

***SUDBURY CONSERVATION COMMISSION***  
**Minutes of the Meeting Held Monday, December 4, 2017**

Present: Tom Friedlander, Chairman; Dave Henkels, Vice-Chairman; Mark Sevier; Bruce Porter; Kasey Rogers; Debbie Dineen, Coordinator

**WPA & Bylaw Request for Determination: 163 Boston Post Rd., Eversource Substation**

Present: David Halliwell; Mike Zylich

Mr. Halliwell presented VHB's plan for completing the invasive plant species removal at the Eversource substation. This task was not completed prior to the expiration of the Order, as extended. They would like to complete the work so they can receive a COC. They offered the Commissions several choices of methods to see which method would be permitted. Cutting the stems at the ground; hand digging the roots; or cutting the base and selectively using herbicides on the cut stem where options.

Due to the proximity to Landham Brook and the location of the area within a priority species habitat, the Commissioner preferred the hand digging of the roots as the most effective method without the use of chemicals.

On a motion by K. Rogers; 2<sup>nd</sup> D. Henkels; the Commission voted unanimously in favor of a negative Determination contingent upon hand digging and no use of herbicides.

**WPA & Bylaw Abbreviated Notice of Resource Area Delineation: EVERSOURCE- MBTA R.O.W**

Present: John Viera, VHB, Inc.

The Commission informed Mr. Viera that the peer reviewer has been voted and a contract is being signed. The Commission voted unanimously in favor of continuing the hearing without discussion of the project to Jan. 22, 2018. Motion D. Henkels; 2<sup>nd</sup> M. Sevier. K. Rogers abstaining as an abutter to the MBTA ROW

**WPA & Bylaw Notice of Intent: 3 Goodnow Rd.,** after-the fact driveway paving

Irma Dishnica, applicant

At the request of the applicant, the hearing was continued to Dec. 18, 2017

**Bylaw Notice of Intent: 69-71 Brewster Rd;** common driveway and drainage construction

At the request of the applicant, the hearing was continued to January 22, 2018.

**WPA & Bylaw Orders of Conditions: 47 Bigelow Dr.;** violation remediation

J. Shanamugan, applicant;

The issuance of the Order of Conditions will be considered again on Dec. 18. The applicant has granted and extension for issuance to Dec. 19, 2017 should any new vote not end in a tie vote.

**Certificate of Compliance: #301-1171, 32 Maynard Rd.**

The Coordinator reported that the sunroom was constructed in accordance with the approved plans. The site is stabilized.

On a motion by B. Porter; 2<sup>nd</sup> M. Sevier; the Commission voted unanimously in favor of issuing the COC.

### **Violations:**

1. **267 Landham Rd.** – update on NOI submission

The applicant has let his former wetland scientist go and has hired Dave Burke to assist him with the NOI filing.

2. **25 Union Ave.** –continued violation after OOC issued for restoration

The pallets are still stockpiled at the top of the slope to the wetland. On a motion by D. Henkels; 2<sup>nd</sup> B. Porter; the Commission voted unanimously in favor of issuing a \$100 ticket.

### **Signatures:**

The following previously voted permits were signed for issuance:

3. **ORAD 74-80 Maynard Rd.**
4. **COC 61 Dakin Rd.**
5. **OOC 31 Thunder Rd.**
6. **OOC Bylaw 322 & 328 Maynard Rd.**

### **Other Business:**

7. **FY 2019 Budget**

Commissioners agreed that the request for another ½ -time technical assistant shared with the Board of Health should be submitted again this year.

8. **LARC Representative/ comments to LARC on Camp Sewataro CR and Broad Acres Farm/Conservation Fund CPA applications**

T. Friedlander volunteered to be the SCC representative to the LARC if no one else was interested. On a motion by D. Henkels; 2<sup>nd</sup> M. Sevier; the Commission voted unanimously in favor of appointing Tom Friedlander as their LARC representative.

Camp Sewataro/Liberty Ledge – Commissioners did not feel a conservation restriction was appropriate as a method to preserve the Camp. The owner wishes to continue to operate as a camp. The property is already developed with a number of houses, outbuildings, roadways, etc. Although it might be a nice property to preserve for active recreation, use of the CPA Open Space funds would not be supported as the land is not predominately in a natural state.

The Commission did not see the reactivation of the Conservation Fund as having any advantage in the near future, especially for the possible purchase of Broad Acre Farm. T. Friedlander stated that by the time the balance of the funds necessary for an anticipated purchase of the Farm became available, it would be too late to act under the 61A first purchase option requirements. M. Sevier stated that the CPA is a better entity to address funding needs for open space.

9. **LS Adult Ed Spring Walks** – Commissioners agreed to hold the spring walk series through LS Adult Education again in 2018.

10. **Violations Update:**

**168 Horse Pond Rd.** – D. Dineen reported that she attended a meeting between Town Counsel Barbara St. Andre and Atty. Kevin Smith for the Blanks. Atty. Smith plans to resubmit the request for a Certificate of Compliance so his clients have an opportunity to discuss the COC with the Commission.

E08-0013 – across from 275 Morse Rd., Natalie Haight-

This violation consists of clearing of the shrub and understory layer within 100' of bordering vegetated wetlands and a pond. On a motion by D. Henkels; 2<sup>nd</sup> K. Rogers; the Commission voted unanimously to issue a Notice of Violation.

In other business, the commission decided to hold the Dec. 18 meeting at 5:30pm in order to achieve a quorum.

On a motion by B. Porter; 2<sup>nd</sup> K. Rogers; the Commission voted unanimously in favor of adjourning the meeting. 8:03pm