

NATURAL RESOURCES COMMISSION
Meeting Minutes
February 19, 2020

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, February 19, 2020. The following Commissioners were present: Greg Higgins, Chair, Lynn Huggins, Ed Nardi, Nick Pappas, and Judy Zaunbrecher. Natural Resources Director Delia Kaye and Assistant Natural Resources Director Colleen Puzas were also present.

Chair Higgins 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.

APPROVE MEETING MINUTES <ul style="list-style-type: none">• November 20, 2019 and December 4, 2019
TO BE CONTINUED TO MARCH 4, 2020 <ul style="list-style-type: none">• ASSABET NOMINEE TRUST, 2194 Main Street, NOI• McGINN, 95 Coolidge Road, NOI
TO BE OPENED AND CONTINUED TO MARCH 4, 2020 <ul style="list-style-type: none">• GWIN, 296 Bedford Street, NOI
DIRECTOR'S REPORT
CONTINUANCES <ul style="list-style-type: none">• ROBB, 55 Musterfield Road, NOI• WEDGE, 109 Heaths Bridge Road, NOI
NEW APPLICATIONS <ul style="list-style-type: none">• LAMONT, 1540 Monument Street, NOI
CLOSE and ISSUE <ul style="list-style-type: none">• DCR, 90B Walden Street
CERTIFICATES OF COMPLIANCE <ul style="list-style-type: none">• VOUROS, 260 Annursnac Hill Road
ADMINISTRATIVE APPROVALS <ul style="list-style-type: none">• THE TRUSTEES OF RESERVATIONS, 269 Monument Street, Tree Removal

Chair Higgins stated that the NRC meeting was being audio-recorded. He requested that anyone from the public recording the meeting so inform the Commission

Chair Higgins requested that the Commission review Warrant Articles 40, 44 and 49 in order to discuss at the next NRC meeting.

APPROVE MEETING MINUTES

Commissioner Zaunbrecher moved to approve the November 20, 2019 NRC meeting minutes, as amended. Commissioner Nardi seconded. Commissioner Huggins abstained. All so voted.

Commissioner Pappas moved to approve the December 4, 2019 NRC meeting minutes, as written. Commissioner Huggins seconded. Commissioner Zaunbrecher abstained. All so voted.

TO BE CONTINUED TO MARCH 4, 2020

Notice of Intent Application, Gregg Aho, Trustee, Assabet Nominee Trust, 2194 Main Street, DEP File #137-1513

Chair Higgins reopened the hearing seeking approval to demolish an existing building and construct two single-family homes within the 200-foot Riverfront Area to the Assabet River and 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to continue the hearing until March 4, 2020. Commissioner Nardi seconded. All so voted.

Notice of Intent Application, Paul McGinn, 95 Coolidge Road, DEP File #137-1502

Chair Higgins reopened the hearing seeking after-the-fact approval for clearing vegetation and native plant restoration within Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, Land Under Waterbodies and Waterways, the 200-foot Riverfront Area to the Sudbury River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to continue the hearing until March 4, 2020. Commissioner Nardi seconded. All so voted.

TO BE OPENED AND CONTINUED TO MARCH 4, 2020

Notice of Intent of Application, Joseph Gwin, 296 Bedford Street, DEP File #137-1516

Chair Higgins opened the hearing seeking approval to construct a new garage within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to continue the hearing until March 4, 2020. Commissioner Nardi seconded. All so voted.

DIRECTOR'S REPORT

- Director Kaye reminded the NRC that the MACC Annual Environmental Conference will be held on February 29, 2020. Anyone interested in participating should contact Karen so she can register them.
- The coyote workshop conducted by MassWildlife last week was attended by over 50 people. People asked good questions and provided helpful feedback. Director Kaye noted the workshop can be viewed online through MMN.

COMMISSIONER COMMENTS

- Chair Higgins attended the Chair Breakfast this morning and a representative of the Cemetery Committee voiced concern about bike activity at Sleepy Hollow. Chair Higgins said that the NRC is also beginning to hear concerns on conservation lands. Chair Higgins suggested that the various committees work with staff to achieve a resolution.

