



SUDBURY CONSERVATION COMMISSION MINUTES

Meeting Minutes of Monday, July 1, 2024

Present: David Henkels, Chair; Ken Holtz, Vice Chair; Luke Faust; Bruce Porter; Kasey Rogers; Mark Sevier; and Lori Capone, Conservation Coordinator

Absent: Jeremy Cook

The meeting was called to Order by Chair Henkels at 7:00 PM via roll call.

Minutes:

June 3, 2024

On motion by Comm. Sevier to accept the minutes of the June 3, 2024 meeting, seconded by Comm. Holtz, via roll call the motion passed. Commissioners Rogers and Faust did not vote on this motion.

Certificate of Compliance:

Ma, 26 Alta Road, DEP #301-1401

Coordinator Capone explained that the project involved replacing the septic system, situating it further from the wetland than the original system. She confirmed that the project had been completed and the site was stable.

Chair Henkels asked the Commissioners if they had any questions or comments. Hearing none, he extended the invitation for comments from the audience.

On motion by Comm. Faust to issue the Certificate of Compliance, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Congregation B'nai Torah, 225-227 Boston Post Road, DEP #301-0600

Chair Henkels indicated that there might be modifications to the new Order to accommodate some of the conditions from the prior one. Coordinator Capone confirmed that they had held off on issuing the Certificate because it was tied to the new project, but they were now in a position to issue the new Order of Conditions. She noted that the main condition similar to both was the requirement of the Conservation Restriction. She mentioned that the Commission could either issue the Certificate at this point or wait until after the new Order was issued later this evening.

Chair Henkels asked if any Commissioners or anyone in the audience had questions.

On motion by Comm. Rogers to issue the Certificate of Compliance, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

Wetland Applications:

Request for Determination of Applicability: 72 Wayside Inn Road, RDA #24-12

Chair Henkels resumed the meeting for the project to construct a porch, ramp and steps within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Steve Pickford was the applicant. This meeting was continued from June 3, 2024.

On motion by Comm. Sevier to continue the Hearing to July 15, 2024, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 21 Woodside Road, RDA #24-14

Chair Henkels resumed the meeting for the project to widen a driveway, rebuild a wall, replace steps, and relocate a shrub within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Mark Row was the applicant. This meeting was continued from June 3, 2024.

Mr. Row began by discussing the driveway plans. He explained that the plan included adding approximately 71 square feet of new asphalt on the left side near the garage and removing 50 square feet of asphalt at the top nearest the road to reshape the driveway for an additional parking space. On the right side, 115 square feet of new asphalt would be added, reducing the footprint of the current concrete leading up to the front doors. The plan also included replacing the concrete with granite steps, constructing a natural stone retaining wall between the steps and the house, and adding planting beds between the house and the steps, as well as in front of the steps.

Mr. Row detailed the mitigation plan, which involved planting five native trees: one next to the driveway, three to the left, and one in the center of the lawn, along with a shrub on the right side of the house and some perennials under the tree to the right of the driveway. Additionally, a 2,500 square foot meadow area would be created by leaving the lawn un-mowed until late fall. Existing rhododendrons and pieris located near a stone wall in the front would be extracted and replanted to the east side of the property, outside the 100-foot Buffer Zone, depending on their condition after extraction.

Mr. Row mentioned that they had listed all the plants to be used, ensuring that the plants in the mitigation area were native species and the rest were non-invasive cultivars, outside of jurisdiction. He also noted the plan to place rain barrels on the left side of the house, both in the front and back, to capture water for irrigating the new gardens.

Coordinator Capone stated that the new plan was much more informative than the one presented at the last meeting and addressed many of the Commission's questions. She confirmed that while not all plants in the landscaping were native, none of the proposed species were invasive. She noted that the mitigation more than compensated for the increase in asphalt, and therefore, she did not have any concerns about the inclusion of some non-native species in the landscaping bed given the extent of restoration proposed in the side yard.

Coordinator Capone highlighted that the only question remaining was how the meadow would be maintained and how the boundary would be delineated for future owners. Since this was a Request for Determination of Applicability (RDA), there would not be an Order of Conditions recorded on the Deed to inform future owners about the mitigation. However, she felt comfortable with the proposal as it was, without any demarcation, but suggested that the Commission might consider whether they wanted any markers for future owners.

Chair Henkels thanked Coordinator Capone and invited questions from the Commissioners.

