



SUDBURY CONSERVATION COMMISSION

Meeting Minutes

Monday, January 12, 2015

6:40 pm DPW Facility 275 Old Lancaster Rd., Sudbury MA

Present: Tom Friedlander (Chair), Beth Armstrong, Bruce Porter, Dave Henkels, Robert Elkind, Charlie Russo, Mark Sevier, Debbie Howell (staff)

Minutes December 15, 2014

Unanimously accepted, Mark Sevier abstained.

Signatures for:

35 Robert Frost Road, Negative Determination

378 Boston Post Road, OOC

19 Washbrook Circle, OOC

Annual Report

WPA & Bylaw Request for Determination of Applicability: 29 Elsbeth Road

Applicant requested a continuation to January 26.

WPA & Bylaw Request for Determination of Applicability: Cutting Lane

DPW/Bill Place proposed to construct a detention basin and sediment forebay for the purpose of stormwater control. Detention basin is designed to be as large as possible within Cutting Lane easement (two-year storm). This will require removal of approximately 1200 square feet of fill material within the 100-foot wetlands buffer zone. The loam will be deposited at Lot 8 Cutting Lane. Conservation mix will be added to control invasives. Applicant suggested including a condition in the Determination that the proposed CR continue to the drainage easement line.

Motion for Negative Determination, unanimously passed.

WPA & Bylaw Notice of Intent: Lots 4&5 Fairbank Road

Jessie Johnson of David Ross Associates, presented. Green abutter notification cards received.

Prior to the Riverfront Act, this property was considered two buildable tax lots. Representative met with Debbie Dineen to determine the least impactful approach to site development would be to construct

one home, rather than two. Filing was done for septic system testing, and a Negative Determination issued.

The applicant stated that not all DEP regulations apply because of the timing of when the lot was divided and since taxes have been paid as two buildable lots, as concurred by Debbie Dineen. However, the Sudbury Town bylaw does apply. The Commission will review this further.

The proposed project alters 10.8% of the Riverfront area, and under DEP regulations only 10% is allowed. The applicant explained that if the lots were created after the Riverfront Act, a limited project with one stream crossing would be filed. The current proposal avoids the stream crossing.

An NRAD was filed in 2007, and with a permit extension was valid until November 1, 2014. These are the delineations shown in the submittal. Epsilon Associates has updated the wetlands flags recently, and there are only minor changes that do not affect the proposal. If needed, the applicant can update the delineation on the map, but is hesitant to spend the money until receiving input on the project from the Commission.

Almost the entire site is located within the 200-foot Riverfront area. The proposed house and septic system are mostly outside the 100-foot Riverfront area and 100-foot buffer zone. The 10-foot wide driveway is within the 100-foot Riverfront area and 50-foot buffer zone. The proposed erosion control barrier is the proposed limit of disturbance/work/lawn. Permanent markers such as boulders are needed.

Proposed mitigation includes a rain garden and dry well. Mitigation for impervious surface by stormwater control for this property, as well as the adjacent property at 96 Fairbank Road, is proposed. However, there was discussion on the hydrology and whether the proposed stormwater control is adequate to protect Run Brook. Applicant suggested that additional mitigation could include a catch basin on Fairbank Road with an added hood, forebay, and check dams, as well any repairs needed. Additional mitigation includes removal of invasives and restoration of the former meadow area. The Commission voiced that since the amount of disturbance seems so great, significant mitigation would be required. The Commission requested additional information to demonstrate how the resource area values will be protected with this proposal.

Greg Comeau, 96 Fairbank Road, abutter, has concerns about wildlife such as turtle, fox, and deer. He was required to remove lawn and add native plantings, and questioned why if he can't have lawn, how could you put in a house? He stated his concerns regarding water flooding the area in the past.

James Medvedeff, 5 Camperdown Lane, abutter, also had concerns about wildlife such as snakes, lizards, and a blue frog.

The Town is considering contracting for peer review, and will investigate this option.

Applicant agreed to continue the hearing to February 9 at 6:45 pm. This time may be modified once the agenda is set.

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

Mike Pistorino, homeowner, present. No amended NOI was submitted, however the applicant wanted to stay in contact with Commission. The homeowner provided some background, explaining that the violations were within 100 feet of the wetlands resource area as well as within the 100-year flood plain.

The applicant stated that he has been unable to contact his prior wetlands specialist, and therefore has signed an agreement with a new consultant, John Dick, Hancock Survey Associates, Danvers. He believes this new consultant can provide more complete services, including surveying capabilities. He will submit a new, comprehensive 'amended' NOI that will include a replanting plan and mitigation measures to address the violations.

Applicant requested to continue to February 9 at 6:45 pm. This time may be modified once the agenda is set.

WPA & Bylaw Notice of Intent: 54 Moore Road

Dave Burke, representative, wetlands scientist and biologist, presented. Megan Chambers and Bruce Nifong, homeowners, present. Documentation of abutter notification (green cards) submitted.

The property is currently an antique farm house with attached barn. Resource areas include a perennial stream, a pond, and associated BVW. Approximately half of the property is held in a CR. Proposed work is in the 100-foot Riverfront Area and 100-foot wetlands buffer zone. This includes an area of 184 square feet within an existing brick patio (to be used as an extension of a mud room), and an area of 450 square feet on existing lawn which may have been paved at one time (to be an enclosed, screened porch).

Calculations of riverfront area degradation have been submitted, and meet allowable values (up to 10% of total riverfront area). Roof runoff from additional impervious surfaces will be collected by gutters through downspouts and underground piping that discharges to two underground infiltration systems, as discussed in the Storm Drainage Report. Erosion and sediment control during construction have been addressed in the Storm Drainage Report. Bill Place reviewed this report, and had a few minor corrections, but approved it.

Homeowner noted that they did apply for renewal of fishery license, and are interested in a beehive in the future.

Motion to close hearing. Motion to issue OOC as outline in the NOI, unanimously passed.

WPA & Bylaw Notice of Intent: 79 Jarman Road

Bill Brais, homeowner, present. Green abutter notification cards submitted. Per Jim Kupfer, Bill Place reviewed the final plan and DEP's outstanding questions and concluded that the applicant has satisfied all outstanding issues.

Motion to close hearing. Motion to issue an OOC for work outlined in the NOI. Both unanimously passed.

WPA & Bylaw Notice of Intent: 49 Briant Drive

Applicant along with the property owner requested a continuation to February 9, 2015.

Discussion – Order of Conditions: Lot 7 Kato Drive

Applicant requested a continuation to January 26.

Discussion: Conservation Lands

Dave Henkels agreed to refill the kiosks with trail maps.

Motion that organized walks via LS will not include dogs passed unanimously, with Charlie Russo abstaining.

Next meeting January 26 at 6:45 pm.

Meeting adjourned 8:20 pm.