

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

January 12, 2022

Approved: January 26, 2022

Members Present: Ari Kurtz (Chair), Amber Carr, Becca Fasciano, Susan Hall Mygatt, Laura Regrut (arrived at 7:05), Richard Selden (left at 7:30 p.m. to attend Capital Planning Committee), and Kathleen Shepard

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

7:00 p.m. Approve Meeting Minutes from December 22, 2021

Motion by Ms. Shepard to approve the minutes; seconded by Ms. Mygatt; roll call; 5:0:1

7:05 p.m. Dean CR Discussion (168-11-0)

The Dean land (attached to Pigeon Hill conservation area) was purchased by the Town using CPA funds in March 2017. As required by CPA legislation, Conservation staff and LLCT have been collaborating to place a Conservation Restriction on the Dean land with LLCT as the holder. Staff have drafted the Municipal Certification form for LCC review. Motion by Ms. Mygatt to approve the language in the municipal certification, to authorize Staff to electronically sign the form for the Commissioners, and to recommend that the Select Board approve the granting of the CR to LLCT; seconded by Ms. Shepard; roll call vote: each member responded Aye. Once all signatures are received, Staff will submit final CR package to EOEEA for final EOEEA approval.

7:15 p.m. Request for Determination of Applicability: 145 Weston Road; D. Cuetos

David Cuetos (the Applicant) filed a Request for Determination of Applicability for invasive species removal and restoration at 145 Weston Road. The area to be controlled is approximately 4,000 s.f. within the 100-ft Buffer Zone to a pond and associated Bordering Vegetated Wetlands (BVW). Invasive species in this area include multiflora rose, common buckthorn, Japanese honeysuckle and bittersweet. The proposed work includes removal of all woody invasives by mechanical means and the brush will be removed away from the buffer zone and chipped and/or disposed off site. Prior to any work, straw wattles would be placed at the limit of work between work areas and wetland edges, and the native woody species to remain would be flagged for review by Conservation staff. Buckthorn baggies may be used on stumps to help prevent resprouting. No other landscaping or soil transformation would be conducted. Proposed work would be conducted in winter to minimize soil erosion. No chemicals would be used. The Applicant intends to revisit the area 6 months after the clearing with a weed whacker and mower to cut the invasives again, and intends to do an annual cut of the invasives.

The Applicant proposes seeding the control area with a native herbaceous mix similar to New England Wetland Plants' "Wetmix". The Applicant is prepared to take on the long-term control of invasive plants in this area. The Cambridge Water Department has also reviewed this project and has no concerns.

Motion by Ms. Carr to issue a negative determination of applicability with the following conditions: (1) Conservation staff will be contacted for a site visit prior to work to confirm the erosion controls are installed and the native plants to remain are flagged; (2) if the Applicant uses buckthorn baggies, they shall report back to the Commission whether they were successful (it's important to keep the root crown completely covered with the bag); (3) the Applicant shall submit an annual report by December 1st for two years after work is completed to describe the restoration success and maintenance conducted that year; (4) no chemicals shall be used within the 100-foot buffer zone; (5) all cut debris shall be removed from the buffer zone; (6) a native plant mix shall be used to jumpstart restoration efforts; and (7) there will be no lawn expansion as part of this project. The Commission approves a once-a-year mowing of this area in perpetuity to help control the invasive species long-term. The motion was made by Ms. Carr and seconded by Ms. Mygatt; roll call vote: each member responded Aye.

7:38 p.m. Emergency Certification Ratification – Winter St Culvert Cleaning due to beaver debris blocking the culvert; motion by Ms. Mygatt to ratify and sign the emergency certification; seconded by Kathleen Shepard ; roll call vote: each member responded Aye.

7:40 p.m. Notice of Intent: 263 Old Concord Road; M. Curley, Fair Haven LLC (representing the Applicant); B. Doyle, Doyle Engineering; Kris Horiuchi, Annie Griffenberg, and Jonathan Fox, landscape architects.

Ms. Mygatt recused herself from this hearing.

The Applicant, Fairhaven LLC, has filed a Notice of Intent for patio and spa installation, installation of a removable kayak/canoe rack, relocation of an existing septic system and restoration of lawn area to woodland within the 100-ft Buffer Zone and 200-ft Riverfront Area at 263 Old Concord Road. Bill Doyle, Doyle Engineering, presented the project. Mr. Doyle reviewed the location of the resource areas and the work previously reviewed and approved in an Order of Conditions issued on August 18, 2021. The work previously approved included (1) two new additions to the existing house structure on pre-existing concrete patio and under existing overhangs; (2) removal of existing stairs and walkway at southeast corner of the house; and (3) installation of new bluestone walkway from eastern face of house to driveway.

