

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

October 12, 2022

Approved: October 26, 2022

Members Present: Susan Hall Mygatt (Chair), Ari Kurtz, Laura Regrut, and Kathleen Shepard
Members Absent: Amber Carr, Becca Fasciano, and Richard Selden (attended Capital Planning Committee as LCC Representative)
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. Request for Certificate of Compliance: 7 Oakdale Lane

The homeowners have requested a Certificate of Compliance (CoC) for a house construction project at 7 Oakdale Lane that was issued a permit in 1993. The project was completed in 1995, however, the project was never closed out. Two weeks ago, the homeowner contacted staff requesting a CoC, as they are selling their house and a title search found the open Order of Conditions (OOC). In reviewing the OOC, there were three notable requirements. The OOC required that, upon completion of the project, an as-built plan be prepared (the homeowners were not able to find an as-built). Two conditions also made reference to allowing the land within 50-feet of the wetland to remain in a natural state. Stacy and Michele conducted a site visit. There was a large brush pile on the wetland edge, and approx. 1,700 s.f. of the 50-ft Buffer Zone was established lawn. Staff informed the homeowners about these two issues, and they responded promptly by removing the large brush pile and planting 25 native plants within the area that had been maintained within the 50-ft Buffer Zone. Staff were satisfied with the work and believe the property is in compliance with the OOC. Motion by Ms. Mygatt to issue the Certificate of compliance; seconded by Mr. Kurtz; roll call vote: each member responded Aye.

7:15 p.m. Request for Determination of Applicability: Hanscom Drive Redesign - Jeff Santacruce (Weston & Sampson), Scott Sheehan (Hanscom AFB), Tony Maressa (USACE), Jonathan Braley (J & J Contractors), Matt Mroczka (USACE), Kenneth Woodside (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 travel lane crossover through the existing median. This is being done to divert traffic from existing travel lanes so that construction relating to the major roadway redesign can begin on the northeast portion of the site (outside of wetlands jurisdictional areas). The project would involve 544 s.f. of re-grading between the 50-100-ft Buffer Zone in an area that is routinely mowed for roadside/drainage swale maintenance. No other work is proposed within wetland resource areas or buffer zones under this filing, but a NOI will be filed at a later date for additional work proposed in Conservation Commission jurisdictional areas. The RDA submission did not include wetland data forms, and at the September 14, 2022 site visit staff had questions about how the wetlands were delineated, as the site is maintained as mowed lawn and the site is quite flat. In addition, the applicant did not propose the use of erosion controls.

Motion by Ms. Mygatt to close the hearing and issue a Negative 3 Determination of Applicability with the following conditions (1) the wetland boundary is not confirmed in this filing and that the Commission reserves the right to further review the wetland delineation in the next filing; and (2) the Applicant shall install 8" straw wattle along the limit of work and have that inspected by Conservation staff prior to work. The motion was seconded by Mr. Kurtz; roll call vote: each member responded Aye.

Approved plans reviewed at the meeting: "Site Preparation Plan – Vandenberg Gate Project Hanscom Air Force Base" prepared by US Army Corps of Engineers and dated August 25, 2022.

7:52 p.m. Notice of Intent: 6 Short Hill Road; J. Hanly (owner), R. Kirby (LEC environmental consultants)

This Notice of Intent has been filed for the construction of an accessory dwelling unit (ADU), modification of an existing gravel driveway, the removal of trees, removal of an existing deck, and installation of native plants within the 100-ft Buffer Zone. A new septic system is also proposed but would be outside of the 100-ft Buffer Zone. Bordering Vegetated Wetlands are found on the northern and eastern sides of the property, and project a 100-ft Buffer Zone over a large part of the property. The property currently contains a single-family dwelling unit and a detached wooden carport with a gravel driveway. There are also brick patios, stone retaining walls and a walkway south of the house, as well as a number of landscaped areas on existing lawn.

The Applicant proposes removing an existing 567 sq.ft. carport to construct an accessory dwelling unit (ADU) in its place. The ADU will be 605 sq.ft. and will have a two-car garage below with living space above. A second story wooden deck and stairs (157sq.ft.) was proposed off the southern end of the ADU. The footprint of the ADU will be nearly identical to the footprint of the existing carport, except that the ADU will extend approximately 3-feet closer to the wetland edge than the existing structure. A 48" red oak to the southeast of the existing deck will be removed. The existing driveway will be reconfigured to provide access to the new garage, and would be reduced by 305 sq.ft, including removal of the existing landscape island. Three trees will need to be removed in the driveway area.