Comm. Sevier remarked that it would be difficult to designate such a large area without the markers being obtrusive or ineffective in the future. He questioned the feasibility of placing markers and ensuring a good outcome.

Coordinator Capone agreed, noting that the area in question was currently entirely lawn and extended up to the edge of the lawn adjacent to the wetlands in the back, with the side reaching the woods' edge. She explained that the plan primarily involved mowing a small strip around the meadow for accessibility.

Chair Henkels thanked Comm. Sevier and asked if there were any further questions from the Commission.

Comm. Holtz noted that, given this was just an RDA, there would be no written record on the Deed indicating the meadow area if the home were to change hands. He pointed out that word of mouth would be the only indication of this meadow area. Coordinator Capone confirmed this, explaining that while future owners approaching the Commission for another project would encounter the existing paperwork, and aerial photos could track changes to the meadow, these would be the only methods of tracking the meadow in the future.

Comm. Holtz inquired if there was any native seed mix planned for the meadow area or if it would just involve letting the current grass grow. He suggested that if wildflowers were present, future owners might be more inclined to maintain it as a meadow rather than mow it.

Mark Row responded that while they had not formally included a native seed mix in the plan, they were open to the idea for both aesthetic reasons and to help permanently establish the meadow. Coordinator Capone explained

that for the seeds to take hold, the area would need to be at least sliced or rototilled to ensure good soil contact, but this would involve significant disturbance near a vernal pool.

Chair Henkels asked if anyone in the audience had questions and invited them to raise their hand or use the chat box. He then addressed Comm. Sevier, asking how he felt about Comm. Holtz's proposal. Comm. Sevier responded that significant disturbance would be required, and he doubted future owners would envision the meadow as intended. He expressed concerns about the practicality and effectiveness of placing markers or boulders to police the area in the future. He acknowledged the good intention behind the idea but questioned its practicality.

Comm. Holtz suggested that instead of extensive tilling, they could try spreading some native seed mix to see what takes, without causing significant disturbance. Mr. Row agreed with this approach. Chair Henkels concurred, asking if there were any further questions from the Commissioners or public.

On motion by Comm. Sevier to issue a Negative Determination of Applicability #3, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative. Commissioner Rogers abstained as she was not present at the June 3 meeting.

Notice of Intent: 225 Boston Post Road, DEP #301-1415

Chair Henkels resumed the Hearing for the project to renovate an existing building, and install playground areas with associated equipment, parking area and pavement remediation, septic and other utility upgrades and stormwater infrastructure within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Matt Taylor was the applicant. This Hearing was continued from April 29, May 13, and June 17, 2024.

Coordinator Capone provided background, mentioning that there were a few outstanding items related to the stormwater and driveway, which Mr. Josh Kline would address in his presentation.

Joshua Kline from Stonefield Engineering presented the revised landscape plan for the project, noting that it had been colorized for clarity. He mentioned that they had received approval from the Planning Board for both the site plan and stormwater permit at the previous meeting. Mr. Kline explained that the driveway remained in its original location seen by the Commission previously. He acknowledged Coordinator Capone's explanation that they had proposed additional plantings and shifted some to infill where the existing driveway had been, aiming to mitigate impervious coverage near the riverfront area. He reaffirmed that the applicant would also reestablish the stormwater basin at the rear of the property.

Coordinator Capone informed the Commission that she had prepared a draft Order of Conditions for their consideration. She noted that MassDOT would still need to decide on whether the new driveway location or the existing one would be preferred. If MassDOT denied the project, the applicant would return with a minor modification to keep the driveway as is. She also discussed the management of Japanese knotweed on site, stating that most of it would be removed during the reconstruction of the stormwater basin. However, there was a small patch behind the building on the slope that would be managed to prevent the knotweed from spreading into the Conservation Restriction area.

Chair Henkels thanked Coordinator Capone and invited questions from the Commissioners.

Comm. Holtz inquired about the sidewalk during the previous hearing, asking if it would continue to the new location of the driveway. Mr. Kline confirmed that they had agreed to connect the sidewalk to the new driveway location. He explained that the sidewalk would be replaced where it currently ended and extended to connect with the new driveway location, as part of the site plan approval.

Comm. Holtz then asked about the sidewalk on the other side of the driveway, mentioning there was currently a small handicap pad. Mr. Kline clarified that they would provide an ADA-compliant landing but would not extend the sidewalk further beyond that point.

