



## **SUDBURY CONSERVATION COMMISSION**

### **MINUTES**

**Monday, June 15, 2015**

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

Present: Thomas Friedlander (chair), Beth Armstrong, Mark Sevier, Bruce Porter, Charlie Russo, and Dave Henkels (Rob Elkind, absent)

Debbie Dineen – coordinator and Linda Hansen - assistant

Minutes of May 18, 2015: On a motion by B. Armstrong, seconded by M. Sevier, the Commission voted in favor to accept the minutes as written.

Minutes June 1, 2015: The minutes will be reviewed at the next meeting.

#### **WPA & Bylaw Request for Determination: 66 Robbins Rd., septic system replacement**

M.J. DiModica Excavating

Mr. DiModica presented the project to the Commission. The septic system failed the Title 5 inspection. The current leach field is within the Commission's jurisdiction, but the proposed will be moved outside the 100 foot buffer zone from the wetlands. Depending on the elevation of the water table, the leach field may need to be raised. The location of the septic system is constrained by the dimensions of the lot. On a motion by D. Henkels, seconded by B. Porter, the Commission unanimously voted in favor to issue a negative determination #3.

#### **Documents used for 66 Robbins Road:**

1. Request for Determination of Applicability, date May 19, 2015
2. Subsurface Sewage Disposal System – Repair for 66 Robbins Road, Plan prepared by M.J. Dimodica Exc., dated May 19, 2015

#### **WPA & Bylaw Notice of Intent (cont.): Lots 4 & 5 Fairbank Rd, DEP file number 301-1149.**

Jesse Johnson, David E. Ross, Inc., and Scott Goddard, Goddard Consulting, LLC, representing Beth Cosgrove attended the hearing. J. Johnson re-notified the abutters since the scope has expanded to include the splash pool at the end of the discharge pipe. J. Johnson revised the plan to address the Commission's comments. The proposed house is located outside the 200 foot riverfront. The septic system and stormwater controls are outside the 100 foot riverfront zone. The rear lawn is outside both the 100 buffer zone of the wetlands and the 200 foot riverfront. A retaining wall is proposed along the side and back of the lot in order to achieve the grades necessary. Approximately 150,000 square feet is proposed for a conservation restriction.

Also included in the revised plans is a proposed splash pool at the end of the drain pipe (from the street) to slow down the runoff and promote settling of solid material in the runoff before entering Run Brook.

D. Dineen was concerned that the current plans do not show the two lots, just one combined lot. J. Johnson stated the interior lot line still exists, the lot line was removed from the plan for simplicity. The

proposed house lot is mostly within lot 5 and meets the side yard setbacks, so that only lot 5 could be conveyed to one owner, with an access easement. D. Henkels asked about the hydrology of the site and the necessity for the retaining walls. The rain garden is designed for a 100 year storm event to capture the runoff from the driveway and provides more than enough capacity. Drainage Analysis for Lots 4 & 5 (dated June 2015) was submitted at the meeting to the Commission by J. Johnson. D. Dineen is concerned about the long term maintenance of the rain garden, since this area will not be visible from the street. She was also concerned about the use of chemical herbicides for long term invasive plant management. She reviewed the wildlife report and noted that it was sparse with inconsistencies and the locations of the observations in the report was not clear. Specifically, Run Brook was not mentioned as a cold water fisheries. She also felt that the splash pool, although considered mitigation, does not constitute long term mitigation since the DPW will be responsible for maintenance. She also thinks the rear yard is too large. The BOH will need to review the septic plan. The septic system is within the riverfront zone and groundwater flow is toward Run Brook. D. Dineen suggested a system that removes nitrogen from the septic system. She is still investigating whether the Conservation Restriction is existing and was part of the subdivision plan. She feels that there are many outstanding issues on this site. D. Dineen recommended denial of the OOC without prejudice or withdraw of the NOI.

Paul McManus, the peer reviewer for the Commission, provided his review comments at the meeting in a letter dated June 14, 2015. The wetland delineation was modified in the field and he is comfortable with the modified delineation. The lot was recorded prior to August 1996, although work is proposed on three lots, with the driveway easement on the neighbor's lot. The size of the clearing is large and P. McManus thinks the house and septic can be moved to the east and further outside the jurisdiction of the Commission. He was not opposed to the use of herbicides for invasive plant management, but the plan should be revised to include that individual trees should be treated with a sponge application method. He is questioning the choice of native plantings and the size of the plants. He feels the new planting need to be substantial in size to compete with the established invasive plants. He also stressed the cold water fisheries in Run Brook needs protection and the project will need to comply with those provisions in the bylaw. J. Johnson thinks the rain garden addresses their concerns and protects the cold water fisheries.

The chairman provided the Commission with three options: Deny the OOC, continue the hearing, or withdraw the NOI and re-apply. The Commission was polled and they agreed to continue the hearing. M. Sevier suggested that J. Johnson address concerns raised at the next meeting and allow the Commission to do another site walk. The Commission requested that the location of the house foundation be marked in the field.

