



## **SUDBURY CONSERVATION COMMISSION**

### **DRAFT Meeting Minutes**

**Monday, December 1, 2014**

6:30 pm DPW Facility 275 Old Lancaster Rd., Sudbury MA

Present: Tom Friedlander, Beth Armstrong, Bruce Porter, Robert Elkind, Mark Sevier, Charlie Russo (at 6:55 pm), Debbie Howell (staff)

#### **Minutes Nov. 17, 2014**

Porter moved to accept, Armstrong seconded, unanimously approved.

#### **WPA & Bylaw Determination of Applicability: 47 Fairbank Road**

Negative Determination voted Nov 17, 2014, Commission signed.

#### **WPA & Bylaw Determination of Applicability: 188 Willis Road**

Negative Determination voted Nov 17, 2014, Commission signed.

#### **Discussion: Agenda Item Timing**

Agreed to leave approach as is – will continue to give specific times to applicants.

#### **Discussion: Conservation Land Walks Reports**

Porter visited Hop Brook Marsh, and notes that the area lacks designated parking and clear entrance. Bridge looked safe, but deserved more 'professional' look. Elkind visited Davis Field. Friedlander visited King Philip and Piper. Friedlander stated his goal is to put together a program (see Land Stewardship Matrix Update) and get CP funding for maintaining Conservation Land. Porter suggested placing marks of key glacial features and kiosks. Friedlander is working on redoing maps on line, using QGIS. ArcGIS is used by Town, but challenging to download materials from State.

#### **WPA & Bylaw Request for Determination of Applicability: 68 Surrey Lane**

Property owner Angela and Andrew Crocker was present. Applicant proposes to convert landscaped backyard to deck, stone patio, and hot tub. Also concrete (4 feet by 2 feet) within grassed area to be removed during deck construction. Three sonotubes to be installed. Bobcat to be used to grade and remove cement. Erosion control will include haybales and/or silt fence.

There are several trees that are dead and/or damaged. Porter will go look at trees to confirm arborist report. Commission generally prefers to trim trees, but may allow taking dead and/or damaged trees down. Many trees present on property.

Armstrong made a motion for a Negative Determination of deck, patio, and hot tub construction with second by Elkind. Passed unanimously with Russo abstaining (since he was not present during much of

the discussion). This Determination does not cover tree removal. The applicant requested that tree removal be considered under a separate filing as to not delay construction.

**Continued - WPA & Bylaw Notice of Intent: Dunkin Donuts 378 Boston Post Road**

Representative for applicant not present. There are three open OOC before new NOI will be considered.  
*Continued to December 15 at 7 pm.*

**WPA & Bylaw Certificate of Compliance: 941 Concord Road**

Applicant not present. The Commission acknowledges that the plantings as reported by staff meet the OOC, and will issue the COC pending recording of the CR.

**Continued - WPA & Bylaw Notice of Intent: 8 Brook Lane - Correction of Violations**

Property owner Mike Pistorino was present. There was some confusion over the status of the NOI. It was determined that the NOI had not been submitted to DEP. This must be done, and a DEP File # obtained. The applicant will amend his NOI to address all issues that have been discussed previously, and resubmit that NOI to the Commission (with no additional fees) and DEP.

The applicant explained that there is a steep dropoff, and so he had added loam to create a gradual slope within 100 feet of resource area and flood plain. To address the violation, the applicant proposed to remove the fill and restore the filled area to grass. The Commission suggested the NOI resubmittal include mitigation such as native plantings and invasives removal (not only restoration) as there are violations. A wetlands specialist, Siona O'Flynn, can address this and may contact staff with a proposed detailed plan. Erosion control must be considered.

*Continued to January 12 at 7:15 pm, with amended NOI to be submitted two weeks prior.*

**Review Status of Violation: 443 Peakham Road**

Property owner Christina Marimon was present, and reported that she has hired Scott Goddard of Goddard Consulting to assist with preparing a NOI. No submittals have been received to date. Ms. Marimon agreed that the goal is to submit the NOI for the January 12 agenda. The Commission discussed considering good faith beginning as of today when a consultant was hired.

**Continued - Notice of Intent: 79 Jarman Road**

Property owner Robert Brais was present. Howell read into the record a December 1, 2014 memo prepared by Jim Kupfer, Assistant Planner. Concurrently with preparation of this memo, the DEP informed the applicant (in a letter dated November 25, 2014 but received December 1, 2014) that the proposed project does not meet performance standards for Bordering Land Subject to Flooding. This documentation was presented. The applicant and his consultant are working to understand the DEP concern. They believe that the issue is only a miscommunication and not of substance.

Given this recent information, the Planning Department recommended that the OOC be issued with the condition that the recent issue raised by DEP must be met prior to beginning any work. However, the Commission requested that the applicant submit documentation that all DEP concerns are met prior to issuing the OOC. Additionally, affirmation needed for abutter notification.

*Continued to December 15 at 7:30 pm.*

**Additional Discussion:**

The Commission met Dave Henkels, the new Conservation Commission appointee.

Russo provided a very brief description of the Land Stewardship Matrix Update.

**Next Conservation Commission Meetings:**

December 15; January 12, 26; February 9, 23; March 9, 23; April 6, 20; May 4, 18; June 1, 15