

Lincoln Conservation Commission

Meeting Minutes – October 3, 2018

Start – 7:00 pm

End – 10:00 pm

Commissioners Present: Peter von Mertens, Christine Dugan, Jim Henderson, Ari Kurtz, Ron Chester, Larry Buell

Staff present: Tom Gumbart, Jennifer Curtin

WETLANDS

7:30 p.m. – Request to Remove Invasive Species: Nichols. 53 Winter Street (165-24-0). The request is for continued management of invasive species and promotion and planting of native species in a low-lying wet area on the property.

Attendees: Heidi Nichols, Angela Kearney, Polly Drinkwater, Kiko Thebaud

Tom Gumbart opened the discussion by giving a brief background on how this matter came about. A neighbor to the subject property called Conservation Staff about work that was done in an area that ponds seasonally. In July, Mr. Gumbart and Jennifer Curtin conducted a site visit at which time the area in question was dried out and did not seem to have hydric soil, however there was invasives work and rock removal done in the area so a site visit was planned with the Commissioners two weeks later. At the following Conservation Commission meeting, Ms. Nichols was asked to have a wetland resources delineation done and to develop an invasive plant management plan to be presented at this meeting.

Angela Kearney, Minglewood Landscape Designer, gave a description of the site as well as her delineation findings. The depression that was of concern to the neighbor is not hydrologically connected to wooded wetland in the back end of the property. As of recent photos, the site is stabilized and fully covered with both native and non-native plants. A stone wall was constructed to create separation. There was some clearing behind the stone wall to manage invasives but the majority of continued work will be within the wall. Ms. Kearney said that the work that has been done has not impacted the wetland system. Mr. Gumbart said that the onsite wetlands do not connect to the larger wetland system to the west. The Wetlands are not large enough to be jurisdictional under the MA Wetlands Protection Act, but are subject to our local Wetlands Protection Bylaw. Ms. Kearney said that managing invasives and planting natives are not going to have significant adverse impact such as erosion, sedimentation, or flooding. Ms. Nichols would also like to remove poison ivy which may require outside assistance and potential minimal herbicide use.

Peter von Mertens says that part of the Commission's job is to help homeowners with these kinds of projects before they are done and that was not done in this case. Ms. Nichols apologized for not coming in beforehand. Mr. von Mertens stressed the need for stabilizing the newly tilled soil and the apprehension the Commission has against any kind of herbicide usage. Ari Kurtz asked how much of the land is mowed. Ms. Nichols said that between the stone wall and Winter Street will be mowed with potential DR mowing/weed whacking beyond the wall to protect the wall

from buckthorn regrowth. Larry Buell commented that while there seems to have been more improvements than detriments made to the land, the issue was that the work was being done without prior permission. Mr. Gumbart said that we should see it in the springtime as to see the extent of the flooding. After a recent large rainfall it only held a few inches of water in a small area. He said that Ms. Nichols should keep an open mind with regard to changing conditions on the site with changing seasons. Ms. Kearney agreed and added that they want flexibility to see what plants do well and adjust as needed. Jim Henderson said that the plan looks good but that it will need to evolve over time with natural selection of species. Chickens are located on the property between the chicken coop and the wet area and Mr. Henderson mentioned that the garden separation is good to allow nitrogen loads to stay low. He also agreed that the stone wall is a good demarcation line.

Kiko Thebaud, a neighbor to the west of Ms. Nichols, said that the “depression” was a pond and that ducks and frogs have been seen in that area. He said that trucks filled in this “pond” and brought in soil and rocks from outside sources. Ms. Nichols says that two trucks of rocks were brought in but the rest were from the property, and all were used for the stone wall construction. Mr. Thebaud said that heavy equipment was brought in to build the stone wall and that there were half a dozen trees cut during this project. Mr. von Mertens asked how he would like this remediated to which Mr. Thebaud said that he says the stone wall should be removed. Polly Drinkwater, another neighbor to the subject property, says that she has a clear view of the property and that the work and stone wall are improvements to the site. Mr. Gumbart says the bylaw does not say that nothing can happen in jurisdictional area, but that activity needs to protect the interest of the bylaw. He reiterated that the Commission will need to see the area in the spring when seasonal flooding occurs. Mr. Thebaud said that invasives work can all be done by hand, not with heavy equipment, to which Ms. Kearney replied that that is the plan going forward. Ari Kurtz said that work within the buffer zone is not uncommon but that we need to move forward to create a net-benefit, and that it will not improve the buffer zone to remove the stone wall.

