



SUDBURY CONSERVATION COMMISSION

Monday, February 23, 2015

6:45 pm, DPW Facility, 275 Old Lancaster Rd., Sudbury MA

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

Minutes - January 12, 2015 – Unanimously passed

Minutes - January 26, 2015 – Unanimously passed

WPA & Bylaw Notice of Intent: 189 Landham Road

James Tetreault of Thompson-Liston Associates presented. Consultant submitted abutter green cards.

Construction of a new single family house, after demolishing the existing house and removing accessory structures as well as both existing driveways, is proposed. This filing is only for the most southerly lot of the two frontage lots separated out from the remainder of the Johnson Farm property per Town Meeting. The northerly lot is not within Conservation Commission jurisdiction, and therefore will not require a filing.

Beyond the rear property line of this lot are BVW associated with an unnamed perennial stream. These wetlands and this stream were part of a previous filing and the boundaries confirmed. No alteration of BVW is proposed as part of construction of the house. Some regrading of lawn and removal of sheds, well, and garage structures are proposed within the 100-foot buffer zone and riverfront areas. There is a total of 2,328 square feet of impervious surface within the inner and outer riparian zones. The new house will be within the outer riparian zone only and will have 1,919 square feet of impervious surface. This meets the redevelopment 'degraded credit' allowance.

The house runoff will be directed to an infiltration area. The originally proposed infiltration area was relocated outside of the outer riparian zone, per our request prior to the meeting.

A split rail fence is proposed along the limit of the inner riparian zone to delineate limit of disturbance. The intention is to allow the wooded border to 'go natural' up to the fence line. At our request prior to the meeting, a planting plan for the area between the fence and woody area is offered as mitigation. This will minimize invasives. See EcoTec January 5, 2015 protocol. There was a brief discussion about reducing the lawn area and expanding the native plantings area, however no changes were made.

Colleen Labib; abutter at Stagecoach Drive, asked a question about the northerly lot.

Jody Kablack, Planning Department, explained that the closing for the sale of the Johnson Farm property to the Town is this Thursday, February 26, and she requested that the Commission complete the discussion and obtain all information necessary and not to continue the hearing since the sale is contingent upon having an Order of Conditions.

Motion to close the hearing – Unanimously passed.

Motion to issue an Order of Conditions for the project as proposed – Unanimously passed.

WPA & Bylaw Request for Determination: 79 Firecut Lane

Jim Sullivan, homeowner, presented. The applicant proposes to remove nine white ornamental pine trees. These trees are reportedly in poor condition, large portions have fallen already, and they are a hazard to the house and occupants. Significant tree branches have fallen over the past four years hitting the house roof. A certified arborist noted that the crotches of the trees along with girdling roots and decaying heartwood make them prone to falling, and he recommends removal. This report was read to the Commission.

A stream is located off the back of the property, approximately 175-193 feet from the frontage property boundary. The entire site is within the riverfront area. Two trees are within 100 feet of the stream, and the other seven are within 200 feet of the stream. Additionally, there is a 9-foot tall stump to be removed. There are many other healthy trees on site. Removal of these trees will not alter the tree canopy in a significant way.

The proposal requests permission to remove invasives, and implement a native species planting plan. Plants listed as potential options include: two highland blueberry bushes and two blackberry bushes, as well as five hardwood or fruit tree saplings. These may include alder, sugar maple, quaking aspen, and/or apple.

Motion to issue a Negative Determination with condition of submittal a Planting Plan for approval prior to implementation. Unanimously passed.

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

David Noyes, owner and applicant, presented. The proposed work includes renovation/expansion of existing single family house over already disturbed areas. Proposed addition in rear of house is 800 square feet, proposed garage is 600 square feet, and proposed driveway is 1000 square feet (assuming existing driveway remains). Total added impervious surface is 2400 square feet. If old driveway is removed and replanted, total impervious surface is 1500 square feet.

This application was previously reviewed at a meeting on September 22, 2014. There was some discussion about the jurisdictional areas and wetlands line. However, it was agreed that the only issue remaining after the initial meeting was runoff control, and the applicant had therefore been asked for infiltration calculations. To address this issue and as mitigation, three rain gardens are proposed as

described in a February 18, 2015 memo from MetroWest Engineering. These rain gardens are designed to handle a 100-year 24-hour storm event.

