

**Lincoln Conservation Commission**  
Meeting Minutes - October 28, 2020

Start - 7:00 p.m.

End – 9:00 p.m.

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

**Staff Present:** Stacy Carter, Tom Gumbart, Jennifer Curtin

**Attendees:** Holly Palmgren, Linda McMillen, Jonathan Dwyer, Michelle Barnes, Laura Regrut

**7:00 p.m.** – Review updated License Agreement between the Town of Lincoln and the MBTA  
Vote anticipated

The impetus for this agreement was the impact done by MBTA activity to the roadway that is on Conservation land that is licensed to the Food Project. This agreement, drafted by Town Counsel KP Law, allows for MBTAs continued access to the signal house and track pullout for the Fitchburg line in exchange for their maintenance of this roadway. This agreement will exist in perpetuity on an annual rollover basis. The first draft that was agreed upon was just for one year so this draft was updated to have it continue annually. Ms. Palmgren said that MBTA/Keolis accept the changes and agree to it. This agreement's adoption is the final hurdle for the issuing of a Certificate of Compliance for the work on the signal house. That COC is expected to be issued at the next meeting on November 18.

The Commission moved to adopt the agreement as drafted.  
The Motion was seconded

Jim Henderson - Aye; Susan Hall Mygatt - Aye; Kathy Shepard - Aye; Christine Dugan - Aye; Richard Selden - Aye; Larry Buell - Aye; Ari Kurtz - Aye

**WETLANDS**

Master permitting process documents are being drafted to allow for more transparency and understanding for both Commissioners and applicants. Preliminary narratives and examples have been distributed. A subgroup consisting of Conservation staff as well as Commissioners Dr. Selden and Mr. Henderson will work together to develop these documents further.

An outstanding wetlands issue is the Orgel property vegetation clearing/restoration project. Extensive unauthorized clearing was done on the slope, part of which was in the buffer zone resource area. The Orgels submitted a preliminary plan with a list of species to be planted but did not produce a detailed restoration plan which was required by the Order of Conditions. A site visit to the property at 237 Old Concord Road will need to be conducted to check on the progress of the restoration. Dr. Selden said that the Commission had given a lot of guidance on what expectations were for this project and expressed his dismay that there has not been more provided by the property owners. There is leverage in the Order of Conditions for the Commission to require more plantings if they are deemed insufficient.

Mr. Gumbart has conducted a site visit at the Miara property at 37 North Great Road. They have removed approximately 100 cubic yards of fill from the Town Land portion. The grades are now more gradual and the steeper slope has erosion control fabric. Boundary markers are in place and the slope has been hydroseeded. Mr. Gumbart said that he approves of the work that has been done thus far.

## **DISCUSSION ITEMS**

### **Sub-Committee & Liaison Reports**

#### **Agricultural Subcommittee**

This is the time of year for site visits to see what is happening in the field. The farmers will submit their annual report of field operations at the end of the year. Ms. Carter and Emma Coates will get more involved with this process.

The American Chestnut Foundation is looking to license part of the Flints Field Conservation land where Turtle Creek Winery previously had their vineyard. The slope is such that the land is not good for traditional farming or grazing. Ephraim Flint and Buzz Constable are supportive of the use of the land for a chestnut nursery. Part of the Town's Farm Policy does not allow for GMOs to be planted on Conservation land. Some of these plants are transgenic, which means that there is a wheat gene inserted to make the trees less susceptible to blight. To allow this on Conservation land it would require an exception to be made. Mr. Kurtz said that there is some debate in the organic community about releasing these trees into the wild, however, these trees are being planted in several locations by the American Chestnut Foundation in a nursery setting, not in the wild. He added that GMOs are not allowed on Town land because they are usually pesticide/herbicide resistant which encourages the use of those chemicals but in this case the plants are not being modified for that reason. Dr. Selden said that the Commission should look to review the data about potential impacts prior to granting the exception. Mr. Kurtz and Mr. Henderson will take the lead on reaching out to Mark Miel at the American Chestnut Foundation to obtain that information.