The Applicant has proposed mitigation through the installation of a 5' x 8' x 2' infiltration drywell south of the southern patio on existing landscaped area to handle all runoff from the roof of the ADU. The Applicant also proposed mitigation for the tree removals in the form of Buffer Zone enhancement plantings and invasive species management. Invasive plant management will be done by hand removal only – no herbicides are proposed. After invasive plants are removed, the Applicant will install 9 native trees and 49 native plugs in the Buffer Zone enhancement area as shown on the Mitigation Planting Plan listed below. In addition, the Applicant proposes to restore 775 sq.ft. of existing driveway and landscaping by installing 18 native shrubs and a minimum of 50 herbaceous plugs.

The Applicant proposed work closer than 70-ft to the wetland edge, therefore the “Commission requires clear and convincing evidence that the project will not have significant adverse impact on any adjoining Wetland Resource Area” (Bylaw 7.2). The Applicant addressed each of the wetland interests and described how the project will not adversely affect these interests in their NOI application. This project would result in a net decrease in impervious surface and proposes restoration of a large section of the 50-ft Buffer Zone. Though this project is proposing a new structure within the 50-ft Buffer Zone, the structure would be built almost entirely over a functionally impervious surface (the carport). The infiltration drywell would improve stormwater management on the property. Discussion ensued.

Motion by Ms. Mygatt to close the hearing and issue an OOC approving the project with conditions; seconded by Ms. Shepard; roll call: 4:0:0.

Plans and documents reviewed and approved:

- “Hanly Residence Garage & Accessory Dwelling Unit” prepared by SLS Architects, dated July 5, 2022
- “Subsurface Sewage Disposal System – Repair” prepared by M. J. DiModica, dated August 23 and revised October 11, 2022.
- “Mitigation Planting Plan” prepared by LEC Environmental Consultants, Inc., dated September 6, 2022.

8:32 p.m. Request to install native plant; S. Lupkas –

Sara Lupkas is interested in planting a number of native plants in an area of her yard that is on the edge of a wetland resource area. The area is currently established lawn (appears to have been maintained for years and is seasonally wet). Ms. Lupkas proposed installing 8 native shrubs (4 cranberry, 4 pussy willow) along the wetland edge, and 3 native shrubs (highbush blueberry) at the 50-ft line. She would cut 3 invasive burning bush flush to

the ground to make space for the blueberry bushes. Plants would be installed by hand, and wood chips would be used for mulch. Motion by Ms. Mygatt to authorize staff to grant administrative approval once Ms. Lupkas has provided staff with sufficient information. Seconded by Mr. Kurtz; roll call vote: each member responded Aye.

8:45 p.m. – Draft Native Plant Installation Policy

The Commission briefly discussed staffs' draft policy for administrative review of native plant installations near wetlands. They agreed to review the draft policy and application form and discuss at a future meeting.

9:00 p.m. – Discussion Items

- Motion by Ms. Mygatt to approve the meeting minutes from September 14, 2022; seconded Mr. Kurtz; roll call vote: each member responded Aye.
- Ms. Shepard volunteered to be the Conservation Commission representative on Lincoln's Housing Choice Committee.
- Request for Certificate of Compliance - 319 South Great Road (DEP #203-916)
Motion by Mr. Kurtz to issue a Certificate of Compliance; seconded by Ms. Mygatt; roll call vote: each member responded Aye.
- Draft Bylaw Application
Staff have drafted a bylaw application form to be filled out when applicants file a Notice of Intent. The purpose of the form is to highlight Bylaw-specific performance standards and ensure that the applicant explains how they are complying with said standards. Additional discussion and review will happen at the next meeting.
- Other Reports, Announcements, and correspondence
 - Farm License Renewals –Staff intend to bring additional information about updates to the Farm License Program to a future meeting.
 - Trail Map Updates – staff and LLCT are working on updating the trail map, which can now be printed in-house (LLCT is paying for the paper). Trail revisions will be brought to the Commission at a future meeting before the new maps are printed.
 - Adams Woods Bike Trail Update- Staff and the Co-chairs virtually met with some members of the Concord Natural Resources Commission and the Concord Land Conservation Trust to discuss opening some trails in Adams Woods to biking. Staff are working on a follow-up memo. Mr. Kurtz and Ms. Mygatt will conduct an Adams Woods trail visit before the next meeting to take a closer look at which trails seem more appropriate to biking and will report back.

Meeting adjourned at 9:20 p.m.