



SUDBURY CONSERVATION COMMISSION
Meeting Minutes of June 1, 2020

Present: Thomas Friedlander, Chair; David Henkels, Vice Chair; Bruce Porter; Richard Morse; Mark Sevier; Charlie Russo; Kasey Rogers (6:36 PM); Ken Holtz, Associate Member and Lori Capone, Conservation Coordinator

T. Friedlander opened the meeting under the MA Wetlands Protection Act and the Sudbury Wetlands Administrative Bylaw at 6:30 PM.

Extension Requests

187-189 Boston Post Road, The Coolidge at Sudbury Phase 2, DEP #301-1206:

Jesse Kasnon-Benanav, Senior Manager at the B'nai B'rith Housing attended tonight's meeting to request a three-year Extension to their Order of Conditions for the construction of The Coolidge at Sudbury Phase 2 development. The required mitigation has been completed except for the treatment of a small patch of Japanese knotweed that could not be completed last year. Construction should be completed in 2020. The project has been overseen by an environmental monitor who has been submitting the require reports.

On motion by D. Henkels, seconded by M. Sevier, the Commission voted unanimously, by roll call vote, to issue a three-year Extension to the Order of Conditions issued for DEP #301-1206.

12 Maynard Road, DEP #301-1205:

Ben Maiden and Dan Wells, Goddard Consulting, attended tonight's meeting to request a one-year Extension to the Order of Conditions for 12 Maynard Road. Mr. Maiden explained that he has taken over the project from the prior construction supervisor and has been working to complete the project in accordance with the Order. The house construction is complete but the mitigation work, invasive species removal and plantings with native species, is outstanding. The mitigation work will commence next week but an Extension is needed to allow for this work and the required monitoring to ensure success.

The Commission discussed three elements that were not on the approved plan, a patio, retaining wall, and back staircase. The Commission determined that these were minor deviations from the approved plan and are located within the approved limit of work in the outer buffer one and outer riparian area.

On motion by C. Russo, seconded by B. Porter, the Commission voted unanimously, by roll call vote, to issue a one-year Extension with the allowance of the minor modifications discussed.

Wetland Applications:

Notice of Intent: Morse Road Drainage Improvements Project, DEP #301-1291

T. Friedlander opened the Notice of Intent hearing for the Department of Public Works to implement drainage improvement in Morse Road within the 100-foot buffer zone pursuant to the Wetlands Protection Act and the Sudbury Wetland Administration Bylaw.

Dan Nason, Director of Public Works, presented the project to the Commission which includes installing an additional leaching catch basin, manhole and emergency overflow outlet, installation of new curbing to direct drainage, and repaving of the existing sidewalk.

Mr. Nason explained that the existing street drainage is overflowing and surcharging into private property on Morse Road. A couple years ago, a leaching catch basin had been installed in this area to resolve this drainage problem but it has been found to be insufficient. Due to the location of existing utilities, and given soil conditions, there are not many options to improve existing conditions. They would like due construction over the summer.

The Commission asked what storm event the drainage system is designed for and if stormwater calculations have been completed to confirm that the proposed leaching basin is sufficient to manage stormwater. Mr. Nason explained that they have not completed stormwater calculations, due to cost and the lack of options to improve the situation. The proposed design will improve existing conditions by infiltrating additional stormwater and by dissipating and controlling the overflow to prevent the negative impacts occurring to private property. Mr. Nason also explained why a grease/oil separator would serve no purpose in a leaching catch basin. The Commission discussed maintenance needs and Mr. Nason confirmed that this drainage system would be checked regularly, and cleaned annually. The Commission was satisfied that the design was the best solution based on existing site constraints.

There were no abutters present to speak on this application.

On motion by D. Henkels, seconded by C. Russo, the Commission voted unanimously, by roll call vote, to close the hearing. An Order of Conditions will be voted on at the June 15th meeting as DEP had not issued a file number at the time of this hearing.

Notice of Intent: 24 Thornberry Lane, DEP #301-129#:

T. Friedlander opened the Notice of Intent hearing for 24 Thornberry Lane for the installation of a swimming pool with associated patio and utilities within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Ben Carmel, homeowner, presented the proposed project to the Commission to install an in-ground pool and associated patio within the 100-foot Buffer Zone. The project is located within the existing lawn with most of the pool falling outside wetlands jurisdiction. The pool would have a UV filter that does not require backwashing. There is an existing fence around the property so no additional fencing is required. Erosion controls will be installed around the work area and excavated materials would be removed from the site.

No abutters were present to speak on this application.

On motion by D. Henkels, seconded by M. Sevier, the Commission voted unanimously, by roll call vote, to close the hearing. An Order of Conditions will be voted on at the June 15th meeting as DEP had not issued a file number at the time of this hearing.

Notice of Intent: 82 Philips Road, DEP #301-129#:

T. Friedlander opened the Notice of Intent hearing for 82 Philips Road for the installation of a swimming pool with associated patio, fence, utilities, and landscaping within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw.

