

SUDBURY CONSERVATION COMMISSION
Minutes of the Meeting Held Monday Jan.7, 2008

Present: Greg Topham, Chairman; Ted Pickering, Vice-Chairman; Richard Bell; Parker Coddington; John Sklenak; Chris McClure; Debbie Dineen, Coordinator

Discussion with Park & Recreation re: Davis Field

Present: Dennis Mannone, Director; Paul Griffin

The Coordinator explained that this is a preliminary discussion on field expansion potential at the Davis Farm Park & Recreation land. P & R would like to develop the Davis P & R land into a larger complex with a second field, more parking, maybe a concession stand, etc. No wetland alteration is proposed but it will require work in the upland resource area. Bridging a wetland area to create a link to the Davis Farm conservation land trails is a possibility as part of this project. There is also the potential to provide parking for future public access to a rail trail.

Commissioners discussed the increase in active sporting activities in the upland resource area. They noted that the expansion will not introduce a new use to the area. There is already parking, noise, lighting, etc. as a result of the existing uses. It would be better to expand this use in place rather than create a new P & R area on an undisturbed parcel of land.

Potential mitigation for the upland resource alteration would be designation of the entire Mahoney parcel on Old Framingham Rd. and possibly part of the Parkinson/Howe parcel behind Ti Sales (not the fields) as conservation land. The Mahoney parcel is mostly wetland and not suitable for sports fields. Soils will not support any housing development on this parcel.

T. Pickering questioned if designating the Mahoney parcel as conservation land was adequate mitigation because of the limited use potential of the property. The Coordinator explained that what matters for mitigation is the protection of a core ecosystem, regardless of the land's ability to be developed.

P & R would like the ability to widen the access driveway at the Parkinson parcel off Hudson Road. This widening will require wetland fill. The Coordinator noted that the project qualifies as a limited project. No replication is necessary under state law, however the local Wetlands Bylaw requires mitigation. It would make sense to permit both of these projects at the same time as they are similar as to expansion/upgrading of a current use with similar forms of mitigation.

Commissioners were generally in favor of the projects with the proposed mitigation as discussed.

WPA & Bylaw Notice of Intent: 821 Boston Post Rd.; Ciampa

Present: Mr & Mrs Ciampa; Myron Fox; Bruce Ey; Dan Wells

The project involves the construction of two new residential houses, septic systems, grading, drainage, and a common driveway off Boston Post Road.

The Coordinator recommended a continuation of this hearing until the snow cover has melted. A Wildlife Habitat Evaluation has been received the Commissioner should have the opportunity to revisit the site with the Evaluation in hand for a discussion with Dan Wells of Hyla. She informed the Commission that the applicant is not proposing meeting the stream crossing standards as it will require greater alteration than the current culvert plan. The proposed drop culvert as it is not small-critter friendly.

Atty. Fox stated that a Deed restriction on unaltered areas prohibiting no further alteration was required in the expired Order. This deed restriction was not recorded. A DEP Water Quality Certification has been obtained.

The site contains a bordering vegetated wetland flowing into an intermittent stream which then flows to a lower bordering vegetated wetland. There are no wetland-dependent wildlife on property. The drainage design will fix the drainage now flowing onto Rt. 20 by storing and infiltrating runoff from the hillside.

Dan Wells stated that no vernal pools were found during his 2 site visits in April 2004. The areas of standing water contained only some invertebrates. These were not facultative or obligate vernal pool species.

(At this point in the hearing Commissioner Chris McClure left the meeting.)

D. Dineen questioned the cumulative impact of the development. The Hyla study identified three separate impact areas to jurisdictional resources on the property. There was no comprehensive study of the overall impact to the areas as a whole and the areas as they interact with each other and the large undisturbed upland to the south.

J. Sklenak questioned the footprint of disturbance that the culvert and retaining wall will create as well as the limits to wildlife that these structures might impose. He expressed concern that the intermittent stream crossing could set a precedent for neighboring property development. He recommended a continuation of the hearing as the unknowns are large enough that a decision cannot be reached tonight.

R. Bell stated he has no major concerns with the project as proposed.

P. Coddington expressed concern for the potential offsite vernal pool and the impacts the drainage redesign might have on the viability of this pool.

D. Dineen suggested that a design that maintains the most undisturbed upland is preferred. Therefore, a septic design that reduces the amount of clearing is better than creating meadow areas as recommended by Natural Heritage. Due to the proximity to Rt. 20, designs should not encourage wildlife movement toward Rt. 20

T. Pickering noted that the filing should be reviewed on its own merits and not in the context of other filings. He has no major concerns and believes the applicant has done a lot to mitigate already.

G. Topham stated that the outstanding issues need to be addressed. He did not feel a need to have an outside consultant review Hyla's report, however the site may need to be seen in the field in another season without snow cover. He agreed that more wildlife information on overall impacts must be presented. The Coordinator agreed to send the minutes of the meeting to Hyla upon completion.

