



SUDBURY CONSERVATION COMMISSION MINUTES
Meeting Minutes of Monday, December 13, 2021

Present: David Henkels, Chair; Kenneth Holtz, Vice Chair; Jeremy Cook; Richard Morse; Bruce Porter, Kasey Rogers Mark Sevier, Luke Faust, Associate Member; and Lori Capone, Conservation Coordinator.

Chair opened the meeting with a roll call vote.

Wetland Applications:

Notice of Intent: 74 and 80 Maynard Road: Bonnie Brook Realty Corp., DEP #301-1341:

Chair Henkels opened the Notice of Intent Hearing for the construction of a roadway and associated drainage system and utilities within the 100-ft buffer zone and Adjacent Upland Resource Area for a 9-lot residential subdivision pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw, last continued from September 27, 2021.

Coordinator Capone stated the Applicant is currently working with the Planning Board on an alternative Open Space layout of the subdivision. They requested a further continuation to the 10th of January. On motion by K. Holtz to continue, seconded by B. Porter, the hearing was unanimously continued to January 10, 2022, via unanimous roll call vote.

Notice of Intent: 141 Boston Post Road: Herb Chambers of Sudbury, DEP File #301-1361:

Chair Henkels opened the Notice of Intent hearing for the conversion of the existing Bosse Sport site to Herb Chambers Mercedes Dealership including building renovations and expansion, parking expansion with associated stormwater management, utilities and landscaping within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and the Sudbury Wetlands Administration Bylaw. The Chair recognized Fred King of DGT Associates and Maggie Laracy of Crocker Design Group, on behalf of the Applicant, to present the project. Ms. Laracy introduced David Newhall of Crocker Design Group stating there were conflicting meetings, so the remainder of her team could not attend the Conservation Commission meeting.

Ms. Laracy stated the site is approximately 15.5 acres, with 5.9 acres of impervious cover, surrounded by other commercial developments. There is a constructed stormwater wetland in the southeast corner of the site. The remainder of the site is protected by a Conservation Restriction. Mr. King, stated a year ago there had been a Request for Determination of Applicability issued to inspect the stormwater wetland, which was found to be in good shape. Ms. Laracy stated there was an additional small wetland area to the west that was connected hydrologically to the wetlands in the eastern portion. She outlined the existing building, parking lot, septic system, and a gravel loop that extends around the perimeter of the site. She pointed out a portion of the site was located within estimated and priority habitat, however no work was occurring within designated areas so Natural Heritage has determined that work does not require their review. There was also a vernal pool, 515 ft. from the proposed work. Ms. Laracy explained the existing hydrology and drainage system. She also mentioned a MADOT drainage outlet on the property.

Ms. Laracy then discussed the proposed project. The intention is to keep the main building, with some renovations to house the car dealership, with 41 service bays and a wash bay. She pointed out the entrance drive which would go all the way around the site in a loop, to allow access to the service areas which she stated, was a requirement of the Fire Chief. They plan to extend the parking lot to the east, over the septic area and they would upgrade the water service. There would be two small additions towards the rear portion of the building and they would like to establish vehicle display pads along Route 20. She discussed the proposed hydrology on the site. They would like to maintain

the constructed stormwater wetland but they have been working towards improving its functionality. The parking lot will capture runoff in the catch basins, run through a pretreatment area within the constructed stormwater wetland. The building will have an underground infiltration system on the south side of the building. She stated the system infiltrates the site, and has a jurisdictional channel which would capture the remainder of the runoff that did not get captured through this infiltration system. There would be an oversized rip rap system installed with a plunge pool to dissipate the stormwater flow. The permeable pavement system to the rear of the property drains vertically allowing the ground water to recharge below. There is a planting plan for the buffer zone along the CR which will create an enhancement to the existing buffer zone.

Chair Henkels asked Coordinator Capone if she had any comments before opening the discussion up to the Commission. She said all plan sheets do not use the same wetland line, which should reflect the approved wetland delineation. She also said there is a wetland across Boston Post Road from the site that should be reflected on the site plan, as its buffer zone extends onto the project site. She stated the Planning Board will be conducting the Stormwater review, which would mean the Conservation Commission would leave their hearing open until that review has been completed. She asked about the Alternatives Analysis that asserted leaving the site 'as is' would be detrimental to the wetland areas. She asked for additional improvements on the site to defend the assumption the site would be improved with this new proposed business. Ms. Laracy responded that the stormwater standards they plan to employ would improve the ability on the site to capture runoff that currently was only filtrated through catch basins. She said they had supplemental units for treatment that are considered state of the art. She said MA DEP had encouraged review of using permeable surface, which they plan to use. She further stated they planned to reduce the amount of impervious surface. Ms. Laracy stated this was an intense use for the site, but that the addition of various stormwater additions would improve the overall site. Mr. Newell stated that fluids used in the service bay were collected separately, to prevent any spills or contamination outside to building. He stated this plan is similar to the one employed on 105 Boston Post Road, but much larger in scale. Mr. King detailed where the impediments were on the site relative to the infiltration system siting.

