

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

May 5, 2021

Approved: May 26, 2021

Members Present: Jim Henderson (Chair), Larry Buell, Susan Hall Mygatt, Ari Kurtz, Laura Regrut, Richard Selden, and Kathleen Shepard

Conservation Staff: Michele Grzenda, Conservation Director; Stacy Carter, Conservation Planner; Emma Coates, Land Manager

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, this Conservation Commission meeting was conducted via remote participation using Zoom.com. The Town provided access to such meeting via a link to call in. No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings.

7:00 p.m. – Discussion Items

- Review of meeting minutes from March 24, 2021; Motion by Susan Hall Mygatt to approve as amended; seconded by Larry Buell; roll call vote: 4-0-3 to approve with Richard Selden, Jim Henderson and Kathy Shepard abstaining as they were not in attendance at the last meeting.
- Discussion about Commission vacancy after Larry Buell retires in June – Staff will reach out to previous applicants, post the vacancy announcement on various town resources, and clarify the time commitment required by the Commissioner position.
- Annual Town Meeting Warrant Article Discussion -
 - Article 9C (Community Preservation Committee): To fund, for open space purposes, the acquisition of land on Twin Pond Lane.
 - Article 7A (Capital Planning Committee): To fund the purchase of a suite of electric powered equipment, one large gas chain saw, and two canoes for the Conservation Department.
 - Motion by Larry Buell to support both warrant articles; seconded by Susan Hall Mygatt; roll call vote: each member responded Aye.

7:15 p.m. – Notice of Intent: 99 Winter St.; E. Fredrickson (owner); (DEP #203-0938)

Vito Colonna, Sullivan Connors Engineering, presented the project. The Applicant filed this Notice of Intent for the replacement of an existing septic system at 99 Winter St. The existing system will be abandoned per Title 5 requirements and replaced with a new Title 5 compliant system. The new leach field will be positioned under the driveway in the same general location as the existing system. This location is as far back as practical from the wetland resources. Areas to the east of the house were not suitable due to the presence of shallow ledge. The proposed leach field will be 51 feet from the edge of Wetland and the septic tank will be 40 feet from such edge. Pavers that will be removed in connection with this project will be placed and stored on the driveway for re-use. Much of the soils will be loaded into trucks and taken off-site. No stockpiling of anything but pavers shall be placed within the 50-foot buffer zone. After septic system installation, Zen Associates will be retained to rebuild the driveway and complete any landscaping impacted. Erosion controls in the form of straw wattles and entrenched siltation fence will be kept in place until all areas are stabilized. Motion by Susan Hall Mygatt to close the hearing and issue an OOC, with e-signature by Commissioners contingent on Susan Hall Mygatt's review of the final decision; seconded by Richard Selden; roll call vote: each member responded Aye. Conservation staff will send the draft decision around for Commission member's review prior to issuing.

7:35 p.m. Discussion - COVID Mask Order and Dog Leashing on Conservation land

Effective April 30th, Governor Baker modified the mask order by stating that face coverings will only be required outside in public when it is not possible to socially distance (Face coverings are still required at all times in indoor public places. Face coverings will also continue to be required at all times at events, whether held indoors or outdoors, except when eating or drinking). Based on this modified order, Conservation Department staff recommended that the trailhead signage regarding the mask requirement and the temporary dog leash order be removed or relaxed. Discussion ensued. The Commission was supportive of modifying the mask language to mimic the Governor's order; however, Richard Selden

hopes the Commission will consider a leash requirement on some properties moving forward. He also expressed concern over lifting the leash order requirement while the pandemic was still ongoing (unleashed dogs often cause close encounters with others). Michele Grzenda, Conservation Director, indicated that most of the surrounding towns (i.e. Wayland, Stow, and Weston) are removing their leash order and masking requirements. Ms. Grzenda will send around the language provided by the Town's administrator's office regarding masking and Mass Audubon's recent email about mask wearing requirements at their properties. The Commissioners will continue this discussion at their next meeting.

7:45 p.m. Wetlands Protection Act (WPA) and Lincoln Wetlands Protection Bylaw Interest Table

Staff created a table which summarizes the various "Public Interests" specified in the WPA and Bylaw. This table will be helpful in identifying applicable wetland functions and values when drafting wetland decisions. Resource Areas are presumed to have these Public Interests unless the Commission determines that certain Public Interests do not apply.