Mr. von Mertens said that we should move on and work with this plan. He would like the Commission to take a look over the course of 3-5 years to make sure invasives do not re-establish and best management practices are being implemented. Mr. Thebaud says that there should be no mowing and the chickens should be moved away from his property line. Ms. Kearney said that the point of the mowing is to maintain the existing habitat. It will be planned to be mowed once a month. Mr. Kurtz said that this frequent mowing is more than enough and that that twice-a-season mowing is all that is needed to stop invasives. Mr. Henderson said that since the land is being converted, mowing is needed more frequently in transition than after it is established. Mr. Gumbart asked Ms. Nichols to take pictures over time, in different seasons and weather. He also suggested moving the chickens further from the property line, but not closer to the wet area, to mitigate impact to the neighbors. Ms. Kearney said they will plant native plants in rain garden and there will not be mowing in that area while they establish. Mr. von Mertens said that the office should be notified before any work is done.

8:00 p.m. - Notice of Intent: DeNormandie. 4 Minebrook Road (144-22-0). The work proposed consists of an addition to the existing house and expanded driveway with associated site work.

Attendees: Dave Burke, Alice DeNormandie, Surendra Shah, Matt Cummings

Mr. von Mertens opened the hearing. Dave Burke, the wetlands consultant for the project, presented the plan. The proposal is to add on substantially to the house which was built in the 1920s. The home sits on high point of the property which is blanketed completely by resource areas. There is a large red maple swamp at the back end of the property and riverfront in the front. The closest point of proposed construction to the wetland is 71.8 feet. The plan includes the installation of a new 4-bedroom septic system and double car drive under garage. The entire work area of the property has been previously disturbed and no undisturbed areas are being touched. All work will be outside of the inner riparian zone however the bulk of the work will occur within the outer 200 ft. riparian zone. This qualifies as redevelopment project as there will be 3,140 square feet of impervious area added to the existing dwelling.

Mr. von Mertens asked if the new driveway could be pervious as it is a relatively small additional cost to reduce additional impervious surface area. Mr. Burke says that with a project this size it is not very useful. The architect pointed out that there is a catch basin on the plan that could catch runoff. Mr. von Mertens suggested a few changes that would move the construction further from the wetlands or decrease the total additional impervious area. The architect said that this would require a complete redesign of the floorplan. Mr. Gumbart said that he believes that they have done their due diligence and have done a reasonable job with planning for runoff and proposed drainage. Mr. Burke said grading will be as minimal as possible.

The Commission **voted 5-0** to close the hearing and issue the Order of Conditions at the next meeting.

DISCUSSION ITEMS

Update on 09/26/18 site visit to 237 Old Concord Road (Orgel Property)

Three Commissioners and staff members Tom Gumbart and Jennifer Curtin attended the site visit. It appeared there was substantial clearing within the 100-foot buffer zone resource area. Most of the wetland flags were missing so the Commissioners would like the wetlands line re-flagged and the 100-foot buffer zone line flagged. The discussion will be continued to the next meeting to which the homeowners have been invited.

Review CR for Nancy Donaldson – 21 Trapelo Road

The Commission gave their approval for the Conservation Restriction to move forward

School Building Committee Update

Mr. von Mertens gave an update for the SBC and presented plans to bring Commissioners up to speed. The School will need to meet drainage BMPs in compliance with MS4 permit.

Sub-Committee & Liaison Reports

Agricultural Subcommittee

The subcommittee will need to set up meeting to discuss cleanup of transition lands.

ACTION ITEMS

- Certificate of Compliance issued for Jamie Atkins - 5 Sandy Pond Road (143-29-0)
- Certificate of Compliance issued for Daniel Boynton – 2 Emerson Road (111-28-0)
- Final Conservation Restriction for 125 Winter Street (167-1-0) approved
- Meeting minutes from September 12 approved
- Bills paid and payroll signed

Respectfully submitted,

Jennifer Curtin
Conservation Assistant