

Lincoln Conservation Commission
Meeting Minutes - August 26, 2020

Start - 7:00 p.m.

End – 9:00 p.m.

Staff Present: Tom Gumbart, Jennifer Curtin

Attendees: Dave Burke, Mark Goetemann, Kathy Gimbel, Clary Coutu, Matt Donovan, Lincoln Miara, Maria Miara

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

DIRECTOR’S REPORT/DISCUSSION ITEMS:

The field crew is out doing a normal routine on the trails to clear up downed trees and are beginning the field mowing season.

Keolis/MBTA have entered into a license agreement with the Town for maintenance of the roadway at the Food Project that they use to access their switching station. This will be discussed further at the next meeting on September 16.

Town offices are open; however the public is encouraged to make appointments ahead of time or do business over email. We have the ability to send large plans with our wide-format printer.

The Commission discussed potential new Commissioners. Mr. Gumbart suggested that the Commission look for Commissioners with a variety of skill sets, most importantly the ability to understand plans. Anyone who is interested in joining should fill out the volunteer application online and begin attending meetings so that they can understand the role of Commissioners. Commissioner appointments are done by the Selectmen.

Chief of Police Kevin Kennedy submitted a memo to the Selectmen for a spot on their agenda to address parking problems along Sandy Pond Road. The proposed regulations would allow for signage, as well as ticketing and towing ability for the Police. This is in response to increased parking in dangerous and improper locations, illegal use of the pond for recreation, and increased trash in the area. A map of the proposed parking changes was reviewed by Conservation and the Lincoln Land Conservation Trust.

The Wetlands Permitting process discussion will be tabled until the next meeting on September 16.

37 Great Road (112-29-0) Encroachment onto Town Land

Lincoln and Maria Miara presented the changes to their plan presented at the last meeting on August 5, 2020. They are decoupling the discussion of invasives control from the restoration of the Conservation land. They propose removing a large amount of fill to essentially what it was before with a gradual slope. They will stay out of the riparian zone. They will have Mr. Gumbart come out after the grading is done to approve the work, at which time they will have the slope replanted with native plantings. The inner corner of the property will also be clearly demarcated. They propose a mowing plan to keep invasive plants out of the area of the lawn on Conservation land to allow it to return to meadow. They also offered to help with controlling invasives on the Conservation land and will also allow access for Conservation vehicles and equipment to reach that area. They would like to remove invasives through mechanical means on the east side of their property that is within the

riparian zone. The slope on the Miara's land adjacent to the town land will not exceed a slope of 2:1 or 2.5:1 and will be maintained by the Miaras with an erosion control blanket while vegetation is restored.

Mr. Kurtz said that a boundary should be placed on the corner to clearly show that there should be no driving across the Conservation land. Mr. Miara said that a subtle rebar demarcation will be placed at that location and the land management will show an obvious distinction between their property and the town land. He said they are also open to a larger marker. He added that it will not look like a road or something that would be driven on once this restoration project is over. Mr. Kurtz said that it is important that the line between the meadow and lawn is obvious to future owners. Ms. Mygatt said that there should be another point of demarcation at the point where the fill on the town land and the Miara's property intersects. Mr. Miara said that they would do that. Mr. Gumbart said that the Miaras mowing the Conservation land that is currently lawn is acceptable as there are other small areas in town where that is allowed to control invasives. He added that hand pruning wisteria and bittersweet off of trees is acceptable if they would like to do so. Mr. Henderson asked that Mr. Gumbart inspect the grading once it is done. He added that he is interested to see the effects of the Miara's mowing regime of invasives on their property to see if they will be able to control the plants effectively. Ms. Mygatt asked about the possibility of an easement to require control of invasives on the Miara's property. Mr. Gumbart said that if the next owners abandon mowing there it will not dramatically change the ecology of the adjacent conservation land. Mr. Kurtz asked that the Miara's add permanent markers where their lawn meets the Conservation land that the Miaras previously maintained as their lawn. Mr. Gumbart said that the Miaras plan to put rebar to demarcate that area as well. Mr. Henderson said that the mowing regime will have to be flexible so that the Miaras can successfully manage the land in response to changes in the growth of invasives and planting. Mr. Kurtz said that the Commission will decide, shall conditions change, if there should be any changes made to the mowing and maintenance schedule.

Mr. Gumbart will send out a letter to the Miaras summarizing the requirements from the Commission for this project to move forward. The Commission said that the Miaras can begin removal of fill prior to receipt of the letter. Mr. Gumbart said that he will keep in touch with the Miaras, that he can oversee the work when they plan to start it.