7:55 p.m. Review "Notice to Perform Invasive Species Removal" Form

The Commissioners reviewed the Notice to Perform Invasive Species Removal form that the department has used in the distant past to administratively approve invasive species removal work in wetlands. In the more recent past, invasive species removal projects were administratively approved without using a form, but current staff think that having a paper trail for these approvals would be a good idea. Discussion ensued. Commission members suggested some editorial changes to the form. Jim Henderson suggested that many invasive species removal projects are minor and should be administratively approved, but that some complex removal projects may require wetland permitting (i.e. projects that disturb moderate to large areas of the ground surface; use of chemicals, etc.) Staff suggested that the approval allow for long-term management of invasive plants. Some Commission members would like a simplified annual reporting requirement. Staff will make the changes as discussed.

8:38 p.m. Metal-Detecting Policy for Conservation Land

Staff were recently contacted by someone interested in metal-detecting on conservation land. This question comes up every year and the Conservation Department does not have an official policy about the practice. Minute Man National Historical Park does not allow metal-detecting on their property for historic reasons. The Towns of Concord and Wayland do not permit metal-detecting on conservation land, and other neighboring towns do not have policies. Discussion ensued. It was Richard Selden's opinion that the Conservation Commission should not allow metal detecting on conservation land. Some Commission members were comfortable with the idea of an LCC licensed farmer granting permission for a person to metal detect on that particular agricultural parcel. Motion by Richard Selden that in our jurisdictional areas, the Commission does not allow metal detection with the exception that in licensed agricultural areas, if the licensee allows it, metal-detecting may be done with supervision, and under those circumstances, nothing bigger than a trowel will be allowed to uncover items in the ground; seconded by Larry Buell; roll call vote: each member responded Aye. In addition, if the detecting is occurring near Minute Man National Historical Park's legislative boundary, staff there should be notified.

8:55 p.m. Review Tree Removal Policy

Emma Coates presented the revised draft which incorporates edits from Susan as well as additional introductory language to make the policy more understandable to readers, including moving the "Policy Statement" to the beginning. Staff also created a draft Application Form to be used by residents as outlined in the policy. Larry Buell suggested the document be made more user friendly. Subsections 1 and 2 could be put in prose (paragraphs). Section IV could be removed from the policy, and people could refer to that document. Mr. Buell would like to incorporate the definitions into the document (rather than listing the definitions separately). Staff will work on formatting and draft a webpage and educational information regarding the tree removal policy. Staff will provide a revised draft at an upcoming meeting for more discussion.

Reports, Correspondence & Announcements

o Sub-Committee and Liaison Reports

- Agricultural Subcommittee met and is working on policies regarding the importance of removing electric fencing around grazing fields when not in use; improvements at Umbrello: A rehabbed structure was relocated to the front of the property to serve as a farm stand and a cooler will be installed shortly.
- SLIPAC Committee is assessing Lincoln Woods Wastewater Treatment Plant; a survey has been sent out to all residents to garner feedback regarding their opinion on expanding housing and other uses in the area.

- SuAsCo Stewardship Council Meeting - Larry Buell informed the LCC that funds may be available for interpretive signage at certain locations along the Sudbury River. Possible locations for signage include the Mt. Misery overflow site and the canoe landing parking area. The sign could highlight the environmental importance of the Sudbury-Assabet-Concord River (SuAsCo) Watershed.
- Mosquito Prevention Outreach material has been mailed to all Lincoln residents.
- The Conservation Dept. and LLCT will hold a joint virtual conservation coffee on 5/6/21.

9:34 p.m. Tree Removal in Wetlands: 140 Lincoln Rd; Ryan Estate

Emma Coates presented a request from the Ryan Estate Condominiums to remove a dead tree along the wetland edge in close proximity to their deck. Jim Henderson suggested the owners drop the tree to decompose in the wetland. It is the Commission's opinion that this request can be reviewed and decided upon by staff. Jim Henderson noted some knotweed growing near the dead tree and suggested that Emma send the owners educational material on how to control knotweed.

Motion by Susan Hall Mygatt to adjourn; seconded by Richard Selden; roll call vote: each member responded Aye.