

Lincoln Conservation Commission
Meeting Minutes - March 11, 2020

Start - 7:00
End - 9:00

Commissioners Present: Larry Buell, Kathleen Shepard, Jim Henderson, Ari Kurtz, Susan Hall Mygatt, Christine Dugan

Staff Present: Tom Gumbart, Jennifer Curtin

Attendees: Brooks Mostue, Dennis Picker, Mitch Maslanka, Thom White, Mark Arnold, Dr. Nallicheri, Dan Peirce

CONSERVATION DIRECTOR'S REPORT

The Walden Woods Project Conservation Coffee

The Coffee was planned for March 12 but has been cancelled due to the state of emergency and ongoing threat surrounding COVID-19. The Coffee will be rescheduled for a future date.

Amphibian Crossing activity & road signs

The weather has been unusual with no snow cover and mild temperatures so there has been a lot of movement all winter. Due to this, no letter was submitted to the Board of Selectmen for road closures, but the Conservation field staff have posted signs on roads with known activity.

Oriole Landing – trail update

Conservation is coordinating with David Oliveri from Oriole Landing as they are getting close to moving in tenants and they are working out trail access for residents. Tom Gumbart sent along the landowner liability information and said that Conservation would work on routine trail maintenance but Oriole Landing or The Commons would assume costs for larger projects such as large tree removal.

Stormwater Bylaw proposed for Town Meeting

Comprehensive Environmental Inc. (CEI) consultants have been working on the Stormwater and Illicit Discharge Detection and Elimination (IDDE) Bylaws. These are required to be in place under the MS4 permit and to comply with state and federal regulations.

Stormwater Educational Outreach

Gary Davis has been a volunteer for the town in the Planning and Building Departments and he will be taking on educational outreach.

Wednesday Trail Walk Series

These walks usually start up in the first week of April but as most of those who attend are senior citizens we may wait or cancel as things progress with COVID-19 in the coming weeks

Other Reports

Stacy Carter and Emma Coates are doing great work on the trails. They have been receiving a large number of tree reports. Mr. Gumbart helps with large trees.

Mr. Kurtz attended the MACC annual meeting which included trainings and will receive the Mass Environmental Online Handbook. Mr. Gumbart informed the Commission that the Conservation Department will pay for e-handbooks.

COVID-19 is impacting many Departments and planned meetings. Town Meeting may be postponed.

WETLANDS

7:15 pm – Notice of Intent: Nallicheri. 69 Page Road (146-3-0) – for the construction of an in-ground pool with an associated sewer line, septic tank/pump, and pool house within the 100-foot buffer zone resource area.

Mr. Kurtz opened the hearing. Six Commissioners were present at the site visit this morning.

Mark Arnold, Goddard Consulting, presented the current conditions on the site. The house was permitted in 2007 with a Certificate of Compliance issued in 2010. Showed pictures from June 2010 to June 2019 to show tree line has not changed. Mr. Arnold presented the location of the wetlands and the buffer zones on site. Mr. Gumbart was on the site in 2010 and believes that additional trees had been cut after the Certificate of Compliance was issued moving out towards the wetland area and there may have been clearing of underbrush. The current owner purchased the house in 2016.

The proposed project is a 7-foot deep inground pool off of the patio space. As proposed, the patio will act as the pool deck. The building will have bathrooms that will tie into the existing septic. The building will have a green roof with skylights. The applicant seeks to restore the area around the building. They do not anticipate any tree removal but would need to remove shrubs and small sapling trees of no taller than 8-9 feet tall.

Thom White was the original architect for the house. He presented additional details on the proposed pool house green roof. As proposed, a planted roof will be used to attempt to make up for loss of lawn. It will absorb up to 70% of rainfall with remainder to percolate through to be collected and then directed out to sheet flow on the lawn or to a subsurface drainage structure. The roof design is still in the planning process but can be designed to direct the water in any direction. The green roof will add insulation to attempt to conserve energy. Mr. White presented the architectural plan for tying the building and roof into the existing landscape. The applicant is looking for guidance from the Commission to direct the planning process.

Mr. Kurtz asked if the roof could handle a 100-year storm. Mr. White said that roof drains will be sized to handle that. Mr. Henderson asked why the applicant chose this location and suggested some alternatives. Mr. White said that another option considered was to locate the building outside of the buffer zone, but that would require a larger building and would present problems with connecting the house to the pool. Mr. Henderson said that he is concerned about the proposed location and its proximity to the 50-foot buffer zone. There was discussion about the original plan for the lot and about plantings closer to the buffer zone that is currently lawn. Mr. Gumbart said that there would need to be over digging to make space for the pool and that the applicant should consider this as well.