Chair Henkels thanked Comm. Holtz for his questions and invited any further inquiries from the Commissioners or the public.

On motion by Comm. Porter to close the Hearing, seconded by Comm. Faust, via roll call the vote was unanimous in the affirmative.

On motion by Comm. Sevier to issue the Order of Conditions, seconded by Comm. Porter, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 5 Hunt Road, DEP #301-1380

Chair Henkels resumed the Hearing for the project to construct an addition to an existing single-family house within the 100-foot Buffer Zone and the 100-foot Adjacent Upland Resource Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Richard Albee was the applicant. This Hearing was continued from October 17 and December 12, 2022.

Chair Henkels expressed his interest in conducting a site visit to the property due to the significant time that had passed since the application was first submitted. He emphasized the need to see the current conditions firsthand, especially considering the revisions made to the proposed addition and other features.

Robert Melvin from Stamski & McNary presented the revised plan, highlighting changes made over the past two years. Originally, the addition intruded into zoning setbacks, requiring revisions to comply with regulations. The current proposal includes an addition, carport, small retaining walls, regrading for accessibility, and a roof dry well to manage runoff. Mitigation measures involve planting areas to offset construction impacts.

Coordinator Capone supported a site visit, noting improvements in the revised plan over the initial proposal. She raised questions about the materials for the retaining walls and the discrepancy between the proposed mitigation planting areas and the actual plantings.

Chair Henkels invited comments or questions from the Commissioners by inviting Comm. Holtz to examine an aerial photo to clarify the property's configuration. Comm. Holtz noted the fenced-in horse pasture adjacent to the proposed mitigation area across the stream and inquired about the fate of the fence. Mr. Melvin confirmed the fence would remain, with plantings positioned behind it despite the area not being used for horses in years but maintained regularly. Comm. Holtz sought details on the proposed plantings, emphasizing their native status and composition. Mr. Melvin confirmed the list was available and expressed readiness for feedback.

Coordinator Capone confirmed all plantings were native species, detailing plans to enhance the understory with shrubs in areas with existing trees and planting swamp white oaks in the open pasture. Chair Henkels then invited any further questions from the Commissioners.

Chair Henkels requested further details from Mr. Melvin or Mr. Albee regarding the StormTech Dry Well system. Mr. Melvin proceeded to explain the system's design on the schematic, highlighting the incorporation of gutters with downspouts leading to underground pipes connected to StormTech chambers surrounded by stone. He emphasized the system's capability to manage stormwater from various design storms and meet water quality standards outlined in the Massachusetts Stormwater Handbook. Mr. Melvin clarified that while the system was underground, its components visible on-site would be limited to the downspouts and stone outlet. Chair Henkels asked if the system operated by gravity, and Mr. Melvin confirmed it was.

Comm. Ken Holtz sought clarification on whether the StormTech Dry Well system would only capture runoff from the proposed addition or include existing runoff. Mr. Melvin confirmed it would handle runoff from both the proposed addition and the carport.

Coordinator Capone addressed the discrepancy in the square footage for mitigation, explaining it was based on initial estimates for planting needs. Chair Henkels directed Coordinator Capone to arrange a site walk, prompted by Comm. Holtz's earlier mention of the fence and the area's specifics.

Coordinator Capone proposed scheduling the site walk for Friday and Chair Henkels confirmed the arrangement would work for him. He instructed revisions to be prepared in the meantime, expressing the intent to review the work on-site during the visit. Chair Henkels then sought permission from Mr. Melvin to continue the hearing until July 15, 2024, which was granted.

On motion by Comm. Rogers to continue the Hearing to July 15, 2024, seconded by Comm. Holtz, via roll call the vote was unanimous in the affirmative.

Notice of Intent: Lot 2 Brimstone Lane, DEP #301-1409

Chair Henkels resumed the Hearing for the project to construct a new single-family home with associated pool, shed, stormwater management system, yard and landscaping within the 100-foot Buffer Zone and 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Carrie Maciel was the applicant. This Hearing was continued from December 18, 2023 and February 5 and May 13, 2024.

On motion by Comm. Holtz to continue the Hearing to July 15, 2024, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 11 Allene Avenue, DEP #301-1419

Chair Henkels resumed the Hearing for the project to construct a detached garage within the 200-foot Riverfront Area, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Jeffrey Gray was the applicant. This Hearing was continued from June 3, 2024.

