

Lincoln Conservation Commission

Meeting Minutes – April 18, 2018

Start – 7:00 pm

End – 9:30 pm

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

Staff present – Tom Gumbart, Jennifer Curtin

WETLANDS

Draft Pond Management Policy

Attendees – Virginia Rundell, Eric Kuhn, Fred Winchell, Will Winchell, Harold McAleer, Ron McAdow, John Newell, Ellen Newell, Steven Perlmutter, Sam Newell

Peter von Mertens opened the meeting and opened up the discussion of the draft Aquatic Herbicide Policy for Commissioner Comments. Christine Dugan understands that this will be more difficult for applicants in the beginning but more tailored information being presented by the ponds will allow the Commission to be more effective. Mr. von Mertens opened up discussion to the attendees. Steven Perlmutter reiterated that dosage should still be considered and also suggested that the line that these chemicals have “been proven to be extremely dangerous” should be reworded. Will Winchell agreed, suggesting to instead calling the chemicals “potentially hazardous”. John Newell said that while the literature review reported no evidence of toxicity with Endothall and Copper Sulfate, “absence of evidence is not evidence of absence”. He believes that all of these chemicals should be viewed as potentially hazardous.

Sam Newell said that his concern is not just about the wording of the policy, the question is whether or not dosage is considered at all. There has been studies done on what level is considered harmful and he says that the Commission should consider that more when making their decisions. Mr. von Mertens said that any chemicals being put into the public water system that could be drunk by someone down the line. He says that the Commission is trying to get as much away from these chemicals as possible. Mr. Newell asked at what concentration these chemicals would not be allowed. He understands the precautionary principal but there is no “zero standard” anywhere else so there must be a threshold. Mr. von Mertens says that Lincoln is different than anywhere else in how they treat the environment. When DDT was first applied they did not know what effects were at the time and this could be similar to that in that we do not know if these concentrations will be harmful down the line.

Mr. Perlmutter suggested another wording change of the line “best and safest remedy”. Fred Winchell said that he appreciates the Commission’s willingness to compromise, and suggested a wording change of the line “to create solutions that are safe with ponds and people” to “ensure that aquatic vegetation is managed in a way that is healthy for both ponds and people”. He also noted that sonification is an experimental method for treating aquatic vegetation and cautioned against recommending it. Eric Kuhn from Solitude explained that sonification is supposed to work on certain species of algae, but he has never seen it work. John Newell asked if the Commission has considered the hazards of not controlling invasive species at all in ponds. He likened using chemicals to control aquatic plants to using vaccines to prevent against disease. Mr. von Mertens said that if nothing is done ponds will inevitably fill with invasive species and be very difficult to get rid of. John Newell asked if the Commission knew of any hazards to human health if ponds fill in. Mr. von Mertens said he did not know of any hazards to human health. Mr. Kuhn responded that eutrophication can occur if pond species are not controlled which is not healthy for humans and other organisms.

Mr. von Mertens concluded that he understands the issues and just wants chemicals to be the last choice, not the first. Jim Henderson says that this process needs to be dynamic and timely, and wants to work comprehensively about effects and impacts. Mr. Perlmutter expressed appreciation of the Commission's flexibility and believes the policy will work. Mr. von Mertens will take into account the comments made and send a new draft policy out to be voted on at the next meeting on May 9th.

Eric Kuhn says that Endothall does not work for spiny naiad and wonders what the Commission would like them to do for treatment. Mr. Henderson said that the Commission wants a restatement of the mission and a 5 year vegetation management plan showing new approaches but does not want to limit treatment for the present. Tom Gumbart said that an extension through October to give time to develop comprehensive management plan was what was done for Valley Pond. The Commission **voted 6-0 to approve** the extension of Todd Pond's Order of Conditions until October 1, 2018. Will be signed at the next meeting

DISCUSSION ITEMS

Litigation Update - Oak Ridge Realty Trust, et al. v. Town of Lincoln Conservation Commission

21 Sunnyside Lane Determination of Applicability. The Commission is being sued over their implementation of town bylaw. Town council has sent acknowledgment.

Update on projects that need completion

Beavers are being trapped on Route 126 by gas station. It must be done as the culvert is being blocked and is in danger of flooding the area which could back up everyone's septic system. Once the beaver are out and the area cleared out then tactics will be implemented to stop future damming of culvert.

CONSERVATION DIRECTOR'S REPORT

There is extra money in the hiring budget through the end of this fiscal year so Conservation will hire someone to GPS locate catch basins and outfalls. The department plans to get GPS unit and iPad for monitoring.

Tom Gumbart will be on vacation from April 30 - May 7.

New staff has had 6 month reviews and are looking to hire seasonal staff.

SUB-COMMITTEE & LIAISON REPORTS

Agricultural Subcommittee

Mr. Gumbart is waiting on documents from some farms. Agricultural licenses will be mailed out soon to be signed.

School Building Committee Update

Morning and afternoon forums were held on April 10th to gather public opinions on which of the designs they would vote for. The SBC will pare down the list of options to three or four designs for June 9th vote. Conservation cares most about runoff and chemical usage.

OTHER REPORTS & ANNOUNCEMENTS

Peter von Mertens commented that staff has done a great job clearing trees off of trails.

Initial public hearing with planning board for Oriole Landing will take place on June 12th. Biggest issue for Conservation is trail connections. Mr. von Mertens says that a legitimate trail over town land will need to be installed.

John Bockoven needs to come in with a planting plan. Jim Henderson will work with him.

Bench installation for Jane's bench as well as Rosalind Williams' will occur soon

Garlic mustard season will happen soon. Stacy Carter will distribute bags at transfer station.

Christopher Boit will need to finish planting plan on LLCT land. Ron Chester will work with him.

There is a trail issue running over Fargo property. Conservation needs to work with surrounding homeowners on potential trail easement. Larry Buell will talk to homeowners.

Adam Sadowick has yet to add second osprey nest. Official neighborhood meeting will be held at Town Offices and information will be sent to neighbors about issues around Sudbury River.

Commission **voted 6-0** to potentially bring on associate member to Commission.

Bike meeting will be planned soon.

ACTION ITEMS

- Commission **voted 6-0 to extend the existing Order of Conditions** for pond management activities associated with Todd Pond until October 1, 2018. Extension will be signed at next meeting.
- Commission voted **6-0 to approve Deed Restriction** for 11 Lexington Road. Certificate of compliance will be issued at next meeting.
- Approve meeting minutes from March 14th and March 28th – **6-0 to approve**
- Bills paid and payroll signed

Respectfully Submitted,

Jennifer Curtin
Conservation Assistant