

***SUDBURY CONSERVATION COMMISSION***  
**Minutes of the Meeting Held Monday, Oct. 7, 2013**

Present: Greg Topham, Chairman; Beth Armstrong, Vice-Chairman; Sharon Rizzo; Rob Elkind; Tom Friedlander; Debbie Dineen, Coordinator

**WPA & Bylaw Request for Determination: 54 Intervale Rd.; Joseph Sziabowski**

Present; Joseph Sziabowski

Mr. Sziabowski presented a plan for decommissioning of the two septic leach pits in upland resource area. The septic system is being moved outside of wetland jurisdictional areas. Clean sand will be poured into the leach pits once they are pumped. He also plans to do some alterations and a minor addition to the house, all outside the upland resource area, however equipment access and activity associated with the addition will likely encroach into this jurisdictional area. Erosion control will be installed just on the wetland side of the old leach pits to contain the amount of activity within the upland resource area. There will be no expansion of lawn.

On a motion by R. Elkind; 2<sup>nd</sup> S. Rizzo; the Commission voted unanimously in favor of a negative Determination.

**Certificate of Compliance: 15 Kendra Lane; Walsh**

The Coordinator informed the Commission that an as-built plan of the lot showing the pool, fencing, and planting restoration area was received. She visited the site to confirm the work shown on the plan. All work was done in accordance with the Order.

On a motion by G. Topham; 2<sup>nd</sup> B. Armstrong; the Commission voted unanimously in favor of issuing the COC.

**WPA & Bylaw Notice of Intent: 67 Brewster Rd.; Stan Hargus, DNH Homes**

Continuation - Violation: Alteration of stream due to inadequate site stabilization  
Request for continuation received 10/3/13. Hearing continued to Oct. 21, 2013

**WPA & Bylaw Notice of Intent (cont.): 27 Revolutionary Rd.; L. Sievers**

Present: Mr. & Mrs. Sievers; Dan Wells, Goddard Consulting; several abutters

Mr. Wells presented a revised plan showing the amended mean annual high water that resulted from a site visit with Scott Goddard, Commissioners Tom Friedlander and Beth Armstrong; and Coordinator Debbie Dineen. They observed a poorly defined perennial stream channel. The project consists of the construction of 16' x 40' barn in outer riverfront area. A temporary truck access road must be constructed to the new barn/workshop. The areas will be restored following completion of construction. A shed must also be temporarily relocated. There is a total of approximately 4,900 sq. ft. of disturbance in the outer riparian area. A grass path will be installed to the new barn. Invasive buckthorn and bittersweet will be removed for mitigation. There are no plans to remove the existing sheds.

D. Dineen noted that an alternatives analysis, soils data for the proposed areas of infiltration, drainage calculations for these areas were not included in the Notice of Intent or any other supplemental information. This is a requirement of work in RFA.

G. Topham noted that we would the exact amount of disturbed RFA. The NOI has approximately 4900 sq. ft. listed. With 5,000 sq. ft. as the maximum, a more accurate measurement is needed.

Abutter Mike LaRow agreed that an alternatives analysis is important because it appears that there a other areas on the property to site the structure that will have less impact on the wetland and less overall disturbance.

With the consent of all parties, the hearing was continued to Oct. 21, 2013.

**WPA & Bylaw Notice of Resource Area Delineation (cont.): 338 North Road, Cavooto**

Present: Chuck Caron, wetland specialist

Commissioner Robert Elkind recused himself from the discussion as he is an abutter to this project.

A site visit was held earlier in the day and attended by Mr. Caron, Beth Armstrong, Tom Friedlander, and Debbie Dineen. The wetland flags were observed and soils were checked.

Mr. Caron had submitted a revised plan dated Sept. 30, 2013 showing the off-site intermittent stream documentation of it dry for 5 consecutive days. The stream was dry at the time of the site visit. The stream channel was evident within the bordering vegetated wetland. The site is approximately 7.5 acres and there are no wetland resources on the property. An upland resource area associated with the off-site wetlands is located at the rear of the property.

On a motion by B. Armstrong; 2<sup>nd</sup> T. Friedlander; the Commission voted unanimously in favor of accepting the wetland delineation as shown on the Sept. 30, 2013 plan.

**WPA & Bylaw Notice of Resource Area Delineation: Arboretum Way & Cutting Ln.**

Beth Cosgrove, Redspire, Inc.

Request for continuation received 10/7/13. Hearing continued to Oct. 21, 2013.

**0 Washington Drive**

The Coordinator informed the Commissioners that the owners of 0 Washington Drive have asked the Town Manager to intervene in the Commission's Orders of Conditions and to assist with a compromise on the conditions in the Orders. Town Counsel is setting up a meeting of staff (J. Kablack, D. Dineen, P. Kenny, B. Place) to discuss the current status of the situation.

B. Armstrong stated that the hearings have been closed and the Commission has made their decision and issued the orders. The appeal periods have lapsed and no appeals were filed. All Commissioners agreed that that the permitting process is complete and the Commission is very comfortable with the conditions. They believe that they have already compromised on several major issues on the site, i.e. house size, location, grading, and mitigation. They directed the coordinator to bring this message to the staff meeting.

**Appointment to Community Preservation Act Committee**

Tom Friedlander volunteered to be the Commission's representative to the CPC to replace Dick Bell. Beth Armstrong also volunteered but was willing to be "back-up" if Tom could not make the meetings.

The meeting adjourned at approximately 8:15pm.