WETLANDS

7:15 p.m. – Notice of Intent: Gimbel. 167 Concord Road (160-33-0) – This project is for an addition to an existing home within the 100-foot Buffer Zone Resource Area.

David Burke, the wetland specialist for the project, presented. The project includes the demolition of an existing addition off the rear of the home and the construction a larger addition in the same location. The wetland resource areas were flagged in November. There is a steep grade change between the back of the property and the wetland area and that slope is heavily vegetated. There will be no removal of trees and all of the proposed work will take place on existing lawn. The closest point of the proposed structure to the wetland will be 80ft. There will be an increase in impervious area of 225 sq. ft. Mr. Burke said that gutters with downspouts that will sheet flow across lawn will be adequate to take on the minimal increase in impervious surface area. Any stockpiled materials will be located in front of the home outside of Buffer Zone Resource Area either on lawn or on existing driveway. Ms. Mygatt said that the new impervious surface area being less than 400 sq. ft. is in keeping with section 7.2 of the Town of Lincoln Buffer Zone regulations. There was a discussion about the path that is behind the house. Mr. Gumbart said that the path is a separate issue as there are issues with access and proximity to wetlands. Kathy Gimble said that she has reached out to neighbors and they have approved of the project.

The Commission voted to close the hearing and approve the project with the Order of Conditions to be issued at the meeting on September 16, 2020.

Roll Call vote:

Jim Henderson — Aye; Susan Hall Mygatt — Aye; Christine Dugan — Aye; Ari Kurtz — Aye;

Larry Buell — Aye; Kathleen Shepard — Aye

Vote was Unanimous

7:45 p.m. – Request for Determination of Applicability: Keolis – This hearing for review of the wetland map surrounding the railroad right-of-way in Lincoln.

Matt Donovan presented the Lincoln wetland maps for the Statewide Vegetation Management Plan (VMP). A Public hearing for this VMP will take place on September 11, 2020 after which a 45 day period will be allowed for public comments. Maps presented are a requirement of the new permit for 2021-2025. These maps show where integrated pest management will take place using mechanical and chemical activities. These maps have not changed since the last approval in 2016. Vegetation must be controlled for safety and sensitive areas will be protected as much as possible. As part of the 5 year VMP the Commission will be supplied annually with the yearly operational plan.

Clary Coutu, Director of Environmental Services, Compliance and Sustainability for Keolis, explained the different areas. The Federal Railroad Act requires that the roadbed has to be completely clear of vegetation along the railroad right-of-way (ROW), and that herbicides are the most effective way to do that. Spray operators are aware of the sensitivity of these areas to limit spray. Zones A and Zone 2 are public water supplies or interim well protection areas. The majority of the work is within MassDEP approved Zone 2. The spray nozzles are able to control exactly where the chemicals go. Chemical application has been reduced by 19% since last year due to maintenance over time and clear cut space zones along the ROW. Most of the vegetation removal will be mechanical. The Commission noted that glyphosate is being used. Ms. Coutu said that some weeds become resistant to chemicals so every year chemicals will be alternated and glyphosate is on the list of approved chemicals for use. She added that she is aware that this chemical has been banned in several other countries and, while they have had success without glyphosate, there is a complicated process of the state level to get a change of chemicals.

Ms. Coutu said that these zones are mapped out to comply with the Wetlands Protection Act and requirements for the ROW Management Program. Environmental monitors and certified applicators (is this a word? Did you mean applicators?) have the responsibility to record everything that they do onsite including the current water and wind conditions. The environmental monitors are aware of the maps, and if the conditions change in an unsafe way they will shut down the spraying operation. Mr. Gumbart said that there has been beaver activity areas around the ROW, but that there have been measures taken to reduce water levels in commonly flooded areas through the implementation of beaver deceivers. The railroad also conducts regular inspections of culverts to insure their functioning. Keolis works closely with beaver specialists to monitor beaver activity. If there are dramatic changes they will change the type of spraying and change the map onsite in coordination with the Conservation Commission.

The Commission voted to close the hearing and issue a Negative Determination of Applicability.

Roll Call vote:

Jim Henderson — Aye; Susan Hall Mygatt — Aye; Christine Dugan — Aye; Ari Kurtz — Aye;

Larry Buell — Aye; Kathleen Shepard — Aye

Vote was Unanimous

ACTION ITEMS

- Order of Conditions issued for Massport. Hanscom Drive/Old Boston Rd. (103-6-0)
- Bills & payroll reviewed
- Meeting minutes from July 15, 2020 approved

Respectfully submitted,

Jennifer Curtin
Conservation Assistant