

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**January 18, 2017**

Pursuant to the notice filed with the Town Clerk, the meeting of the Natural Resources Commission was held at 141 Keyes Road, first floor conference room, Concord, MA at **7:00 p.m. on Wednesday**, January 18, 2017. The following Commissioners were present: Lynn Huggins, Chair, Greg Higgins, Jeff Adams, Chip Poutasse, and Judy Zaunbrecher. Delia Kaye, Natural Resources Director, and Natural Resources Administrative Assistant Karen Bockoven, were also present.

Chair Huggins opened the meeting at 7:00 p.m. in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and the Concord Wetlands Bylaw.

Town of Concord - CPW Engineering, Assabet Avenue, DEP File #137-1323	7:00 pm
Walter Ohanian, The Grantham Group, 6X Winthrop Street, DEP File #137-1374	7:00 pm
Nashawtuc Country Club, 1861 Sudbury Road, DEP File #137-1373	7:00 pm
Kalmia Woods Corp., 21B The Valley Road, DEP File #137-	7:00 pm

**CONTINUANCES**

**Notice of Intent Application for the Town of Concord - CPW Engineering, Assabet Avenue, DEP File #137-1323**

Chair Huggins reopened the hearing seeking approval to install two overflow pipes and rip-rap swales within Bordering Vegetated Wetlands, Land Under Waterbodies and Waterways, Bordering Land Subject to Flooding, the 200-foot Riverfront Area to the Assabet River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Poutasse moved to continue the hearing to February 1, 2017. Commissioner Higgins seconded. All so voted.

**Notice of Intent Application, Walter Ohanian, The Grantham Group, LLC, 6X Winthrop Street, DEP File #137-1374**

Chair Huggins reopened the hearing seeking approval to construct an 83-unit affordable assisted living facility with associated driveway, parking, drainage, grading, and utilities, portions of which work are within Bordering Land Subject to Flooding and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Poutasse moved to continue the hearing to February 1, 2017. Commissioner Higgins seconded. All so voted.

**NEW APPLICATIONS**

**Abbreviated Notice of Resource Area Delineation, Nashawtuc Country Club, 1861 Sudbury Road, DEP File #137-1373**

Chair Huggins opened the hearing seeking confirmation of the Bordering Vegetated Wetlands, Bank, and Mean Annual High Water delineations.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to February 1, 2017. Commissioner Zaunbrecher seconded. All so voted.

### **Notice of Intent Application, Kalmia Woods Corporation, DEP File #137-**

Chair Huggins opened the hearing seeking approval to construct a 37.5-foot by 5-foot seasonal floating dock within Land Under Waterbodies and Waterways associated with the Sudbury River.

#### List of plans and documents discussed at this meeting:

- Notice of Intent Application;
- Topographic Plan of Land prepared by Hancock Associates revised on October 28, 2016; and
- Email from Eric Van Loon dated January 18, 2017.

Geoffrey Tritsch, 233 Heaths Bridge Road, attended tonight's meeting. Mr. Tritsch informed the Commission that he is a member of the Kalmia Woods Association board. Mr. Tritsch stated that the Conantum neighborhood was built in 1951 with about 80 acres of common land shared by 102 households. Included in this common land is a boat landing. Boating is a favorite activity for the neighborhood but it can be difficult to access the river especially when the water level is low. Mr. Tritsch said because of the colloidal mud, which is about 2.5 feet deep, it is very difficult to launch a small boat. Therefore, they would like to install a 37.5-foot long by 5-foot wide segmented floating dock consisting of ten 3.75-foot by 5-foot interlocking sections. The docking materials are the same materials used for the Head of the Charles Regatta. The materials are environmentally friendly and will not require any paint or stain. They will install the dock in the spring using six poles that have an auger at the bottom. The dock and poles would be removed every winter by a group of neighborhood volunteers and stored in a grassy area adjacent to the tennis courts, outside the floodplain. Mr. Tritsch said the only place that would be disturbed by the installation of the dock will be where the augers are going into the canal. No trees will be cut and no new access will be created. Other alternatives including redredging the channel and a permanent dock were considered but discarded because of expense and impacts.