On motion by Comm. Faust to continue the Hearing to July 15, 2024, seconded by Comm. Rogers, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 104 Plympton Road, DEP #301-1420

Chair Henkels resumed the Hearing for the project to construct an addition, swimming pool, fencing, driveway, and walkway, reconstruct a deck, and relocate a shed within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Andrew and Emily Bouley were the applicants. This Hearing was continued from June 17, 2024.

On motion by Comm. Rogers to continue the Hearing to July 15, 2024, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 51 Woodmere Drive, RDA #24-15

Chair Henkels began the meeting for the project to construct a patio and shed within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Xin Jia was the applicant.

Mr. Jia presented plans for a patio and shed on their property, describing the patio as 18 feet by 14 feet with a gravel base and paver stones, and the shed measuring 8 feet by 12 feet with a gravel base.

Coordinator Capone provided context, mentioning an existing open Order of Conditions for previous construction on the property involving additions and deck modifications, which required mitigation including a vegetated strip along the wetland. She noted the patio's compliance with exemption criteria due to its distance from the wetland, while the shed required a Determination due to its proximity to the wetland setback.

Chair Henkels sought clarification on the administrative handling of the prior and current projects under the Order of Conditions. Coordinator Capone explained that the existing Order would remain open for completion of ongoing work, while the Determination would cover the patio and shed projects concurrently.

Chair Henkels confirmed whether the Order needed completion before proceeding with new work, to which Coordinator Capone clarified it was at the Commission's discretion. Chair Henkels then invited questions from the Commissioners.

Comm. Sevier inquired about the placement of the shed on Mr. Jia's property, asking if there was a specific reason it was situated where it was. Mr. Jia explained that the chosen location was previously an open space and appeared to be the best spot on the property due to its elevation and visibility.

Comm. Sevier sought clarification if this location was depicted in any pictures. Coordinator Capone indicated the general area on the site plan where the shed was proposed, noting its flat compared to the undulating rest of the side yard. She mentioned another possible location near the 100-foot Buffer Zone in the front yard, which would require some regrading.

Comm. Sevier acknowledged the details and observed that the alternative location would effectively place the shed in the front yard.

Comm. Rogers asked about the appearance of the front yard in the picture, noting its muddy look and asking if there had been flooding or recent disturbances. Mr. Jia clarified that the area had been affected by previous construction activities earlier in the year, resulting in the removal of materials and subsequent reseeded with grass.

Comm. Rogers then inquired if planting grass in that area was appropriate, seeking Coordinator Capone's input on the matter. Coordinator Capone explained that the area had been previously disturbed, including stockpiling during the earlier addition work. She noted uncertainty about the initial condition of the area when Mr. Jia first acquired the property. Mr. Jia added that if left untouched, the area would likely revert to a natural state with vegetation over time.

Comm. Sevier remarked on the sandy appearance of the area, suggesting that previous stockpiling of sandy material may have affected the grass growth, which was now beginning to recover. Mr. Jia confirmed plans to seed the original lawn area to facilitate further recovery.

Chair Henkels thanked them for the clarification and invited any additional questions or comments from the Commissioners. He turned to Coordinator Capone for her recommendation regarding the shed's proposed location and asked if anyone had strong objections or preferences regarding its placement within the buffer zone.

Comm. Holtz confirmed they were discussing the proposed location of the shed and not its current placement. Chair Henkels sought consensus on the matter, noting the preference for the shed to ideally be situated outside the Buffer Zone.

Comm. Sevier expressed support for the shed's current location towards the back of the house, considering its accessibility. Comm. Luke Faust agreed with Comm. Sevier's perspective.

Chair Henkels then asked if there were any questions or comments from the audience on the matter.

Chair Henkels addressed the commissioners, seeking their input on the shed's location. Comm. Sevier and Comm. Faust indicated agreement that it should likely be positioned at the rear. Comm. Porter inquired about the shed's dimensions, to which Chair Henkels responded it measures 8 by 12 feet. Comm. Porter then asked about the type of foundation it would have, with Comm. Jia clarifying it would be gravel. Comm. Porter expressed no objections based on previous discussions and reiterated a preference for the shed to be situated in the background. Chair Henkels confirmed he had no objections to either location suggestion.