Mr. Kurtz suggested alternatives: while he understands it is not as architecturally ideal, alternatives would keep the proposed addition out of the buffer zone. Mr. White said that several alternatives were ruled out because they would require rearranging the interior of the house to connect to the pool area. Ms. Mygatt reviewed with the Commissioners and the Applicant several applicable provisions of Lincoln's Wetlands Protection Bylaw and Regulations. She noted that Section 7.3 of the Regulations states that when the upper buffer zone has been altered, the Commission may require mitigation. In addition, Section 7.2 of the Regulations states that when the new impervious area created by a project in the Upland Buffer Zone Resource Area is more than 400 square feet or closer than 70 feet from the Wetland Resource Area, the Commission will require the applicant to provide clear and convincing evidence that the project will not have a significant adverse impact on any adjoining Wetland Resource Area. Ms. Mygatt asked how the applicant intended to comply with these provisions. Mr. Arnold pointed to the plan for a planted roof, the proposed addition of native planting at the edge of the building and proposed increased vegetation up to the 50-foot line as examples of proposed mitigation.

Mr. Henderson said that the Commission does not usually permit buildings up to the 50-foot buffer line, and he said that he did not see that the applicant could demonstrate hardship. He reiterated that there are alternatives that would not have such a significant impact inside the 100-foot buffer zone.

Mr. Kurtz noted that the footprint of the proposed building would be located within 3 feet of 50-foot line. He noted that it would be nearly impossible to construct the project as proposed without going into the 50-foot buffer zone. He added that while the proposed green roof captures and percolates water much like the ground does, wildlife cannot move across it like they do on the ground. Where there was once open land there is now a wall that they cannot penetrate through.

Ms. Dugan said that Cambridge Water Department requested that the Commission deny the permit because of the Zone A concerns. The applicant stated his opinion that it was not appropriate for the position of the Cambridge Water Department to affect the Commission's determination. The applicant is working on complying with Zone A and believes that they will solve that problem and get a letter from the Cambridge Water Department approving the project.

Mr. Henderson suggested moving the existing septic field to the reserve field and locating the proposed pool house where the current septic field is. Mr. Buell said that he would like to see a more detailed practical alternative. He said that the optimal plan would be to locate the proposed project outside of the buffer zone. Ms. Mygatt said that locating the new construction where it is currently proposed would not be acceptable to her.

The applicants will provide more detailed analysis and will plan to design to the Massachusetts Stormwater Standards.

Mr. Kurtz said that it seems like some testing will need to be done, for example soils, groundwater, and the location of ledge in the proposed construction area.

Dennis Picker of 58 Page Road asked about Planning Board issues. The applicant will have to go to the Planning Board for certain approvals, but the Planning Board apparently asked the application to go to Conservation before appearing before the Planning Board.

Brooks Mostue of 3 Lexington Road and trustee of Farrington Memorial is attending to gather information to bring back to the board as Farrington Memorial abuts the south side of the vernal pool.

The Commission voted to Continue the hearing to April 1, 2020 at 7:15 p.m.

DISCUSSION ITEMS

Subcommittee & Liaison Reports & current/future assignments

Agricultural Licenses will go out soon. Mr. Henderson is working with SLIPIC on Codman Farm paths.

Mr. Gumbart assembled a master list of subcommittees. There is an opening for the SUASCO group and Walden liaison both of which Mr. Buell will seek to fill. The Commission will withdraw its liaison for the School Building Committee as the wetland issues are resolved.

Permitting process and flow charts

Mr. Gumbart distributed a permitting flowchart. He gave an overview of the buffer zones and what goes into wetland permitting from the perspectives of the applicants and the Commission. The Commission discussed what creates a hardship, potential policy statements, the interests of the wetland protection act. The Commission will brainstorm potential mitigation and enforcement

Other Reports & Announcements

The Conservation department will resume sending wetland packets to new homeowners.

ACTION ITEMS

- Bills and Payroll reviewed
- Meeting Minutes from February 19, 2020 approved
- Certificate of Compliance issued for 263 Old Concord Road (156-3-0) DEP # 203-0774

Respectfully submitted,

Jennifer Curtin
Conservation Assistant