Chair Huggins asked why the poles are taken in and out. Mr. Tritsch said if the poles are left in they would have to lift the dock in sections making it much more difficult to remove. Each section weighs approximately 100 pounds.

Director Kaye asked how deep the pilings would be. Mr. Tritsch explained that it will need to go about 3.5 feet in to get through the mud.

Mr. Tritsch said there is some movement in the connectors for the dock. Commissioner Poutasse asked if a gang plank would be needed. Mr. Tritsch said that the company they are purchasing the dock from does make a gang plank but they may just use planks.

Director Kaye asked Mr. Tritsch to clarify the length of the dock. Mr. Tritsch clarified the dock will consist of ten 3.75-foot by 5-foot sections for a length of 37.5 feet. Mr. Tritsch wrote and initialed the corrections on the plan.

Chair Huggins asked if all work is being done by hand. Mr. Tritsch replied that was correct.

Chair Huggins read an email from Eric Van Loon, 95 Martha's Point Road into the record. Mr. Van Loon is in support of the proposed project.

The Applicant agreed to continue the hearing to February 1, 2017 at which time the Commission expects to issue an Order of Conditions.

### **OTHER BUSINESS**

#### **MACC Letter to Governor Baker Regarding Interstate Gas Pipelines**

The Commission resumed discussion on whether to sign a letter to Governor Baker requesting that he end his support for new interstate gas pipelines. Commissioner Zaunbrecher felt that the Commission is here to enforce the WPA and local bylaws and should avoid the politics of the issue.

Director Kaye noted a Massachusetts case which determined that individual states do not have the ability to override federal decisions.

Chair Huggins said the Town's policy is to reduce fossil fuel dependence but on a broad scale the NRC should not be involved. The NRC may be involved on a case-by-case basis, but the letter seems broad and open ended.

Commissioner Poutasse thought the letter had two points. Conservation and wetlands protections shouldn't be overridden, and fossil fuel development in the future shouldn't be encouraged. Commissioner Poutasse didn't feel that the Commission should take a general position on something that they do not know enough about.

The consensus of the Commission was not to sign the letter and Commissioner Adams asked Director Kaye to relay their decision and reasoning to the MACC.

#### **Comprehensive Long Range Plan - Update**

Commissioner Zaunbrecher informed the Commission that the Comprehensive Long Range Plan Committee (CLRP) was formed last July. The Committee is close to hiring a consultant to help them carry out the planning process. They hope to finish by next spring. This will involve a lot of input from the community. Therefore, Commissioner Zaunbrecher asked the NRC to consider what other input or feedback they want to provide to the CLRP. Commissioner Zaunbrecher will have more information after the next meeting.

#### **Director's Report**

- Director Kaye advised the Commission of the upcoming MACC Conference on March 4, 2017 and asked interested members to contact the office to register.
- Director Kaye said she has issued a Request for Proposals for agricultural production at Landmark Field. Proposals will be forwarded to the NRC for review and recommendation for selection at the February 15<sup>th</sup> meeting. Commissioner Poutasse asked what would happen if no bids were received and Director Kaye responded that summer crew would mow the property to keep it open.
- Director Kaye informed the Commission that Peter Flynn, Public Works Supervisor for Parks & Trees is retiring and a celebration is scheduled for Wednesday, January 25<sup>th</sup> at 3:00 p.m.
- Regarding the recent fire at the West Concord Fire Station, the station will be closed for the next 3-4 months. The Fire Department is looking to temporarily house

displaced firefighters and are considering the end of Bradford Street which is within the 100-foot Buffer Zone to wetlands behind Rideout Playground. The Fire Department is considering this space to house two residential trailers, a tight tank and a storage unit for their equipment. Director Kaye asked if the Commission was comfortable with her approving a location and coming to the Commission as an after the fact approval in the event that the Fire Department needed to move quickly. The Commission was agreeable to that.

### **Approve Meeting Minutes**

Commissioner Adams moved to approve the January 4, 2016 NRC meeting minutes, as amended. Commissioner Zaunbrecher seconded. Commissioner Higgins abstained. All so voted.

Commissioner Adams moved to adjourn. Commissioner Higgins seconded. All so voted. This meeting adjourned at 7:50 p.m.

Respectfully submitted,

Karen Bockoven  
Administrative Assistant