All parties agreed to continue the hearing to Jan 28 contingent upon snow cover melting and the ability to conduct a site walk, as well as receipt of additional information from Hyla.

(At this point Parker left the meeting.)

WPA & Bylaw Notice of Intent: 32 Maynard Rd.

Present: Michael Harrington; Glenn Krevowski

Mr. Krevowski presented a plan for the demolition and reconstruction of the house at 32 Maynard Rd. The existing septic system is now 13' off the wetland. The new system will be 96' from the wetland. The current septic consists of a cesspool. This will be replaced with a Title V system. No lawn enlargement will occur.

The Coordinator recommended approval of the plan as proposed. The plan is an overall improvement in the level of effluent water quality and there will be no expansion off of areas already in residential use.

T. Pickering moved to close the hearing. R. Bell 2nd; unanimous in favor

T. Pickering moved to issue the OOC as discussed. J. Sklenak 2nd; unanimous in favor

WPA & Bylaw Notice of Intent: 267 Landham Rd., Safar

Present: Gaston & Patricia Safar ; Matthew Long

Mr. Long presented a plan for the restoration of bordering vegetated wetland and upland resource areas filled with gravel to create a horse paddock. The NOI is the result of a Notice of Violation issued to the Safars several months ago. He explained that trenches were dug in the material to determine the depth and extent of square feet of wetland and upland resource area altered to establish historic wetland line. The Safars are new owners from Boston and had no idea that the fill in the wetland was illegal.

The plan shows removal of all fill in the wetland and the relocation of a former barn and paddock on the site. The final grading will be a 3:1 slope. The bordering vegetated wetland will be allowed to revegetate naturally with the on-going removal of any invasive plants. Supplemental plantings will be installed if needed.

The Coordinator recommended a reduction in the paddock area and a minor relocation of the barn slightly further from the wetland. An area for the manure pile should be designated. It should be placed on an impervious slab and contained on at least 3 sides. She agreed that no-up front replanting in wetland should be done, but the site should be watched to see what grows in. The removal of invasive plants should be required in the OOC. In addition, she recommended the Commission reserve the right in the OOC to require planting of the filled and excavated area as well as the area between the fill and the paddock if necessary after 1 or 2 growing seasons.

T. Pickering moved to close the hearing. R. Bell 2nd; unanimous in favor

T. Pickering moved to issue the OOC as recommended and discussed. J. Sklenak 2nd; unanimous in favor

Request for Amendment to OOC: SVT Memorial Forest; Eagle Scout project

Present: John Francis

Eagle Scout candidate John Francis explained that he would like approval for a change in design of the Hop Bridge bridge stabilization. SVT wants to add 2 18' ramps to the bridge end and raise the bridge out of the stream. The floating bridge was not preferred by SVT. They wanted to see extension wings.

The Coordinator expressed concern that raising the banks will contribute to the erosion already occurring on the east side of the bridge. She recommended the bank be restored with biologs before the bridge is raised and the wings added.

Commissioners agreed that the plan could be revised as an amendment to the approved Order of Conditions. No new public hearing is required.

T. Pickering moved to amend the OOC to replace old plan with new one as presented tonight. Commissioners agreed unanimously in favor of the motion

Miscellaneous:

1. Amend River Speed Limit Bylaw

The Coordinator suggested two minor wording revisions to the Sudbury River Speed Limit warrant Article for clarification. The changes included the ability to enter into an agreement with the federal government for the patrolling of the River; and

2. 17 Lincoln Ln., review final plans & revisions

Commissioners reviewed a plan showing driveway stabilization at 17 Lincoln Lane. The side slopes will have boulders placed along the edge to contain the fill used in raising the driveway. No widening of the driveway is permitted. Trees marked on site and reviewed by J. Sklenak and D. Dineen may be removed for emergency vehicle access.

3. 29 Hudson Rd. Somerset Sudbury LLC response to DEP on appeal

R. Bell, P. Coddington, J. Sklenak, and D. Dineen attended the Jan. 3 DEP site visit on the appeal. The Commission does not believe the applicant has met the requirement of “to the maximum extent feasible” with the development plans. No expansion of the in-ground sprinklers system, the use of native, drought-tolerant plant species, and the use of rain water recovery as an alternative irrigation source are all additional design changes which the applicant can incorporate in the plans to address preservation of water quantity and quality. The Coordinator will draft a letter to DEP explaining these issues.

4. Kanakaris, 233 Lincoln Rd.

The Coordinator informed the Commission that the OOC has expired and work has not begun. The applicant does not wish to proceed with a new filing at this time. The Commission voted unanimously in favor of issuing a COC stating that no work had begun under the Order.

The meeting adjourned at approximately 9:20pm.