

Lincoln Conservation Commission (LCC) - Public Meeting Minutes

April 26, 2023

Approved: May 24, 2023

Members Present: Susan Hall Mygatt (Chair), Becca Fasciano, Ari Kurtz, Laura Regrut, and Richard Selden (left at 9:20 p.m.), Kathleen Shepard

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

This meeting was held virtually, pursuant to H58 Chapter 2 of the Acts of 2023,
Suspending Certain Provisions of the Open Meeting Law

7:05 p.m. – Approve Meeting Minutes from April 12, 2023 - Motion by Dr. Selden to approve as amended; seconded by Ms. Mygatt; roll call vote: each member responded Aye.

7:10 p.m. Informal Discussion: Danziger-Todd Field (231 Old Concord Road); B. Danziger, R. Todd and R. Nichols – This item is to discuss field edge management within the 100-ft Buffer Zone.

Ms. Carter met with homeowners Betsy Danziger and Rob Todd, along with Richard Nichols, in the field that is shared between Ms. Danziger and Mr. Todd's properties. This is an old agricultural field that used to be mowed regularly around the edges until about 8-10 years ago. The edges have grown in about 10-30 feet with invasive woody plants, and the homeowners are interested in having Richard Nichols mow the edges back with his flail mower. There are three areas proposed to be mowed: (1) approximately 20 feet to an old fence on the northern edge of the field, (2) the edge of the existing pond, and a 5-10 foot swath along the eastern side of the field.

Mowing of the invasive plants along the pond (if done in the dry season when the ground has hardened) is unlikely to impact the function and values of the wetland because the slope is very flat. It would be preferable to delay mowing until late summer after the bird nesting period. Native species should be preserved wherever possible. If the homeowners were to spread a native pondside restoration seed mix or plant some woody natives, they could help establish an improved native habitat along the field/pond edge. Any cleared areas would need to be maintained each year or every other year by mowing to prohibit invasive species from moving in again.

It was the Commission's opinion that much of this work could be permitted under an RDA if the considerations that were discussed were addressed.

7:32 p.m. Walden Pond Request for Fee Waiver

The Department of Conservation & Recreation (DCR) will be filing a Notice of Intent for roadway and boat ramp improvements for the boat access area at Walden Pond. Excess sediment from stormwater is flowing into the pond in this area, which is both harmful to water quality and puts the boat access at risk. DCR will be proposing to install porous pavement on the boat launch access road and parking area, as well as grading to allow stormwater runoff to be diverted away from the pond.

DCR intends to request a Bylaw fee waiver for the NOI filing on this project, if the Commission thinks such a request would be appropriate – the Bylaw allows government entities to request a fee waiver. Staff feel that projects that are eligible for a fee waiver and would improve existing conditions in terms of stormwater flow, sedimentation control and other state and Bylaw wetlands values should be considered for fee waivers, and that this project as described by DCR would qualify under those standards. It was the sense of the Commissioners that it would be reasonable for DCR to request a waiver of the Bylaw fee, based on the premise that the project will

have a public benefit and will improve the ecological integrity of the pond. DCR will formally request this fee waiver when the NOI is filed.

7:45 p.m. Commission members interviewed Conservation Commission Applicants Vicky Diadiuk and Anne Sobol

8:17 p.m. Continuation of Land Acknowledgement Discussion

Ms. Mygatt has been doing some research on the topic and will report back at the June 7th meeting about her research findings and her thoughts on renaming the field behind the Conservation land as Dakin Field. Ms. Fasciano will continue to work on a revised land acknowledgment draft and will report back at the next meeting.

8:30 p.m. Violation – 5 Mary’s Way.

Ms. Grzenda was informed of a potential wetland violation at 5 Mary’s Way. Upon arriving at the property, she noted that significant clearing and grading has occurred within the buffer zone to a wetland regulated under the Lincoln Wetlands Protection Bylaw and the Massachusetts Wetlands Protection Act which states: “Except as permitted by the Conservation Commission, no person shall remove, fill, dredge build upon, or alter areas within 100 feet of any freshwater wetland, lake, pond, stream... or 200 feet of any year-round flowing river.” Motion by Ms. Mygatt to authorize staff to issue an Enforcement Order requiring the following: (1) the owner shall cease any work and will immediately install erosion controls along the edge of the disturbance and (2) the owner shall prepare a sketch which shows the location and size of the disturbance. Any areas that were previously vegetated shall be restored with native vegetation. The owner will be asked to attend the Commission’s May 24th meeting to discuss next steps. The motion was seconded by Becca Fasciano; roll call vote: each member responded Aye.

- Correspondence & Announcements

- Ms. Grzenda reminded the Commission that it’s Garlic Mustard Season – education/outreach has begun.
 - Bergen-Culver Conservation Land Encroachment Discussion - Ms. Grzenda informed the Commission that an approximately 4,000 s.f. encroachment has been confirmed on conservation land. The area in question is a lawn which appears to have existed for many years. The encroachment had been identified on an annual monitoring report in 2021, however the boundary between conservation land and private property was unclear. Staff recently used a foundation as-built plan and, with permission from the property owner, measured off the foundation to identify the property boundary. The Commission requested that staff send a letter to the owner requiring the following: (1) cease mowing, leaf blowing, and maintaining the portion of lawn on conservation land and (2) mark the property boundary where the encroachments occurred with permanent bounds every 30-feet (i.e. stone bounds set at least 12” into the ground and leaving at least 4” visible above ground). If the owner disagrees with where the Conservation staff marked the boundary with stick-in flags, they may hire a surveyor or supply additional survey information.
- Snider Pond Trail Concerns – Staff received concerns from various residents about how the trail adjacent to Snider Pond has eroded and is often too wet to walk on. Staff assessed the options and, due to the steep slope and the sensitive habitat of this pond edge, recommend closing the trail. There are two other nearby trails that allow trail users to access the conservation land from Lincoln Road. The Commission was amenable to closing the trail. Staff will notify the direct abutters of the trail informing them why this decision was made.
 - Conservation staff provided an update on the revised trail map which we hope to publish in June. The plan has not been revised since 2014.

- The Commission discussed the response to a comment letter submitted to the Department of Transportation re: pedestrian access to Rt. 126 from Old Concord Road and how the Rt. 126 bridge reconstruction will effect that.
 - Ari Kurtz expressed his opinion on roadside trail parking along public rights-of-ways near trailheads, particularly near the Red Rail Farm Trailhead along Old Concord Road. Commission members expressed their opinions on balancing trail access, education on trail rules, road safety from parking and turning on dead end roads, concerns of homeowners in the neighborhood where parking might be allowed, and signage to help direct visitors to alternate parking locations.
- Commission reviewed a document prepared by Resident Vicky Diadiuk which summarized the Water Commission's April 12th presentation by Max Rowe from Charles River Watershed Association.

The next Conservation Commission meeting will be on May 24, 2023

The meeting adjourned at 9:35 pm.