On a motion by D. Henkel, seconded by B. Porter, the Commission voted to continue the hearing until June 29<sup>th</sup>.

Documents used for Lots 4 & 5 Fairbank Road, revised since the previous hearing:

1. Resource Area Performance Standards Analysis, Lots 4 & 5 Fairbank Road, prepared by Goddard Consulting, LLC, dated June 1, 2015.
2. Wildlife Habitat Protection Guidance, prepared by Renew McDonough, Goddard Consulting, LLC., dated May 28, 2015.
3. Invasive Species Management Plan, prepared by Renew McDonough, Goddard Consulting, LLC., dated May 26, 2015.
4. Wetland Border Report, prepared by Renew McDonough, Goddard Consulting, LLC., dated April 20, 2015.

5. Letter report by Paul McManus, EcoTech, dated June 15, 2015 (submitted at the meeting)
6. Drainage Analysis for Lots 4 & 5 Fairbank Road, prepared by David E. Ross Associates, Inc., dated June 2015.

**Sherman's Bridge Reconstruction Information Meeting** & Power Point Presentation by Jody Trufino  
Project proponent requested cancellation of presentation on 6/10/15 at 3:40pm.

**Discussion: Landham Brook Marsh**

Roles and responsibilities of Town and Sudbury Valley Trustees

Jody Kablack, town planner, and SVT representative, Dan Stimson discussed the trail planning for Lyons-Cutler Reservation and Landham Brook Marsh. Mr. Stimson provided the Commission with two proposed trail options and an option to connect the two parcels (Plans titled: 1. Johnson Farm, Potential Trail Connection to Lyons-Cutler Reservation, dated November 2014; and 2. Landham Marsh & Lyons-Cutler Draft/Planning, not dated). In the past, the neighbors opposed trail access at Wright Road, although this opposition is about ten years old. Mr. Stimson would like to use existing cart paths. D. Dineen suggested a connection with town-owned land across Landham Road. She would also like to avoid a trail around the large vernal pool to protect the blue-spotted salamander. The large field on the property should either be regularly mowed or put back into agricultural use.

SVT will prepare a Management Plan and welcomes input from the Commission and will then build on that input. Mr. Stimson will provide a draft Management Plan for the Commission to review. SVT would consider using their funds to rebuild and enlarge the bridge off the trail from Raymond Road. Regarding the access to Landham Brook Marsh, the driveway for the parking lot will be off Landham Road, not Stagecoach Drive. A kiosk is proposed and potentially funded by Sudbury Foundation.

**White Pond Reservation**

Jody Kablack met with Concord planning director Marcia Rasmussen to discuss access to White Pond. Access to White Pond from Frost Farm goes through the Cummings property. The public tends to follow the emergency access route and not the designated trails. There is not dedicated parking for the Conservation property. D. Dineen requested a designated parking area from Cummings that would allow the Commission to put up trail signs to guide the public to the designated trails. The Town of Concord recently announced that swimming is no longer allowed in White Pond. Signage will be put up on the Sudbury town property to notify the public. Two town of Concord rangers will be patrolling the area to enforce the no swimming rule.

**Land Stewardship Priority Setting**

Review of Commissioners findings on site visits

D. Dineen made a list of priority projects and would like to get started on permit applications for many of the projects that will need review and approval from the Commission. D. Henkels suggested that the Commission walk the properties. D. Dineen recommended addressing the priority project that are considered public safety hazards. The bow hunters and the stable owners will donate time to assist with building bridges.

**0 Washington violation**

Jody Kablack has scheduled a meeting with the Mr. and Mrs. Hollyer on June 16. M. Sevier and T. Friedlander will attend.

**Certificates of Compliance:**

1. 220 Maynard Rd. #301-1096. A motion by B. Armstrong, seconded by B. Porter, the Commission voted in favor to issue a COC.
2. 17 Briant Drive #301-0441. The Commission will defer the approval of the COC until the property owner has removed the large pile of yard waste located adjacent to the wetlands.

**Set Summer Meeting Schedule**

The Commission set the summer meeting schedule as follows:

June 29

July 20

August 24

The Commission can meet at additional times during the summer to accommodate permit applications and other time-sensitive projects.

**Review for Possible Comment to DCR and/or meeting with SVT: Forest Cutting Plan for Memorial Forest**

D. Dineen suggested the Commission conduct a site visit to view the trees that are proposed to be cut. SVT would like to convert the area to pitch pine/scrub oak habitat. The intent is to attract state-listed species that use the pitch pine/scrub oak habitat, at the expense of losing the species that use the existing habitat. The Commission is not the permitting authority, but the Commission can provide comments to the state forester. The area supports seven different state listed species currently. The Commission has not received any comments from Natural Heritage regarding their opinion of the proposed cutting. The Commission would like to schedule a site visit to Memorial Forest within the next week with SVT.

**Meeting adjourned:** 8:42. The Commission voted to adjourn the meeting.