

**Lincoln Conservation Commission**  
Meeting Minutes – January 24, 2018

Start – 7:00 p.m.

End – 10:00 p.m.

**Commissioners present** – Peter von Mertens, Ron Chester, Jim Henderson, Christine Dugan, Ari Kurtz, Richard Selden, Larry Buell

**Staff present** – Tom Gumbart, Jennifer Curtin

**CONSERVATION DIRECTOR’S REPORT**

80 Tower Road - acquisition of backland will happen soon with Conservation Fund money.

Jennifer Burney, Town Planner, has coordinated a site walk to explore opportunities for a path to connect Lincoln Station to Codman Community Farms for the coming week. Potential alignments for both a roadside path along Lincoln Road and a trail path on municipal land behind Doherty’s Garage will be considered. There is Complete Streets Grant funding that may be available for this project.

**125 Winter Street - Care Dimensions – Conservation Restriction**

**Attendees:** Jason Talerman, Phil Cibelli

The Commission discussed the management plan that was received on January 23, 2018. The Commission raised concerns at the meeting on January 3 about the need for invasive plant management, especially a large patch of Japanese knotweed on the property, which was addressed by Care Dimensions in the plan. If herbicides are used on site they must be applied in a manner that ensures no potential impact to the public water drinking supply. Care Dimensions has also been asked to look into management of their land that is located in Waltham to ensure invasives are controlled on all of their contiguous property.

The Commission **voted 7-0** to accept the draft CR as amended. Conservation Staff will work with Care Dimensions and Jason Talerman to complete the CR application to the MA EOEEA’s Division of Conservation Services.

**WETLANDS**

**14 Old Cambridge Turnpike (112-3-0) – Notice of Intent - Steve Nohrden – New Garage & Septic Replacement**

**Attendees:** John Markey, Steve Nohrden

The engineer for the project, John Markey, presented the plan for the site, explaining the wetlands line and the plans for the new garage and the replacement septic system. The new septic system will be raised due to the high water table. The engineer explained that no other

sites on the property were considered for the septic as none were deemed feasible. Jim Henderson pointed out that other sites could have been considered, such as next to the driveway. Mr. Markey said that the width of the system, plus grading, would be too large to put next to the driveway. Ari would like to know if it is okay to use existing leaching field materials on the surface for the new system, however the engineer said that none will be exposed.

Mr. Nohrden presented his plans for the new garage with an office and bathroom. The design was inspired by other homes/barns in Lincoln to keep with the character of the Town. They plan to add solar to the building. The Commission recognizes that all of the work is within the 100-foot buffer zone resource are and a small part is within the 50-foot, however all of the area to be worked on is within the currently developed area or lawn.

Within the 50-foot buffer zone there will be an increase in impervious surface of 40 sq. ft. and within the 50-100-foot buffer zone there will be an increase in the impervious surface of 390 sq. ft. Runoff will be mitigated by a 2' wide trench with a pipe fed by downspouts over the garage doors.

The Commission **voted 7-0** to close the hearing and issue an Order of Conditions allowing the project to proceed.

## **DISCUSSION ITEMS**

### **Aquatic Herbicides**

In the summer of 2016, in connection with their management of Todd Pond, the Commission requested that Last year Solitude Lake Management was asked for provide a current summary of the literature on the toxic impacts of herbicides to humans and wildlife. The following year, Solitude and they provided a document entitled "AQUATIC HERBICIDE TOXICOLOGICAL AND ENVIRONMENTAL FATE PROFILES Office of Research and Standards from the Massachusetts Department of Environmental Protection.

Following review of the DEP document, 10-30-year-old data on the toxicity of these chemicals. The Commission was concerned that the literature describing the toxicities was generally based on data that was decades old. In addition, the literature focused on the stated active ingredient of each herbicide, not on the actual formulations of herbicides sold commercially (it is often the case that the active ingredient makes up less than half of the commercial formulation). At the March 29, 2017 meeting of the Conservation Commission, Solitude presented their requested use of herbicides for Farrar Pond and summarized the DEP document. Following this presentation, after Richard Selden presented discussed a set of recent peer-reviewed publications on the toxicities of several of the proposed herbicides. some more recent information on this topic last year. The Commission was concerned about this data and decided agreed that this topic should be investigated more thoroughly formally. At the following meeting, Dr so Mr. Selden found reported that Dr. Wendy Heiger-Bernays, Clinical Professor, Environmental Health a Professor at Boston University, .U., who agreed to oversee a literature study performed done by one of her Graduate students. The Commission agreed to provided a \$1000 honorarium to the graduate student for her efforts. In September 2017, a draft of this review was sent to DMr. Selden. It

was not distributed at that time because it was anticipated that the review would be revised with a summary of aquatic herbicide permitting in Massachusetts. When it became clear that this additional portion was not going to be done before completed prior to this meeting, DMr. Selden sent the literature review to the Conservation Commission for distribution.

