



SUDBURY CONSERVATION COMMISSION
Meeting Minutes of December 16, 2019

Present: Tom Friedlander, Chairman; David Henkels, Vice Chairman; Bruce Porter; Richard Morse; Kasey Rogers; Charlie Russo; Mark Sevier; Ken Holtz (7:05 PM), Associate Member; and, Lori Capone, Conservation Coordinator

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

Minutes:

On motion by R. Morse, seconded by D. Henkels, the Commission unanimously approved the minutes of November 18, 2019.

Wetland Applications:

Notice of Intent – Buddy Dog Humane Society, 151/183 Boston Post Road, DEP File #301-1261:

T. Friedlander reopened the hearing for the construction of a new animal shelter building and parking lot with associated grading and drainage within the 100-foot Buffer Zone continued from October 21, 2019, under the Wetlands Protection Act and Sudbury Wetlands Administrative Bylaw.

Christopher Mulhern of Harrison Mulhern Architects updated the Commission on the project and presented two alternative site layouts for the Commission to consider. The applicant has not had a chance to present these options to the Planning Board yet, who had expressed concern with the proposed parking along Route 20 and pedestrian access between the two buildings. Mr. Mulhern summarized the differences in impervious surfaces and distances of disturbance to wetlands between existing conditions, the plan presented to the Commission in October, and the two alternative plans. Option A proposes the new building in the same location but moves some parking off Route 20 by re-using some of the existing parking lot that was proposed to be restored to vegetation. Option B moves all parking off Route 20 and repositions the proposed building and dog run closer the wetlands. Option B preserves the existing trees along Route 20. The Commission discussed the pros and cons of each option, weighing the Commission's mandate to avoid, minimize, and mitigate wetland impacts, while providing consideration to the mandates of the Planning Board. It was determined that Option B was the least favorable option.

Dan Wells of Goddard Consulting discussed improving the proposed mitigation to include native plantings in the area of invasive species removal. The Commission also requested the existing dog run area be evaluated to see if improvements can be made that help mitigate for the proposed project.

Heidi Hampson, Buddy Dog Board of Trustees President, asked if the Commission has come to agreement on the two alternative options. The Commission felt that Option A provided flexibility to satisfy the Planning Board's concerns while not being more detrimental to wetland resource areas as this option had the lowest total impervious surface on site, provided acceptable mitigation is developed.

As the Planning Board would not be hearing this proposal until January 8th, the Commission continued the meeting to the January 13th Conservation Commission meeting, with the consent of the applicant.

Notice of Intent – 275 Morse Road, (Barn side), DEP File #301-1278:

T. Friedlander opened the Notice of Intent hearing to construct a bridge and boardwalk across an intermittent stream and Bordering Vegetated Wetlands.

Natalie Haight presented her proposal to construct a bridge and boardwalk across the southeastern end of the existing pond to help facilitate the invasive species management required under an existing Order. Coordinator Capone worked with the applicant to design the bridge in a manner and materials that will not be detrimental to the wetland resource areas.

The Commission discussed the existing Order and requested that the conditions of that Order be incorporated into the new Order and the existing Order be closed out.

There were no public comments.

On motion by K. Rogers, seconded by M. Sevier, the Commission voted unanimously to close the hearing. An Order of Conditions will be issued at the next meeting.

Abbreviated Notice of Resource Area Delineation – 151 Plympton Road, DEP File #301-1279:

T. Friedlander opened the Abbreviated Notice of Resource Area Delineation hearing requesting approval of an on site wetland resource area.

Corey Van Wyne and Chris Canton of Metrowest Engineering presented the plan showing a vegetated wetland flagged in November based on vegetation and soils. Mr. Van Wyne explained that there is an area that extends into the hay field where water may spill into under high water conditions but the soils and plant community did not support this area being classified as wetland. Coordinator Capone concurred and said this delineation is similar to the one approved in 1999. Mr. Van Wyne believes that the wetland is generated from a seepage coming out of the hillside and is isolated. No wetlands are shown in the area on the GIS maps. Coordinator Capone suggested that since the entire wetland was not flagged, as it extends onto adjacent properties, and the homeowner was going to maintain a 100-foot offset to this boundary, that the Order be issued with no determination on the whether the wetland was isolated or bordering. Mr. Van Wyne had no objection.

Robert Dionisi, 111 Plympton Road, asked if the original Order of Conditions was released for the construction of the house. Coordinator Capone responded that she will confirmed that they have.

On motion by M. Sevier, seconded by D Henkels, the Commission voted unanimously to close the hearing. On motion by M. Sevier, seconded by C. Russo, the Commission voted unanimously to issue an Order of Resource Area Delineation.

