wind. Tatro disagrees with this statement citing a Boston Globe picture showing soil nearby an artificial turf field, with an intact glass blade.
- Fifty-year lifespan of the High School, while only 8-year warranty on the turf field which translates into 6 plastic carpets.
- There is currently only one place which accepts the carpet to recycle, and that is in Denmark. After decades of producing artificial turf, what is the reality that within the next ten years another location will be found to recycle artificial fields? Currently, expired turf fields are piling up as there is nowhere to dispose of these plastic carpets.
- Sustainable Sharon obtained a quote from Sports Turf Specialists of \$200,000 to renovate the base of the existing field at the high school, and to lay down new sod. For an additional \$620,000 ten additional town fields could be renovated. CPA funds could be used.
- Annual maintenance cost comparison. The cost to maintain an organic field is significantly less, over time, than to maintain an artificial turf field. There are hidden costs associated with maintaining an artificial turf including replacement costs.
- In 2015, a statement was signed by over 250 doctors and PhDs on the potential harm from PFAS.

Sustainable Sharon is asking the Commission to reject the proposed installation of an artificial turf field. They believe the presentation by Teter and others to be just talking points for artificial turf and the science they presented is outdated. They are asking the Commission to protect the surrounding wetlands.

Will Schreefer, project consultant, explained he could not comment on statements made by Sustainable Sharon regarding the Teter report. However, he did reiterate what he spoke about at the May 7th Commission meeting, including that there would be no removal of existing vegetation and that the intent is to mimic the natural conditions by placing

approximately 12 inches plus of stone beneath the proposed artificial turf in order to hold water. Regarding concern from Sustainable Sharon and runoff of water into the lake, there will be 3.1 inches of retention of water below the artificial turf field. According to records, over the past ten years there have been only 11 storms which potentially would have had runoff, meaning, one storm a year may flow into the lake. Schreefer also noted the school's athletic program requires a synthetic turf field.

Schreefer explained that he and other consultants have provided as much information as possible to the Commission for their review. As far as anything specific which came up this evening, he may be able to speak about at the next meeting.

The next Commission meeting date is scheduled for June 4. This hearing will be continued then. At the June 4 meeting, Arguimbau hopes there will be more clarity on member participation and deliberation. She mentioned that any additional questions from those watching this hearing should be emailed into the office and that questions from Commission members will be asked at the next meeting.

Thomas mentioned that he had sent an email to the Schreefer asking for a summary, noting that the burden of proof and any potential impact of project, (potential long term effects to lake, etc) should be provided by the applicant. Thomas believes it would be good for the Commission to get an abstract review from the applicant.

Arguimbau again explained that there would be deliberation at next meeting. She also explained that a spreadsheet has been developed recording all correspondence coming into the office.

Motion: to tentatively continue hearing to June 4 at 8pm.

Cremer, Geller 5-0-1 (motion passes)

Wasserman – Aye; Cremer – Aye; Arguimbau – Aye; Barbera – Abstain; Geller – Aye;
Westman – Aye; Avery - Aye

8:00 P.M. – Approval of May 7 meeting minutes
Minor grammatical error.

Motion: to accept meeting minutes as amended

Cremer, Avery 6-0-0 (motion passes)

Wasserman – Aye; Cremer – Aye; Arguimbau – Aye; Barbera – Aye; Keevin – Aye;
Avery - Aye

8:05 P.M. – Incorporate Trail Maintenance into the budget

Thomas informed Commission members that with so many people using trails in town, notification of downed trees has been increasing. He has been working with Kurt Buermann and Friends of Conservation. However, since the Friends are not allowed to use chainsaws or other power tools on Town owned trails, Thomas would like to establish or utilize existing funding to pay DPW to assist in maintaining the trails. Eagle Scouts have been great as well as the Friends, with maintaining trails, but there is only so much they can do. Arguimbau noted that at one point there was a trail fund. Thomas will look further into this and come up with a plan.

Lake: The level of the lake is below 10'5". Boards are in. Thomas has asked Strusky, from the custodial staff at the Community Center, to be his backup.

Other Business: The Commission received a letter from the Planning Board regarding their upcoming scenic road hearing (Maskwonicut Bridge) scheduled for June 18. The MBTA does not believe they need permission from the Commission to work on the bridge. It was suggested that Commission members attend the Planning Board meeting. This is in conflict with Commission's June 18 meeting. Arguimbau feels that as many members as possible attend this meeting, and will reschedule the Commissions meeting date to June 25. Avery informed Commission that she will need to recuse herself from the Planning Board meeting as the MBTA is one of her clients. Arguimbau asked others who will attend as the meeting will need to be posted. Cremer, Geller and Barbera all noted they would attend the Planning Board meeting.

Commission meeting start time. Arguimbau asked if everyone was OK with keeping the 7:30pm start time for future meetings. All were in agreement that 7:30pm is fine.

Motion: to adjourn meeting

Cremer, Barbera 5-0-0 (motion passes)

Wasserman – Aye; Cremer – Aye; Arguimbau – Aye; Barbera – Aye; Geller – Aye; Avery - Aye

Next meeting is scheduled for June 4th at 7:30pm

Meeting adjourned at 8.46pm