DMr. Selden gave a quick summarized of the report literature review and presented the researcher's conclusions. Note that in most chemical ingredient lists, the active ingredients are named but the other agents in the commercial formulation are not as the formulations are considered trade secrets. Therefore, this literature review could only look into the active ingredients. that there are many chemicals used in commercially available pesticides, with Fourthree of the six herbicides reviewed had showing clearconcerning toxicity profiles: and harm to humans and wildlife; Diquat (the active ingredient in Reward), Glyphosphate (the active ingredient in Round-Up), and Flumioxazin (the active ingredient in Clipper), and Fluridone (the active ingredient in Sonar). In most chemical ingredient lists, the active ingredients are named but the other agents in the mixture are not. These are considered "trade secrets". Therefore, this literature review could only look into the active ingredients. There has not yet been a comprehensive look at the governmental level at these agents. There were threeTwo other chemicals that are widely used inas herbicides that doo not have reports of acute toxicityevidence of toxicity in the peer-reviewed literature: ; Fluridone, Copper sulfate, (the active ingredient in SeClear) and Endothall (the active ingredient in Aquathol).

However, there is a lack of published studies on these chemicals and their status may change with more research.

The Town of Wellesley uses an organic, integrated pest management policy on town property which entirely prohibits chemical heerbicides in town-owned ponds. They have put ininstalled a phosphorus removal system at Morses Pond and they employ mechanical harvesting methods which have proven to be an effective alternative. The Commission asked that Tom Gumbart will follow up with town of Wellesley to get more information on their phosphorus reduction process. The Commission also asked that Ron Chester talk with Ken Wagner to get more information on his work on Morses Pond. The Commission needs to make a clear statement on the toxicity of herbicides and have pond owners fully explore the feasibility of alternative weed control techniques. This also extends to the use of chemicals for lawns and other upland property management. The Commission will continue to look at alternatives to aquatic herbicides in other towns and situations and consider a new guidance policy on what is allowed permitted in Lincoln's water bodies. The Commission plans to make a clear statement on the toxicity of certain herbicides and have pond owners fully explore the feasibility of alternative weed control techniques.

### **Public Lands Preservation Act**

Several years ago the Commission expressed its support of this MA bill and it is now in the Senate Committee on Ways and Means. Philip Saunders reached out to Tom Gumbart expressing the need for the Commission's support at this time. The Commission voted unanimously to continue its support this Act.

## **School Building Committee Update**

Christine Dugan gave an update on the SBC meeting that showed 5 different plans. Plan B6 is the most popular rendering and the cost would be ~\$90,000,000. There will be a vote at Town Meeting to decide on a plan to move forward with executing it. There is a possibility for solar on the buildings and a zero-energy consultant has already been hired to work through the planning process to keep energy efficiency a consideration. There was discussion that it is likely that any plan may include limited expansion of the building footprint with the buffer zone resource area. This will clearly need wetlands permitting and the project will need to incorporate stormwater management BMPs and habitat enhancements to mitigate any new construction with the buffer zone. As with all permitted projects, the Commission will look for net improvements for water quality and management to be an integral part of the proposed work.

## **CIVICO Housing Project**

Mr. von Mertens gave a brief overview of the project. It will be 60 total rental units on a 6-acre parcel with 15 affordable housing units. Under 40B, all 60 will count towards the affordable housing inventory of the Town and will help to protect the Town from a large affordable housing development. The Town is proposing giving 1,000,000 to the developer to facilitate the project. Mr. von Mertens believes there are a lot of questions that need to be answered and the developer should have done more public outreach. One of the issues is that an initial estimate said that this development will place approximately 13 new students in the school system, with other estimates putting the number closer to 18-24 students. The taxes that will be generated by the development may not be sufficient to pay for the increase in student population. There is no wetland permitting needed for this project. New residents here will want trail access and this will be a conservation issue.

## **Annual Report 2017**

Tom Gumbart is currently working on the Annual Report and is updating it with changes such as new Commissioner, Larry Buell, and new staff, Jennifer Curtin, Tim Beliveau, and Stacy Carter. The report will include an update on the SUASCO Wild & Scenic Rivers Stewardship Council 's activities. Christine Dugan is Lincoln's representative on this Council. The Annual Report will be submitted before the next meeting.

## **Trail Use Regulations Update**

Mr. Gumbart gave an update on a plan for trail access for bicycling. The Commission was shown a map that shows the trail system with currently marked bike trails and roadside paths and new trails to potentially become open for biking. After Town Meeting the Commission and the LLCT will hold a public meeting to solicit input on any potential changes.

## **SUBCOMMITTEE & LIAISON REPORTS**

### **CPC**

Boquist Property - 247 Old Concord Road discussion moved to Town Meeting.

### **Agriculture Subcommittee**

A meeting of the Ag Subcommittee will be planned in the next week or two. Revisions to the existing Farm Policy and reporting requirements will be considered. The 5-year license period ended in 2017 so we need to work with farmers on renewed licenses.

### **Other Reports & Announcements**

The Environmental Club at Lincoln-Sudbury High School has written two warrant articles to ban single-use water bottle sales and plastic bag use in Town. James white, owner of Trail's End Café and Lincoln Kitchen, submitted his own proposal to prohibit single use water bottles on all Town land.

### **ACTION ITEMS**

- Ratified Enforcement Order for 178 South Great Road
  - Hand delivered to the homeowner on January 24, 2018
  - **7-0 agreed to ratify**
- Signed Order of Conditions for 67 Winter Street
- Bills paid & payroll signed

Respectfully Submitted,  
Jennifer Curtin, Conservation Assistant