Quincy and Michelle Vale presented their project to the Commission for a semi-above-ground pool within an existing lawn area. The entire lot is located within the buffer zone and the lot configuration limits where the pool can be sited. Work includes the removal of four trees that were found to be in decline by Lynch Landscaping, installation of a fence around the yard, installation of a patio, and restoration of the lawn area.

Coordinator Capone requested that a plan be provided that clearly shows all elements being requested under the Notice, along with information on what is being proposed to restore the lawn and locating mitigation planting areas on the plan. The applicant agreed to continue the hearing to revise the plan.

No abutters were present to speak on this application.

On motion by K. Rogers, seconded by R. Morse, the Commission voted unanimously, by roll call vote, to continue the hearing the June 15, 2020.

Request for Determination of Applicability: 14 Pennymeadow Lane:

The applicant was not in attendance to present this application to remove one tree at 14 Pennymeadow Lane so Coordinator Capone presented the project on behalf of the applicant.

Coordinator Capone explained that there is a large white pine located at the wetland edge that is leaning towards the house. Rusty Bent has reviewed the tree and recommended its removal. As the tree was not showing signs of decline, Coordinator Capone requested an RDA application be submitted. The tree would be removed with a crane positioned on the driveway and the stump will remain in place so there will be no soil disturbance. As the wetland area is otherwise well forested, Coordinator Capone did not see that there would be a need for mitigation.

On motion by D. Henkels, seconded by C. Russo, the Commission voted unanimously, by roll call vote, to issue a Negative Determination of Applicability approving the tree removal as discussed.

Notice of Intent: 22 Buckmaster Road, DEP File #301-1277:

T. Friedlander opened the Notice of Intent hearing for Danforth and Gina Sullivan for the installation of an in-ground swimming pool and patio within wetlands jurisdiction pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administrative Bylaw, continued from February 10, 2020 and March 9, 2020.

Coordinator Capone explained that the applicant is still waiting for the engineer to finalize the plan and recommended that the hearing be continued to June 15, 2020.

On motion by M. Sevier, seconded by D. Henkels, the Commission voted unanimously, by roll call vote, to continue the hearing to June 15, 2020.

Minutes:

On motion by B. Porter, seconded by D. Henkels, the Commission voted 6-0, by roll call vote, to approve the May 18, 2020 minutes. (K. Rogers abstained)

Other Business:

Enforcement Order – 45 Surrey Lane:

Bruce Porter recused himself from this discussion, as he is an abutter.

Coordinator Capone explained that an Enforcement Order was issued last Fall for the unpermitted removal of an oak tree. The Enforcement Order required that three winterberry and/or blueberry shrubs be installed by June 1, 2020. The homeowner has confirmed that the plantings have been installed and Coordinator Capone recommended the Commission vote to lift the Enforcement Order.

On motion by D. Henkels, seconded by K. Rogers, the Commission voted 6-0, by roll call vote, to lift this Enforcement Order. (B. Porter abstained)

Conservation Commission Appointment to the Community Preservation Committee

Both T. Friedlander and D. Henkels expressed interest in serving on CPC as the Commission's representative.

After much discussion, the Commission voted 4-3 to reappoint T. Friedlander.

Beacon Charitable Trust Off Road Race and Nature Hunt

Coordinator Capone informed the Commission that she was contacted by Mike Lynch who coordinates an annual road race for the Beacon Charitable Road Race. Due to COVID-19, they cannot hold this event and are exploring options. Mr. Lynch inquired whether the Conservation Commission would support a cross-country race and nature hunt on Town Conservation Land. Coordinator Capone has inquired with the Town Manager and Town Counsel to ensure Town land could be used for this purpose, which has been confirmed given that proper insurances are in place and COVID requirements are adhered to. The Commission recommended that Mr. Lynch reach out the Lincoln-Sudbury High School as a better facility for the race as they would be able to provide adequate parking, but expressed interest in hosting the nature hunt.

Letter of Support for OARS Community Watershed Science Project Grant Proposal

Coordinator Capone informed the Commission that OARS has requested a letter of support for a grant they are applying for through the Rivers Network and National Park Service to install four water quality monitoring station along Hop Brook. A draft letter will be disseminated to the Commission for comment. The letter is due Thursday.

604B Water Quality Management Planning Grant Program

Coordinator Capone notified the Commission that she will be working with the Hop Brook Protection Association and OARS to submit a grant proposal to the 604B program, which is due at the end of the month.

Brimstone Lane Warrant Article: Coordinator Capone informed the Commission that the Select Board has requested she work with the landowner to see if additional land can be placed into conservation in association with this land swap. A revised plan and Warrant Article will be presented at a future meeting for consideration.

Flash Vote: Coordinator Capone informed that Commission that the Commission's Flash Vote has been finalized and will be posted the week of June 15.

On motion by D. Henkels, seconded by M. Sevier, the Commission voted unanimously, by roll call vote, to adjourn the meeting at 8:19 PM.