



SUDBURY CONSERVATION COMMISSION

MINUTES

Monday, March 23, 2015

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

Present: Tom Friedlander (chair), Beth Armstrong (vice chair), Mark Sevier, Robert Elkind, Linda Hansen - agent

Minutes – March 2, 2015 – A motion was made, seconded, and approved by all present (4-0) to approve the minutes as written.

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

A motion was made, seconded, and approved by all present (4-0) to continue the hearing until April 6 at 6:45. Note: this time may be adjusted based on schedule.

Open Space and Recreation Plan

The Planning Department requested assistance from the Conservation Commission to help with the update of the Open Space and Recreation Plan in a possible advisory role. The current plan expires in Fall 2015. The state has a prescribed format for the plan. Updates will include new statistics based on 2010 census data and updated community goals. The Planning Department felt the best approach is to create a detailed outline for distribution in April and prepare a citizen's survey for distribution at May Town Meeting. The community goals would be discussed in June based on the results of the survey. By October, the Planning Department would have draft sections of the Open Space to review. A draft would be provided to town residents after the departmental review process. Mr. Kupfer asked the Commission to provide comments to the first draft during the departmental review process.

Request for Certificate of Compliance Request: 0 Washington Drive

A site walk was done with the home owners on March 19 with Jody Kablack (Planning Dept.), Tom Friedlander, Bruce Porter, and Linda Hansen. The Agent provided the Commission with copies of the three OOCs previously issued and a summary memo prepared by Jody Kablack. Jody Kablack went through the memo that outlined all the outstanding conditions for the OOCs that were issued for this property. The opinion of the Commission is that the conservation restriction (CR) under OOC 301-623 has not been approved by EOEA or the Commission. A draft CR was submitted to the Commission but needs to be approved by the Commission before submission to EOEA.

The Commission and the applicant debated whether the expired OOCs are still enforceable. The OOC 301-623 includes conditions that are in perpetuity which have not been fulfilled, including recording the CR, delineating the limits of the CR, submission of a deed restriction, installation of the driveway swale, and maintenance of the spillway at the elevation set by the Town Engineer. Robert Elkind made a

motion, Beth Armstrong seconded, and approved by all present (4-0) to deny the COC request for 301-623 by the property owner.

The Commission reviewed the outstanding conditions for 301-1093, including a CR, native plantings, and roof drainage. Mr. Hollyer had previously submitted an invoice for 47 blueberry plants, although only 36 were required by the permit and he felt the plantings requirement was met. Robert Elkind made a motion, Beth Armstrong seconded, and approved by all present (4-0) to deny the COC request for 301-1093. A CR is still pending, however, most of the other conditions were substantially complied with.

Mr. Hollyer requested that the OOC for 301-1117 be withdrawn. Since the OOC was previously issued, the process for withdrawing an OOC is to request a COC (WPA form 8A) stating that no work was done under that permit. A question arose regarding whether the drainage swale along the driveway was constructed as designed. The snow cover prevented members from viewing the swale during the site visit. Another outstanding conditions is the elevation of the pond. The Commission feels that the spillway needs to be maintained as conditioned in the permit (152.4 ft). Tom Friedlander asked Mr. Hollyer if he would agree to allow the town to lower the pond level. Mr. Hollyer did not respond. Beaver activity along the spillway has increased the water level. DPW has agreed to remove the beaver dam and if the homeowners agree to an access easement, DPW would be responsible for breaching the beaver dam. The Hollyer's would like clarification on the level that the pond needs to be maintained at (currently at 155 ft). Beth Armstrong made a motion, Mark Sevier seconded, and approved by all present (4-0) to deny the COC request for 301-1117. Mr. Hollyer made a request for a specific list of outstanding conditions. Jody Kablack agreed to prepare the list and work with the Hollyer's to finalize the CR.

Amendment to Order of Conditions: Machine Methods, 65 Union Avenue, 301-1104

Tom DiPersio, and Dave Duane.

Stormwater improvements were made at the site and retrofitted in an older building. A forebay was added to the drainage basin. Some general cleanup at the property was done. A rain garden was originally proposed at 65 Union Street, however the location was not practicable. The Amendment to the current OOC is to replace the rain garden and instead install a grass/pea stone filter strip at the end of the parking lot at 71 Union Street to capture runoff before discharging into the wetlands. The filter strip would need to be a minimum of 6 to 8 inches depth. These modification result in a decrease in impervious surface. Rob Elkind made a motion, Beth Armstrong seconded and approved by all present (4-0) to amend the OOC and the Stormwater permit.

Continued WPA & Bylaw Notice of Intent: Bruce Freeman Rail Trail, 301-1153

A comment from Carole Wolfe was entered into the public record. Review comments from Natural Heritage were not yet received. An abutter asked how many staff would be in the field to assist with the clearing/trimming. The Planning Department thought only one or two DPW staff would be needed. Rob Elkind made a motion, Beth Armstrong seconded, and approved by all present (4-0) to continue the hearing until April 6 at 6:45. Note: this time may be adjusted based on schedule.

Continued WPA & Bylaw Notice of Intent: 8 Brook Lane

Mike Pistorino, homeowner, John Dick and Lauren Wickwire from Hancock Associates were present for the hearing. A revised NOI was submitted to the Commission. Abutter notifications were provided. The proposal is to remove 125 cubic yards of fill that was added to the rear lawn without a permit. Beth Armstrong made a motion, Rob Elkind seconded, and approved by all present (4-0) to issue an OOC with standard special conditions. Notification is required prior to starting the work.

Continued WPA & Bylaw Notice of Intent: 24 Run Brook Circle, 301-1157

A revised plan dated March 5, 2015 was submitted to the Commission. Renee McDonough presented the plan and it includes the removal of the chain link fence. Natural Heritage has not provided review comments for this project. Mark Sevier made a motion, Rob Elkind seconded, and approved by all present (4-0) to continue the hearing until April 6 at 6:45. Note: this time may be adjusted based on schedule.

WPA & Bylaw Notice of Intent: 71 Ford Road

Mike DiMonica, representing the applicant, Tony Massarotti, presented the project to the Commission. Dave Burke flagged the wetlands on the property prior to the snowfall. The plan is to add a six foot wall, tapering off at the ends of the wall. A stone filter trench is proposed at the end of the driveway. The dead trees in the resource area will be cut but the stump and root systems will remain. A third dead tree near the location of the wall will be completely by removed. Six trees will be removed in the lawn area near the project area and one tree in the lawn area. The revised plan includes additional planting. The locations of the new planting will be agreed to later during a site visit with the Conservation agent. Mark Sevier made a motion, Beth Armstrong seconded, approved by all present (4-0) to close the hearing. Beth Armstrong made a motion, Rob Elkind seconded, and approved by all present (4-0) to issue a OOC.

Untimed Discussion:

A motion was made by Beth Armstrong, seconded by Mark Sevier, approved by all present (4-0) to reissue the COC for 22 Wyman Road.

Meeting Adjourned: 8:48