

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

August 18, 2021

Approved: September 8, 2021

Members Present: Ari Kurtz (Chair), Laura Regrut, Kathleen Shepard, Richard Selden, Amber Carr  
Members Absent: Susan Hall Mygatt  
Conservation Staff: Michele Grzenda, Conservation Director; Stacy Carter, Conservation Planner

*This meeting was held virtually Pursuant to Senate Bill # 2475, Suspending Certain Provisions of the Open Meeting Law*

7:00 p.m. – Discussion Items

The Commission welcomed Amber Carr to the Commission. Ms. Carr was appointed by the Select Board last month and will be sworn in later this week. As such, Ms. Carr will not be officially voting on any matter.

Lincoln Trail Rules and Trail Use Discussion – At the last meeting, Michele Grzenda, Conservation Director, presented a slide show which summarized the history of Lincoln’s trail use rules and provided some input on current observations by staff. Ms. Grzenda inquired with the Commission as to whether they had any general observations and opinions on the matter. Ms. Regrut expressed interest in hearing from other interested user groups, such as horseback riders, bike groups, and nature enthusiasts. Mr. Kurtz wants the Commission to come to a consensus on what trails might be good for different uses. Assessing trail surface and suitability for each trail use should be a main factor. Once the Commission determines new or revised trail uses, it will be important to properly sign trails and educate visitors. Ms. Carr suggested the Commission determine whether there are rare plants near trail edges. Ms. Shepard expressed the importance of educating trail users with positive messages and natural history information. Dr. Selden believes that we have enough trails that we should be able to find areas for most of the activities people wish to do. Trails should be accessible and inclusive to all people. Many Commission members expressed an interest in hearing from the public, learning more about what other towns are doing, and working with LLCT to come up with revised trail use criteria.

Buzz Constable, LLCT Trustee, wants to encourage the use of trails by most people so long as it does not impair the ecological integrity of Lincoln’s open spaces. Mr. Constable believes this topic needs a thorough public conversation and encourage the Commission to get everyone’s thoughts. Dr. Selden suggested that we outline basic core principles at the public meeting. Dr. Selden believes our goal is to be inclusive, accessible, and have as many uses on the land as possible while protecting the land. The public meeting would include a presentation by Ms. Grzenda on basic trail use history, a land use vision, and criteria used to consider appropriate trail uses on open space. Ms. Grzenda suggested additional public discussion could occur at future Conservation Coffees, and discussions with members of the Council on Aging and different town boards. Based on the feedback received and keeping in mind the core principles, the hope would be to come up with a proposal for accomplishing our goals. Ultimately the rules and regulations need to be looked at along with the map of where certain uses will be allowed. Enforcement is a challenge for all land managers. The hope is that clear and transparent rules along with appropriate signage and education will make a difference. Michelle Barnes, Lincoln Land Conservation Trust Trustee, suggests that there should also be an opportunity for public comment in written form.

7:35 p.m. Request for Determination of Applicability (RDA): 10 Deerhaven Road, D. Harpell

The Applicant’s wetlands scientist, Matthew Marro, requested a continuance. Motion by Dr. Selden to continue the RDA hearing to 7:15 on September 8, 2021; seconded by Ms. Shepard; roll call vote: each member responded Aye.

7:30 p.m. Notice of Intent (NOI): 263 Old Concord Road; Fairhaven Bay Lincoln LLC (DEP #203-0941); B. Doyle, Doyle Engineering; M. Curley, owner representative; J. Kruse, contractor; G. Wood, attorney at Rubin and Rudman LLB; T. McNeill, architect.

Bill Doyle of Doyle Engineering presented the project. This NOI was filed for the construction of additions and yard work at 263 Old Concord Road within the 200-foot Riverfront Area. Specifically, the Applicant is proposing four improvements to the existing dwelling: (1) An existing concrete patio would be enclosed and used as indoor living space – this would not increase the impervious area on the property; (2) there would be a small expansion located under the

existing overhang of the building and again would not result in any increase in impervious area; (3) the existing site stairs and walkway located at the southeast corner of the house would be removed; (4) and a new bluestone walkway extending from the eastern face of the house to the driveway would be installed.

The total square feet of riverfront area altered during the project construction would be 4,539 s.f. However, 4,055 s.f. of the disturbance would be temporary and the site would be returned to existing conditions (grass). The remaining 484 s.f. of Riverfront Area alteration (additions and walkway) would be on previously disturbed areas. The net result at the conclusion of the project would be the reduction of two feet of impervious area.