#### **70 Todd Pond Road – Tree Work Request**

There is a dead or dying pine tree on the pond edge that the owners would like to remove and a red maple that is overhanging their dock that they would like to limb up. They would have to do some vegetation clearing in order to access the trees. The owners are concerned about the dead tree falling into the pond, but it is not threatening their home. Mr. Gumbart said that he believed that this work would require a filing but did not want to advise them as such if there was no chance for it to get permitted. He recommends that the Commissioners conduct a site visit to see the property and the plan for the removal of the tree. Mr. Kurtz said that since the removal of trees at edges of ponds has been an issue on other properties, he is encouraged that the property owners are asking for permission first.

### **Other Reports & Announcements**

The Conservation Director position is being advertised as Mr. Gumbart will be retiring on December 16. Mr. Henderson, Ms. Mygatt, Mr. Kurtz, and Dan Pereira will comprise the search committee to interview applicants for the position. The rough timeline is that applications will close on November 13; applications will be screened by November 18; first round of interviews will be conducted by December 4; the committee will reach recommendations for the top 2 candidates by December 9 and the preferred candidate will be presented to the Selectmen at their meeting on December 14. Ms. Curtin may also be involved in the first round of interviewing.

There is a search for at least one new Commissioner. Christine Dugan has continued to fill out the role but she gave in her resignation in March.

Mr. Gumbart gave an update on the progress of the National Pollutant Discharge Elimination System (NPDES) Massachusetts Separate Storm Sewer System (MS4) permit for the Town for stormwater management for

anything that discharges into United States waters. These are a series of permits done by the EPA working closely with MassDEP. The Town has mostly country drainage which allows for filtration of stormwater, but when stormwater goes straight into catch basins or right into waterways it is a big source of pollution. The permit seeks to minimize this kind of pollution. The selectmen have enabled the Town to hire Comprehensive Environmental Inc. (CEI) to help with the permit. The Department of Public Works, the Planning Board and Conservation are most active in carrying out the actions to comply with the permit. Conservation's role has been mostly public outreach and education. The most recent education push has been about leaves and their impact on phosphorus levels. The Charles River watershed is an impaired waterway and has a Total Maximum Daily Load (TMDL) for phosphorus which requires the Town to reduce it wherever possible. Dr. Selden asked if we could send this information out to the landscape companies who do business in Lincoln so that they are aware and can adjust their practices accordingly. Ms. Curtin will work to get this sent out to landscapers.

Ms. Carter gave an update on the field operations. Mowing is completed for the season. Brownings Field was a part of the Lincoln Land Conservation Trust's pollinator studies conducted by Tufts University. The field staff were provided with recommendations for the promotion of pollinator habitat in that area and Ms. Carter believes that they have reached a compromise with the management needs of that field and the encouragement of pollinator habitat through the winter. The microburst two weeks ago brought a large number of trees down and Ms. Carter asked that anyone who sees a tree down to please report it as there are too many trails for the crew to walk all of them to sweep for downed trees. The new dump truck is arriving at MHQ soon and will be built to the department's specs. Mr. Henderson suggested an aluminum dump body as it is more rust resistant. Once tree work is done, the field crew will work on projects that were not completed during the growing season ,such as the control of invasive shrub edges at Codman North and Codman South.

Linda McMillen and Laura Regrut introduced themselves and their interest in the position of Conservation Commissioner.

#### **ACTION ITEMS**

- Bills & payroll reviewed
- The Commission moved to approve the meeting minutes from September 16, 2020.  
The Motion was seconded  
Jim Henderson - Aye; Susan Hall Mygatt - Aye; Kathy Shepard - Aye; Christine Dugan - Aye; Richard Selden - Aye; Larry Buell - Aye; Ari Kurtz - Aye

Respectfully submitted,

Jennifer Curtin  
Conservation Assistant