

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

September 14, 2022

Approved: October 12, 2022

Members Present: Ari Kurtz (Chair), Susan Hall Mygatt, Laura Regrut (arrived at 7:15 p.m.), Richard Selden, and Kathleen Shepard

Members Absent Amber Carr, Becca Fasciano

Conservation Staff: Michele Grzenda, Conservation Director and Stacy Carter, Conservation Planner

*This meeting was held virtually, pursuant to Senate Bill #2985, Suspending Certain Provisions of the Open Meeting Law*

7:00 p.m. – 253 Concord Road – R.A. Hendrickson

During last week's storm, a large tree fell onto Ms. Hendrickson's driveway. There are an additional two trees left standing adjacent to the fallen tree that are now unstable and an arborist recommended their removal. When the tree fell, approx. 5 small maple trees were destroyed but the trunks were left standing. The owner wishes to cut them flush to the ground. In addition, a medium sized dead elm tree is at risk of falling onto her neighbor's driveway. All the trees are within the 100-ft Buffer Zone. The homeowner requested permission to remove the trees impacted by storm damage. Motion by Mr. Kurtz to allow staff to administratively approve the removal of the trees discussed; seconded by Ms. Mygatt; roll call vote: each member responded Aye.

7:10 p.m. Request for Determination of Applicability (RDA): 7 Todd Pond Road; N. Iluri

Ms. Iluri proposes building an accessory apartment within the existing footprint of the house. The project would involve lowering the soil outside of a window by 1.5 ft in a roughly 9 x 13 ft area to provide safe emergency egress. The removed soil would then be redistributed in a low spot in the yard that is about 45 feet from the wetlands, on existing lawn. Ms. Iluri proposed straw wattle around the worksite and then stabilization with grass seed to restore the lawn. A small Bobcat excavator would be used to do the grading work, and the work would likely take less than a day. No other outdoor work is proposed. Staff noted an old grass dumping pile in the wetland area, from the former homeowner, which the Ms. Iluri agreed to remove. Motion by Ms. Shepard to close the hearing; seconded by Ms. Mygatt; roll call vote: each member responded Aye. Motion by Mr. Kurtz to issue a Negative 3 & 6 Determination of Applicability; seconded by Ms. Mygatt; roll call vote: each member responded Aye.

7:20 p.m. Administrative Matters

- Approve Meeting Minutes from August 24, 2022. Motion by Mr. Kurtz to approve the minutes as amended; seconded by Ms. Mygatt; roll call vote: each member responded Aye.
- Due to the Jewish Holiday, Yom Kippur, happening on 10/5/22, the Commission has rescheduled that meeting to 10/12/22.

7:30 p.m. Request for Determination of Applicability: Hanscom Drive Redesign; J&J Contractors

A Request for Determination of Applicability has been filed by Hanscom Air Force Base for grading within the 100-ft Buffer Zone to create a temporary roadway. Ms. Grzenda alerted the Commission that the Applicant did not notify abutters in a timely manner as required by the Bylaw. As such, she recommended that the Applicant re-notify the abutters and continue the hearing until October 12<sup>th</sup>. The Applicant consented to the continuance. Motion by Dr. Selden to continue the hearing until October 12, 2022, at 7:10 p.m. seconded by Ms. Mygatt; roll call vote: each member responded Aye.

7:55 p.m. Informal Discussion: 41 South Great Road; I. Kanda (Architect) and Y. Feng (owner)

Staff were contacted by Isamu Kanda, Principal Architect of I-Kanda Architects LLC, in early August to discuss the owner's interest in making several house improvements at 41 South Great Road. The new owner of this

property, Yao Feng, is interested in creating an addition over the existing pool to make it usable year-round. He is also potentially interested in adding more parking, a pool house, and a number of accessibility improvements to the site.