On motion by Comm. Faust to issue a Negative Determination of Applicability, seconded by Comm. Sevier, via roll call the vote was unanimous in the affirmative.

Request for Determination of Applicability: 24 Goodnow Road, RDA #24-16

Chair Henkels began the meeting for the project to alter grade within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Goodnow Partners, LLC was the applicant.

Stephen Poole from Lakeview Engineering presented the project, which will be sited on a vacant lot currently under Planning Board review for stormwater management and scenic road considerations. He highlighted the proposed septic system's location near Goodnow Road's eastern corner, noting grading extending into the 100-foot Buffer Zone at its nearest point, approximately 85 feet from the wetlands. Mr. Poole emphasized the septic system's placement due to favorable soil conditions and the presence of a stormwater management pond just outside the Buffer Zone. He sought the Commission's determination that the proposed grading would not harm the wetlands, covering approximately 1,566 square feet within the buffer zone. Coordinator Capone confirmed that recent testing had removed any trees from the area. She expressed no objections to the proposed grading, contingent upon Board of Health approval for the septic system and final Planning Board decisions on the stormwater system.

Comm. Holtz queried whether neighbors are notified for an RDA (Request for Determination of Applicability) compared to a full application. Mr. Poole confirmed that neighbors had been notified through the Planning Board application process, with Sudbury Valley Trustees identified as the abutter to the east.

Chair Henkels noted the need for approvals from both the Planning Board and the Board of Health, acknowledging the differing meeting schedules of each entity. Chair Henkels formally requested Mr. Poole's permission to extend the discussion to July 29th, which was granted.

On motion by Comm. Faust to continue the Hearing to July 29, 2024, seconded by Comm. Rogers, with Comm. Porter absent due to technical issues, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 150 Prides Crossing, DEP #301-TBD

Chair Henkels opened the Hearing for the project to install a fence after-the-fact within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Tim & Jennifer Shannon were the applicants.

Mrs. Shannon presented two photographs regarding a fence inadvertently crossing the 100-foot Buffer Zone on their property. She explained that when the fence was installed in 2011, they had not been aware of the encroachment into the Buffer Zone. She requested permission to retain the fence in its current location.

Chair Henkels noted an old Order from about 15 years ago. Coordinator Capone clarified that an Abbreviated Notice of Resource Area Delineation had initially approved the wetland delineation recorded on the property Deed. Upon Mrs. Shannon's attempt to sell the property in December, a site visit revealed the fence's jurisdictional encroachment. Consequently, no Certificate of Compliance was issued, and an after-the-fact Notice of Intent was required for retaining the fence.

Coordinator Capone described the area as flat, previously forested but now populated with milkweed beyond the fence. She initially considered additional plantings but found the area now rich with natural habitat, suggesting no need for further planting. Coordinator Capone opined that if an NOI had been filed initially, the Commission likely would have approved the proposal. The current request aimed to formalize approval for future property owners.

Chair Henkels inquired about the need to sign off on the Order of Resource Area Delineation. Coordinator Capone confirmed this was necessary but explained that since they lacked a DEP number, the new Order couldn't be issued that night and would be addressed at the next meeting.

Chair Henkels then invited questions from the Commissioners, prompting Mrs. Shannon to share her observations of butterfly activity around the milkweed area of the property, noting a significant presence of butterflies and dragonflies. Chair Henkels appreciated her insight and proposed continuing the discussion until July 15th, allowing Coordinator Capone time to prepare the Order once the DEP number was obtained. Chair Henkels requested Mrs. Shannon's permission to extend the discussion to July 15th, which she granted.

On motion by Comm. Sevier to continue the Hearing to July 15, 2024, seconded by Comm. Faust, with Comm. Porter absent due to technical issues, via roll call the vote was unanimous in the affirmative.

Notice of Intent: 94 Puritan Lane, DEP #301-TBD

Chair Henkels opened the Hearing for the project to rebuild a patio and rock wall within the 100-foot Buffer Zone within the 100-foot Buffer Zone, pursuant to the Wetlands Protection Act and Sudbury Wetlands Administration Bylaw. Christina McCarthy was the applicant.