Coordinator Capone asked about snow storage, noting it was entirely within the 100-foot buffer zone, and requested alternative siting consideration. Mr. Newell said they did not want to use the area over the septic. Mr. King stated the water is captured and is filtered. Coordinator Capone asked the justification for using the area they chose, be added to the Alternatives Analysis. Additionally, she questioned the positioning of the trash which was also on the wetland edge. Ms. Laracy stated they would consider other options. The applicants stated snow treatment would be the same as in all of the sites for Herb Chambers. Coordinator Capone suggested modifying the Operation and Maintenance Plan to indicate that no sand is allowed at this site. The Coordinator also asked about the signage for permeable pavement if the entire site was going to managed the same, which DEP requires the applicant stated.

Coordinator Capone asked if groundwater was anticipated to be encountered during construction and if so, how that would be managed. Mr. King said groundwater may be a factor, he stated a dewatering plan should be added, and agreed to clarify. Coordinator Capone also asked for stockpile locations with appropriate erosion controls be shown on the plan. The Coordinator asked if the phragmites in the constructed wetland could be removed and returned to cattails to help offset the increased, intense use of the site. Mr. King said the vegetation, particularly the phragmites and dead growth, should be removed at the appropriate times of year and disposed of offsite at an appropriate composting area but it was not feasible to recreate the cattail wetland. Coordinator Capone requested the Operations and Maintenance Plan be modified to indicate where the invasive vegetation would be taken.

The Chair thanked the Applicants and Coordinator, and stated this hearing would need to be continued and asked for questions and observations from the Commission, noting that the Commission would benefit from a site visit. K. Holtz asked about lighting, whether it is dark skies compliant. Ms. Laracy stated the lighting would be only for security and is dark skies compliant. Mr. Holtz asked about entryway modifications, to which Ms. Laracy stated they intended to add to the plantings on Route 20 but maintain the existing entrance.

Chair Henkels asked about the drainage outlets that drain directly into the wetlands. Ms. Laracy stated there were only two outlets they are not planning to change. They discussed the recharge areas briefly and recapped the erosion

controls that included silt sock and fence along the limit of work. Mr. Laracy stated the stockpile areas would be outside of jurisdiction. Mr. Sevier asked about time of year for construction, to which the applicant stated it would depend on the approvals process but ideally they would construct during the summer months.

With no further discussion from the Commission or the public, on motion by M. Sevier, seconded by J. Cook, the hearing was continued to January 24, 2022 via unanimous roll call vote.

Certificate of Compliance: Anne Duncan: 14 Elderberry Circle, DEP File #301-685:

Coordinator Capone stated this property was recently in front of the Commission for a Certificate of Compliance. The title search found a second Order of Conditions had been recorded on the property, and they were asking for that Order to be released as well. Coordinator Capone recommended issuing the Certificate of Compliance. On motion by J. Cook, seconded by R. Morse, the vote was unanimous to issue the Certificate via unanimous roll call.

Certificate of Compliance: 26 Goodman's Hill Road, DEP File # 301-1176:

This item was continued to the next hearing pending confirmation the work had been completed.

Other Business:

Agricultural License Renewal Discussion: Siena Farms: Poor Farm Meadow, Barton Farm, and Davis Farm

The Chair welcomed Chris Kurth of Siena Farms to discuss the current Licenses he holds to farm at Barton Farm, Davis Farm, and Poor Farm Meadow. Mr. Kurth stated they are coming to the end of the lease date, and would like to continue farming these properties. He thanked the Commission for their continued support.

There was discussion about the language in the Licenses as some changes are needed. Coordinator Capone asked the Commission to comment on the changes that had been suggested by Mr. Kurth. She also stated this would not be voted on at this meeting, as the language still had to be refined.

Mr. Kurth discussed each property. He stated he did not believe they needed a locked gate on the Poor Farm Meadow, although the gate at Davis should remain locked. He asked that all three Licenses be modified to allow volunteer and special events on a case by case basis, to be approved by the Commission. He suggested the work agreement on the Community Gardens be formalized going forward. He also stated he had discussed with the Coordinator the opportunity to farm other properties in the future, and was amenable to exploring those fields. He mentioned he had a new agreement with Carole and Dick Wolfe to farm five acres on Concord Road, (Pantry Brook).

K. Holtz asked about the term plastic mulch, to which Mr. Kurth stated they actually use biodegradable mulch and the license should reflect that. They also discussed whether Siena Farms used organic farming techniques. Mr. Kurth confirmed they indeed were organic farmers, although they are not officially certified. Mr. Holtz asked about the reports relative to pest control, he did not feel it was necessary to have approval or annual reports. Coordinator Capone said it would be helpful to include reports on an annual basis, with any interim changes being approved by the Commission.

Coordinator Capone and Mr. Kurth will collaborate on amended language to present to the Commission for approval in January or early February.

The Commission cancelled their December 27th meeting, as there were no new applications or business that could not wait for the January Meeting.

The Coordinator updated the Commission on implementation of the winter stabilization plan at the Nobscot Scout Reservation. She said they had completed 80% of the work.

With no further business, on motion by M. Sevier, seconded by J. Cook, via unanimous roll call, the meeting was adjourned at 8:11 PM.