Motion to issue a Negative Determination as proposed with condition to require rain gardens or similar mechanism to address infiltration. Any changes must be confirmed through staff. All in favor with the exception of Russo and Porter abstaining.

WPA & Bylaw Certificate of Compliance: Machine Methods

Tom Dipersio, site engineer, of Thomas Land Surveyors and Dave Duane, applicant, of Methods Machine Tools present to discuss the potential to file for an amendment to a condition in the original Order of Conditions. At this time, this proposed change is only for discussion purposes. If the Commission is in general agreement with the proposal, the applicant will file an Amended NOI.

The applicant requests that the previously agreed upon rain garden be eliminated from the project, and an additional grassed filter strip be constructed at the rear of the property. The reason given for not being able to install the rain garden is more pavement (1500 rather than 900 square feet) was removed as part of the new septic system installation. With less parking area, there is a traffic hazard concern as well as concern that truck traffic may damage the rain garden. The rain garden location is on the opposite side of the site than the proposed grassed filter strip. There is little space for other options.

The filter strip on the southern property line is need of some repair, and the applicant agreed that the filter fabric needs to be 'dressed up'. The original filing included activities to retrofit an existing site with added stormwater control, not to address a specific issue. Jody Kablack, Town Planner, stated that no other conditions are incomplete. There is no condition in the OOC requiring additional plantings.

Applicant would like to do all remaining work at once, including the work associated with a future amendment. The O&M Plan has been submitted as required in the Order, but not has not been implemented yet since it is a new installation.

General consensus is that the proposed approach is okay. Applicant will formally file for an amendment.

Discussion: Dunkin Donuts, 378 Boston Post Road

Chris Sparages, of Williams & Sparages, presented. The consultant, having reviewed a draft Order of Conditions, had two comments.

A clarification was provided that under I. Special Conditions, Conditions in Perpetuity: h.3., no new monitoring well testing was requested; this condition required only that the results of testing be submitted to the Commission.

Secondly, the area located on the west side of the property to the left of the driveway (between the top of bank and parking/access road) currently has woody brush, and is not maintained. Order 301-490 required "the area planted with a wildflower/conservation seed mix". The consultant stated that the

condition of maintaining this area as an open meadow in perpetuity was not included in the original orders, and therefore would like to let this area remain as is. This area has not been maintained and therefore has naturally vegetated for over 20 years, and currently contains dense, woody shrub and tree growth along with some invasive plants. Rather than require removal of this natural vegetated growth as a condition of this Order, the Commission agreed to allow this area to remain as is.

The applicant will submit a new Notice of Intent for future work, including construction of five additional parking spots. Future mitigation may include maintaining open meadow or invasives removal.

The consultant agreed to grant an extension, and the Commission will re-issue the Order.

Discussion - Order of Conditions: Lot 7 Kato Drive

A Conservation Restriction was required as part of the Order. The CR has undergone review by Debbie Dineen, Jody Kablack, and legal counsel, and is ready for signature. The Town is waiting on comments from the state.

Motion to accept the CR from Defense Housing Trust to Town of Sudbury – Unanimously passed. The Commission signed the CR.

Jody outlined the other conditions required prior to any site alteration. The Commission agreed that the applicant has complied with all conditions and can begin work on site after the CR is recorded.

WPA & Bylaw Certificate of Compliance: 941 Concord Road

Jody Kablack, Planning Department, presented. A Conservation Restriction was required as part an Order of Conditions. Town legal counsel has reviewed the draft CR. The Commission signed the CR. Following acceptance of the CR by the Selectman and then the State, the applicant will request a COC.

Motion to accept – Unanimously passed.

Untimed Discussion:

Town Warrant articles – Conservation Revolving Fund – Jody Kablack had previously signed and submitted on behalf of the Commission because of storm delays. The Commission officially signed the warrant articles.

MACC February 28, 2015 – Friedlander, Henkels, and Russo will attend.

Sudbury Bylaw Amendment requiring as-built plans for building foundations – The Commission agreed to consider putting this requirement as a condition in an Order rather than as part of our Bylaw. Linda Hanson, Maynard Conservation Agent, will share the wording that Maynard uses.

Reminder: Next meeting March 2 at 6:45 pm.