Certificates of Compliance:

25 Briant Lane, DEP File #301-673: Coordinator Capone explained that the homeowner inquired about work he wanted to conduct when it was noticed that this original Order from construction of the house in 1999, was not closed out. A subsequent Order was issued in 2001 to rectify deviations from the approved plan, which received a Certificate of Compliance in 2009, but the original Order remained on the Deed. Coordinator Capone recommended issuance of a Certificate of Compliance.

On motion made by D. Henkels, seconded by C. Russo, the Commission voted unanimously to issue a Certificate of Compliance.

Willis Hill Realty Trust, 87 Cudworth Lane, DEP #301-558 and #301-1165:

Coordinator Capone explained that this property is being sold when it was noticed that there were two prior Orders of Conditions that they are seeking Certificates of Compliance for. There is a third Order that incorporated these two prior Orders which remains open for one additional growing season in order to conduct required monitoring on the mitigation plantings. Coordinator Capone has visited the property to confirm the site is in compliance with the Order and recommended Certificates of Compliance be issued for the two expired Orders.

On motion by D. Henkels, seconded by B. Porter, the Commission voted unanimously to issue Certificates of Compliance for DEP #301-558 and #301-1165.

TD Bank, 407 Boston Post Road, DEP File #301-1065:

Coordinator Capone explained that this Order was for the construction of TD Bank. A small corner of the front of the property is in the buffer zone to a wetland across the road. All work is in compliance with the Order of Conditions and recommended a Certificate of Compliance be issued.

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

Sudbury Water District, 199 Raymond Road, DEP File #301-1248:

Coordinator Capone explained that this Order is for the construction of the new headquarters. All work was completed in compliance with the Order of Conditions and the site is stable, recommending a Certificate of Compliance be issued.

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

Other Business:

Summary of Carding Mill Site Visit:

T. Friedlander updated the Commission on the site visit that was held between members of the Board of Selectmen, Historic Commission, and Conservation Commission for a tour of the carding mill. Mr. Haggard of the Historic Commission has asked to meet with the Commission in January to discuss ways the Conservation Commissioner and Historic Commission can collaborate on use of this property.

Potential Land Donation: Green Hill Road (Parcel K10-0024):

Coordinator Capone stated that the Commission had tabled discussion on this land donation until the EEE risk had passed. Coordinator Capone reported that the property is about 7 1/3 acres but is almost entirely wet. There is substantial frontage on Green Hill Road with a little frontage on Route 20. There is about 40 feet from Green Hill Road that is dry before hitting the wetlands. The parcel provides wildlife habitat but has limited ability to be used for passive recreation. The Commission discussed costs associated with having the property surveyed, conducting a Phase I 21E Assessment and asked Coordinator Capone to inquire with Planning and Public Works to see if there may be other uses that this property might be useful for.

Spring Walks:

Coordinator Capone explained that she has been contacted by the Lincoln-Sudbury Adult Education Program who asked if the Commission was interested in co-sponsoring a program, in conjunction with Sudbury Valley Trustees and US Fish and Wildlife, that informs people about Sudbury and Lincoln open spaces, with an outdoor component with guided walks on Town, Federal, and Land Trust properties. Neela de Zoysa, who will lead this program, wondered if the Commission wished to lead any of these walks. The Commission was very supportive of the program and stated that they may attend some of the walk but preferred not to lead them.

On motion by M. Sevier, seconded by C. Russo, the Commission voted unanimously to co-sponsor this program.

Update on CPC Meetings:

T. Friedlander updated the Commission on the projects proposed for this year's funding including invasives removal at King Philip Woods, invasives treatment in Carding, Stearns, and Grist Mill Ponds, updated storage unit for the library, historic building survey, and allocation to affordable housing. T. Friedlander said the Hop Brook Association will be filing a Notice with the Commission soon and asked Commissioners to let the Coordinator know any information that they would like to see in order to evaluate the use of Clearcast on water chestnut. K. Rogers said she is interested in knowing about toxicity on non-target species.

Environmental Notification Forms:

Coordinator Capone informed the Commission that two Environmental Notification Forms were recently submitted for comments: one for Alta at River's Edge in Wayland on the Town line, and one for the Quarry North development in Sudbury on the Concord Town line. Meetings with the MEPA Office are scheduled this week and comments are due by December 31st.

Citizen's Comment:

Mimi Dimauro of 588 Peakham Road attended tonight's meeting to relay her thanks to the Conservation Office staff for helping resolve outstanding Orders of Conditions at 87 Cudworth Lane.

On motion by D. Henkels, seconded by M. Sevier, the Commission voted unanimously to adjourn the meeting at 8:10 PM.