The Applicant has filed a new Notice of Intent for the following (1) expansion of a patio at the rear of the house and installation of inground spa (conversion of 1,280 s.f. of lawn to fire pit, patio and spa); (2) installation of an additional walkway in the front of the house (368 s.f.); (3) decommissioning of septic system within the 200-ft Riverfront Area and installation of new system outside the 200-ft Riverfront Area (the reserve area would also be outside of the 200-foot riverfront area); and (4) installation of a removable kayak and canoe storage rack with shed roof approximately 15-ft from the wetland/bank edge (just outside the LLCT CR). Also included in this project is an accessory building, sport court, patios and a new parking area as well as associated landscaping and tree removals. However, these parts of the project are located outside of the resource areas. The proposed staging area for this project is outside of the 200-ft Riverfront Area, and the access route for construction is the same as was previously approved in the 2021 Order of Conditions #203-941 referenced above.

Mr. Doyle believes that the project as proposed complies with the performance standards for work in the Riverfront Area under the MA Wetlands Protection Act and the Upland Buffer Zone Resources Area (200' from perennial stream) in the Bylaw. The Applicant has submitted an alternatives analysis which indicated that certain alterations which could be removed outside the Riverfront Area have been so removed (i.e. accessory building, tennis court, etc). Although the Applicant is proposing to convert 1,648 sqft of lawn to patio and/or walkway, the Applicant is proposing to convert an equivalent amount of lawn in two locations (a total of 1,655 s.f.) to native plantings, thus extending the amount of undisturbed vegetation buffer. Restoration will include the planting of native plants and installation of permanent markers to delineate the edge of lawn. Additional mitigation includes the installation of two stormwater infiltration basins (one within the 200-ft Riverfront Area just outside of the 100-ft Buffer Zone line and one outside of the 200-ft Area). The infiltration systems would mostly address unmanaged stormwater coming from the existing house roof. Mr. Doyle indicated that this will ensure that there is no increase in the rate or volume of stormwater running off the site. Mr. Kurtz would like the Applicant to look at infiltrating the stormwater coming off the patio area itself. The Applicant agreed to look into whether they can use the existing septic leaching chamber which will be decommissioned or whether they can install another infiltration chamber in the backyard that will manage patio stormwater flows.

Ms. Carr asked that additional native species be added to the proposed restoration planting plan and that the tree saplings be more dispersed within area 2. The architect was agreeable to that. Ms. Fasciano asked if permeable options were considered for the patio area. The architect prefers a mortared surface which she believes will be able to manage the stormwater in the patio area and direct it away from the river. Concerns were raised about the

staked location of the kayak rack in the field and the Applicant was amenable to reviewing a revised location in the field with conservation staff to ensure no trees/vegetation will be impacted. Questions were raised about the type of spa/pool to be installed. Mr. Doyle confirmed it will be a saltwater pool and the drainage of that pool will be connected to the mechanical room of the home. He also confirmed no pool water will be discharged within Riverfront Area. Ms. Carr requested additional information about construction access and stockpiling. Mr. Doyle agreed to submit a revised access and staging plan prior to work for the Conservation staff to review. A resident expressed concerns about the possibility of wildlife being impacted by the proposed lighting on the patio. Mr. Curley indicated that any lighting used will be night sky compliant and that it will be installed for safety purposes along the patio, steps and walkway. Mr. Curley was amenable to submitting the final lighting plan to the Commission after it is vetted by the Planning Board.

Motion by Ms. Carr to close the hearing and issue an Order of Conditions approving the project. Seconded by Ms. Fasciano; roll call vote: each member responded Aye. Conditions were discussed and will reflect what was agreed to during the hearing.

8:15 p.m. Informal Discussion: 39 Lexington Road; T. Flint

Tom Flint recently applied for a Building permit to demolish and rebuild a small garden shed behind his family house at 39 Lexington Road. The existing shed appears to be located within the 50-ft Buffer Zone, according to the Town GIS. The Flints would use their backhoe to take apart the old collapsed shed, approaching from the NE corner of the house. The backhoe would be used to break down the wood and would be used to transport the wood to a burn pile. The new shed would be a small pre-fabricated building (most likely 12x12 feet) and would be installed entirely by hand. The shed would be used for storing gardening and recreational equipment, and a chicken coop may be attached at some point in the future.

Because the proposed project appears to be located within a Wetland Resource area, it is subject to the provisions of the MA Wetlands Protection Act and Lincoln's Wetlands Protection Bylaw. It was the Commission's opinion that this type of work will require an RDA. The Commission agreed that Mr. Flint may work with Conservation staff in developing a sketch/plan showing the approximate wetland line. The plan should show the existing shed and the location of the proposed new shed. The Commission encouraged Mr. Flint to propose a location for the new shed as far away from the wetland as possible.

9:40 p.m. Administrative Matters, Cont.

- Parks and Recreation Department is requesting CPA funds for drainage improvements needed along the Town Office Athletic Field; the project will require wetland permitting.
- Annual Reports Due – February 7th. Staff have a draft report ready for review by the Commission.
- Commission staff prepared the September – December Conservation Summary Report
- Staff organized two zoom network events with various local environmental organizations to discuss trails and trail use (January 11 and January 18)
- The Commission is in receipt of a letter from Benchmark re: change of ownership of the Commons CR

Meeting adjourned at 10:00 p.m.