This property is situated on a small hill between Farrar Pond and Route 117, and due to its close proximity to and between Farrar Pond and the Sudbury River, it is completely within the Buffer Zone and Riverfront Area. Given the complicated nature of the site and the extent of existing alterations, staff had suggested that Mr. Kanda and Mr. Feng attend a Commission meeting so that they could discuss the improvements they are interested in making and see what might be permissible. Discussions ensued. Commission members expressed concern over the amount of work being considered in resources areas and buffer zones. They suggested that Mr. Kanda and Mr. Feng attempt to minimize new impervious surface wherever possible, and that adding additional parking and/or a pool house may be difficult on this site, given how much of the Buffer Zone and Riverfront Area has already been altered. Should the owner wish to move forward to request approval for improvements, it was advised that they hire a wetland scientist, re-flag the wetland resource areas, and re-survey the property to show all existing and proposed work.

8:30 p.m. Update: Unpermitted Work in the Buffer Zone – 26 Old Winter St; M. Andersen-Miller

This was an update about the unpermitted construction of a driveway and stockpiling of debris within the 100-foot Buffer Zone at 26 Old Winter Street. On 4/1/22, the Commission issued an enforcement order requiring the owner to restore the altered buffer zone. If the owner wished to keep the portion of driveway which was installed within the Upland Buffer Zone Resource Area, a Notice of Intent was to be filed with the Conservation Commission by June 2, 2022. Mr. Andersen-Miller has removed the stockpiles of tree stumps, branches and trunks from the buffer zone as required by the enforcement order. However, he requested an extension of the original deadline to file an NOI due to difficulties in hiring a surveyor to complete a site plan. Staff extended the deadline to file an NOI until August 25. When the NOI filing was not received by that date, staff contacted the owner, who requested another extension. Staff requested that he attend the Conservation Commission meeting on 9/14 to address this situation. At the meeting, Mr. Anderson Miller stated that he has hired a surveyor and intends to move forward with preparing the NOI. He will update staff before the October 12<sup>th</sup> meeting, and Ms. Grzenda will keep the Commission apprised on the expected NOI filing date.

8:47 p.m. Informal Discussion: 17 Meadowbrook Rd; A. Hoda

The owner, Arash Hoda, requested permission to install a fence for his dog around his backyard. This fence would extend slightly into the 0-50-ft Buffer Zone and would consist of wooden posts with mesh fence in between. No concrete would be used for the post foundations, and the fence would be installed on existing lawn. Motion by Ms. Mygatt to allow staff to administratively approve the fence because it would be installed on existing lawn with no impact to vegetation; seconded by Ms. Shepard; roll call vote: each member responded Aye.

8:50 p.m. 40 Baker Bridge Road - Possible buffer zone vegetation cutting

On 9/1/22, staff became aware of tree and brush removal within the 100-ft Buffer Zone at 40 Baker Bridge Road. Ms. Grzenda met with Wendy Bell, Executive Director of Lovelane Special Needs Horseback Riding Program and Ericka Ford, Facilities Manager. They both explained that an area of overgrown brush had been cleared along the southwest corner of the property and that several dead/dying ash trees were removed along the trail due to safety concerns. According to the town's GIS website, the majority of the area where recent work occurred falls within buffer zones. However, having conducted a site visit on September 13<sup>th</sup>, it was Ms. Grzenda's opinion that the wetlands on the GIS are far more extensive than what exists in reality. There still appears to be a small portion of the southwest corner of the property within buffer zone, but it appears only 3 dead/dying trees were removed in that location, and some brush may have been placed along the tree line. Motion by Ms. Mygatt to allow staff to administratively approve the after the fact removal of the three dead/dying trees. The owner shall remove any dumped material in the buffer zone and discuss with staff how they intend to properly stabilize the disturbed ground so that it doesn't erode. The motion was seconded by Ms. Shepard; roll call vote: each member responded Aye.

9:00 p.m. Conservation Commission Budget Discussion

Ms. Grzenda reviewed the Conservation Department Budget and the proposed FY24 Capital Budget Request. Ms. Grzenda and Dr. Selden will further discuss the capital budget request on Friday before the submission on September 23<sup>rd</sup> to the Capital Committee.

Meeting adjourned at 9:37 p.m.