



SUDBURY CONSERVATION COMMISSION
Meeting Minutes of November 4, 2019

Present: Tom Friedlander, Chairman; David Henkels, Vice Chairman; Bruce Porter; Mark Sevier; Richard Morse; Charlie Russo (6:52 PM); and, Lori Capone, Conservation Coordinator

Absent: Kasey Rogers and Ken Holtz, Associate Member

T. Friedlander opened at the meeting at 6:45 PM under the Wetlands Protection Act and the Sudbury Administrative Wetlands Bylaw.

Wetland Applications:

Request for Determination of Applicability - 32 Tavern Circle:

Applicant Greg Wolf presented his Request for the Removal of seven trees from the 100-foot Buffer Zone, 200-foot Riverfront Area, and Adjacent Upland Resource Area. Mr. Wolf explained that he has had three trees strike his house in the past so he hired an arborist to evaluate removing a pine tree that had been struck by lightning. The arborist recommended six additional trees to also be removed as they have health issues and pose a threat to the house. To mitigate for the removal of two oak and five pine, the applicant is proposing to replant three blueberry and three winterberry shrubs.

On motion by B. Porter, seconded by R. Morse, the Commission voted unanimously to issue a Negative Determination of Applicability permitting the work with the conditions that the applicant submit photos of the tree removal and plantings.

Notice of Intent - 35 Stone Root Lane, DEP File #301-1276:

At the request of the Applicant, D. Henkels made a motion to continue this hearing to November 18th meeting. M. Sevier seconded. All so voted.

Certificates of Compliance:

Lot 4 Anthony Drive, DEP File #301-1183 and Lot 5 Anthony Drive, DEP File #301-1182 have requested this matter be continued to the November 18, 2019 meeting.

75 Wake Robin Road, DEP File #301-1041:

On motion by M. Sevier, seconded by B. Porter, the Commission voted unanimously to issue a Certificate of Compliance.

6 Old County Road, DEP File #301-948:

Coordinator Capone explained that this project was for the sidewalk construction which appeared to have obtained a Certificate of Compliance in 2015 but there was no copy in the file and the original was not recorded. On motion by D. Henkels, seconded by R. Morse, the Commission voted unanimously to issue a Certificate of Compliance.

Violation Letters:

Buddy Dog, 151 Boston Post Road:

T. Friedlander explained that he and Coordinator Capone visited the property last week in relation to the proposed development. There were a couple items of concern identified during the site visit, specifically, the storage pods that were required in the spring of 2019 to be repositioned outside the buffer zone, and the outdoor storage of numerous pet carriers. Coordinator Capone stated that she has communicated this

concern to Buddy Dog and they will provide a list of items being stored in the pods. They are temporary structures that will be removed from the site as part are of the new development. Coordinator Capone will provide an update at the next meeting.

Bosse, 141 Boston Post Road:

T. Friedlander explained that a violation was also observed on the adjacent property, specifically the dumping of material and the storage of the dumpster, directly adjacent to the wetland. The Commission asked Coordinator Capone send a letter requesting the materials be removed from the site and the dumpster be relocated outside the 100-foot Buffer Zone. Coordinator Capone will provide an update at the next meeting.

Minutes:

On motion by D. Henkels, seconded by M. Sevier, the minutes of October 21, 2019 were unanimously approved.

Commissioner and Staff Updates:

38 Hilltop Road: Tree Removal:

Coordinator Capone explained that the homeowner at 38 Hilltop Road had an arborist evaluate one oak tree located near their house, outside the buffer zone but in the outer Riverfront Area. The Commission had no concerns with the removal of this tree.

54 Blackmer Road: Tree Removal:

Coordinator Capone explained that a tree recently fell at 54 Blackmer Road and so the homeowner had an arborist evaluate the trees on the property. They have recommended three pine trees be removed. Coordinator Capone recommended the homeowner remove an area of leaves that were dumped by the prior owner and replant the area with blueberry and raspberry to mitigate for the tree removal. The homeowner has also agreed to remove the buckthorn along the roadway and replant the area with native species. The Commission expressed concern that the extent of work might require a Request for Determination of Applicability. There was much discussion. The Commission determined that work could proceed without a filing with the Commission.

52 Surrey Road: Tree Removal:

Coordinator Capone explained that the homeowner at 52 Surrey Road was having three trees removed, one of which was in jurisdiction. Given that the tree service was scheduled for the following morning, Coordinator Capone authorized the tree be removed with the requirement that three blueberry bushes be planted adjacent to the wetland. The Commission had no concern with this work.

Lincoln Meadow: Agricultural Lease

Paul Cavicchio requested permission to install deer fencing around the fields he leases from the Commission at Lincoln Meadow. He planted winterberry and red twig dogwood in these field and the deer have eaten the plants. He has tried electrical fencing but has not found it effective. He would install gates to allow the public to still walk through the field if they wanted to. The Commission requested flags be placed on the fence to help the deer to see it. The Commission approved the installation of deer fencing around this field.

45 Surrey Road: Tree Removal:

Coordinator Capone was made aware of a tree removal at 45 Surrey Road conducted without permission. One oak tree had been removed which was within a lawn area, 50 feet from a river and adjacent bordering vegetated wetland. The homeowner has agreed to plant three native shrubs adjacent to the wetland to mitigate for this unpermitted work. The Commission discussed issuing an Enforcement Order for this activity or requiring an after-the-fact application. On motion by M. Sevier, seconded by D. Henkels, the

Commission voted 4-2 to issue an Enforcement Order for the tree removal, requiring the mitigation shrubs be installed in the spring. (B. Porter and R. Morse opposed.)

On motion by R. Morse, seconded by D. Henkels, the Commission voted unanimously to adjourn the meeting at 7:38 PM.