Chair Henkels invited Mrs. McCarthy to present their project, accompanied by Evan Underwood from Sudbury Stone. Mr. Underwood provided details on the existing conditions of the stone patio and sitting wall, both of which are in disrepair. He proposed removing the current materials, excavating the base, and replacing them with a permeable base and irregular bluestone, incorporating a new patio and walkway without expanding into the wetland

areas. He emphasized minimal disruption using specialized equipment and protecting existing plantings, though he noted the removal of a cedar tree obstructing the wall's stability.

Mrs. McCarthy supplemented the presentation with images of the current patio and wall conditions, highlighting the need for renovation due to deterioration. She expressed their commitment to preserving the landscape while enhancing usability and stability. She described plans to improve a deteriorating walkway behind their home, previously surfaced with improperly fitted slate pieces. She proposed replacing it with a more stable crushed stone walkway bordered by wood, enhancing safety and functionality.

Mrs. McCarthy then introduced a boardwalk project intended to improve access to their shed, particularly during muddy conditions. The proposed boardwalk would be temporary, utilizing materials like crush stone and non-pressure-treated cedar or oak beams, integrated with 6 by 6 blocks and topped with horizontal one by 8 boards. Mr. Underwood elaborated on the technical aspects, emphasizing minimal environmental impact and natural integration into the landscape.

Coordinator Capone expressed her observations about the challenging site conditions, noting that the wetlands surround the property on three sides. She highlighted historical wetland designations from the 1994 plan, particularly where the shed is currently located, which is why the area remains wet.

She acknowledged that her main concerns lie not with the proposed walkway or other elements but rather with the construction process due to the site's tight confines. She specifically addressed Mr. Underwood, seeking clarification on how the patio construction would proceed, especially given the steep drop-off towards the wetlands.

Mr. Underwood assured Coordinator Capone that all construction activities would be conducted from the top of the site. He emphasized that he would use plywood to protect the existing driveway and lawn as he maneuvers equipment such as a small mini excavator and a bobcat. All excavated materials would be carefully loaded and removed off-site, ensuring no disturbance or spreading towards the sensitive wetland areas. He further explained that the excavation and installation of the new base would be a swift process, with minimal impact on the surrounding terrain. He will stabilize the area promptly using appropriate materials.

Coordinator Capone raised concerns about erosion control measures and vegetation clearance necessary for implementing them. Mr. Underwood proposed placing erosion controls like straw wattles halfway down the hill, starting near existing boulders and extending around the site. Mrs. McCarthy confirmed that there was space and some clearing had already been done for this purpose.

Coordinator Capone emphasized the importance of minimizing vegetation removal and suggested placing the wattles as tightly as possible while still being effective, especially around the boulders and in the overgrown areas. She acknowledged the historical land use changes, mentioning a prior restriction on lawn in the backyard, which had been converted to a lawn and used for recreational purposes.

Regarding regulatory compliance, Coordinator Capone noted that an old Order from 1994 prohibited lawn in the backyard, although it had been converted many years ago. She recommended a site visit by the Commission to review the current conditions and proposed changes, including the new walkways potentially crossing wetland areas. Mr. Underwood expressed willingness to coordinate a site visit with the Commission to ensure everyone has a clear understanding of the project and its environmental implications.

Coordinator Capone provided additional details on mitigation efforts and the property's management. She noted that despite being overgrown, there weren't many invasive species present. The homeowners were actively addressing garlic mustard and were willing to remove mature burning bushes as part of their mitigation efforts. Additionally, they planned to set up a compost bin to manage yard waste properly.

Regarding regulatory compliance, she stated that the open Order dating to 1994 was never recorded on the Deed, but should be addressed to avoid issues in future property transactions. Chair Henkels acknowledged this and emphasized the need for a site visit to assess whether the proposed work aligns with the conditions of the outstanding Order.

Chair Henkels then opened the floor to the Commissioners for questions or comments.

Comm. Holtz expressed his endorsement of a proposed visit, emphasizing the difficulty of forming opinions based solely on images. Turning to the audience, Chair Henkels sought permission from Mrs. McCarthy to extend proceedings until July 15, 2024, which she granted.

On motion by Comm. Holtz to continue the Hearing to July 15, 2024, seconded by Comm. Faust, with Comm. Porter absent due to technical issues, via roll call the vote was unanimous in the affirmative.

Adjourn:

On motion by Comm. Holtz to adjourn the meeting at 8:35 PM, seconded by Comm. Rogers, with Comm. Porter absent due to technical issues, via roll call the vote was unanimous in the affirmative.