The project will also require the temporary disturbance of two areas that will be used for access and staging: the access for the house improvements would extend across the front lawn from the driveway to the eastern edge of the house, and the staging area would be located at the western side of the house in the lawn area at the rear of the house. Mr. Curley indicated that the staging area would hold building material, not soils or any other erodible items. Mr. Doyle confirmed that a 12-inch filter sock would be used for erosion control purposes. Ms. Grzenda requested that an entrenched siltation fence all be installed to the north of the stockpile location. Ms. Regrut inquired about the location of the new generator and utilities boxes. The Applicant indicated those items would be placed in the building or outside the Riverfront Area.

The Applicant confirmed that there would be no expansion of lawn. Any lawn or landscaped area impacted will be restored. Ms. Grzenda requested a landscaping plan be submitted to the Conservation Department for review and approval prior to any restoration of the landscaped areas. The Commission requested that native vegetation be used. The applicant also indicated their willingness to adopt environmental landscaping practices in the future (no chemicals or fertilizers).

There were no comments received from the public. It was the Commission's opinion that the project complies with Riverfront Area performance standards in 310 CMR 10.58 and the Lincoln Wetlands Protection Bylaw. Motion by Ms. Shepard to close the hearing; seconded by Ms. Regrut; roll call vote 4:0:0. Motion by Dr. Selden to approve the project and issue an Order of Conditions including the conditions discussed; seconded by Ms. Shepard; roll call vote: each member responded Aye.

8:17 p.m. Cont. Notice of Intent (NOI): 15 Stratford Way, E. Henry (DEP #203-940) –

The Applicant requested a continuance. Motion by Ms. Shepard to continue the hearing until 7:15p.m. on September 8, 2021; seconded by Ms. Regrut; roll call vote: each member responded Aye.

8:18 p.m. Notice of Violation: 79 Lincoln Road; C. Jones (owner)

On August 5, 2020, Conservation Staff noticed extensive tree cutting occurring at 79 Lincoln Road. Many trees had been recently cut, and some earth disturbance was also observed on both sides of the driveway. Staff issued a Notice of Violation requesting the owners contact the office to discuss the work conducted. On August 10, 2021, Conservation Staff met onsite with Christian Jones (owner) and noted that unpermitted work occurred in wetland resources areas and buffer zones. Mr. Jones reviewed the areas where tree cutting and clearing occurred. The owner believes approximately 20 trees over 6" diameter were removed and 40-50 saplings <4" diameter removed. The owner indicated that the trees were removed due to safety reasons and smaller vegetation was removed to clean up the place. He was unaware that he was conducting work in the Riverfront Area and buffer zone as the GIS did not reflect some of this information. Discussion ensued.

The owner indicated his intent is to restore the altered areas with trees and plantings. There will be no lawn expansion. The owner has engaged a landscape architect and will be preparing a restoration plan for the Commission to review.

Motion by Ms. Shepard to issue an enforcement order requiring the following: (1) By Sept. 1, 2021, the owner shall file a restoration plan showing that the areas altered within the Commission's jurisdiction will be restored with predominantly native groundcover, shrubs, and trees. Included in this plan shall be a number of trees equal to or greater than what was removed. The plan shall include some larger tree saplings to be planted since some very large trees were removed in the Riverfront Area. Restoration planting shall comply with Lincoln's Buffer Zone and Restoration Guidelines. (2) The Commission will review said plan at their September 8, 2021 meeting. The owner shall complete restoration plantings by October 15, 2021 unless certain plants are not available this fall. The owner is required to monitor the area for 2 years and supply restoration reports. The motion was seconded by Ms. Regrut; roll call vote: each member responded Aye.

8:48 Administrative Matters – Cont.

Conservation Commission Applicant

Becca Fasciano introduced herself to the Commission. Ms. Fasciano has lived in Lincoln since 1999. She has a Masters in Environmental Science and Middle School Science Education. Ms. Fasciano works as a middle school science teacher at Hanscom. Through her teaching, she has rediscovered her love of ecology and is concerned and intrigued by climate change. Ms. Fasciano spends a lot of time thinking about acting locally. This is a way that she may be able to put her understanding of ecology and balance and love of Lincoln to good work. Ms. Fasciano sees the Commission position as a community building mission. She hopes to bring enthusiasm and interest in environmental education to the Commission.

Review of Meeting Minutes from July 28, 2021

Motion by Ms. Shepard to approve; seconded by Dr. Selden; roll call vote: each member responded Aye.

Request for Certificate of Compliance - 167 Concord Road (DEP #203 - \*\*\*)

Motion by Dr. Selden to issue a Certificate of Compliance; seconded by Ms. Regrut; roll call vote: each member responded Aye.

Umbrello RFP

Ms. Carter updated the Commission on the Umbrello Field license request for proposals.

Meeting adjourned at 9:15 p.m.