CONTINUANCES

Notice of Intent Application, George and Nancy Robb, 55 Musterfield Road, DEP File #137-1500

Chair Higgins reopened the hearing seeking approval to construct an addition to the existing single-family dwelling, modify the septic system, and install a vegetated stormwater drainage swale within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Septic System Modification Plan prepared by Hancock Associates revised February 5, 2020.

Jacob Lemieux of Hancock Associates attended tonight's meeting. Mr. Lemieux explained that they have revised the wetland flags based on comments from staff. They will install FENO markers to delineate the 25-foot NDZ. Director Kaye asked that the Applicant clarify on the plan that disturbed areas within the 25-foot NDZ will be re-naturalized with only a one-time annual mow. Director Kaye said the preference is for the homeowner to do a late season mow in November or early spring mow in April. Mr. Lemieux said they will provide protection for trees where necessary. He will submit a revised plan by Friday.

The Applicant agreed to continue the hearing until March 4, 2020 at which time the Commission anticipates issuing an Order of Conditions.

Notice of Intent Application, Hugh Wedge, 109 Heaths Bridge Road, DEP File #137-1511

Chair Higgins reopened the hearing seeking approval to replace two existing decks, expand an existing garage, construct a new garage, install pea stone and a stonewall in the existing patio area, prune overgrown vegetation, remove and replace an existing green house with an enclosed porch, and remove trees within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to the Sudbury River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Proposed Site Plan prepared by Oxbow Associates, Inc. revised February 6, 2020; and
- Invasive Plan Management Plan prepared by Oxbow Associates, Inc. dated February 7, 2020.

Matthew Charpentier of Oxbow Associates attended tonight's meeting. Mr. Charpentier said they are proposing 4,500 s.f. of invasives removal. As requested, they have included in their Invasives Management Plan a note to include that any invasives under than two inches will be removed by hand. They will plant 100 buttonbush in the BVW and 20 elderberry in the buffer zone. Mr. Charpentier explained that they would prefer to remove invasives early in the spring and do any replanting in September.

Commissioner Huggins moved to close the hearing and issue an Order of Conditions for DEP File #137-1511 with Findings A, B, C, D, and E, Standard Conditions 1-19, and Special Conditions 20-50 with Condition #22 amended tonight to reflect invasives removal and replanting will occur within the same growing season. Commissioner Nardi seconded. All so voted.

NEW APPLICATIONS

Notice of Intent Application, Jeffrey and Bronwyn Lamont, 1540 Monument Street, DEP File #137-1514

Chair Higgins opened the hearing seeking approval to construct a temporary gravel construction access drive, parking, and service area; extend a gas line service; and landscape plantings within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application;
- Site Layout and Utilities Plan prepared by Goldsmith, Prest & Ringwall, Inc. received February 5, 2020;
- Erosion and Sediment Control Details Plan prepared by Goldsmith, Prest & Ringwall, Inc. received February 5, 2020; and
- Landscape Master Plan prepared by KD Turner Design dated January 22, 2020.

Kyle Burchard of Goldsmith, Prest & Ringwall attended tonight's meeting. Mr. Burchard said a Determination of Applicability was previously issued to demolish the house. This included a temporary entrance for construction vehicles. They are requesting a permit to construct a temporary gravel driveway for construction and extension for the gas line. After construction is completed the gravel will be removed and the area will be restored to lawn and plantings. Erosion controls have been installed. Gates for the temporary construction entrance and the other access entrance will remain locked and opened only if necessary.

There were no public comments.

Commissioner Nardi moved to close the hearing and issue an Order of Conditions for DEP File #137-1514 with Findings A and B, Standard Conditions 1-19, and Special Conditions 20-49. Commissioner Zaunbrecher seconded. All so voted.

MINOR MODIFICATION

Anderson-Miller, 52 Simon Willard Road, DEP File #137-1478; Drainage Improvements

Matt Anderson-Miller of Anderson-Miller Design attended tonight's meeting. Groundwater was encountered during slope excavation and Robial Water prepared a plan to manage groundwater, portions of which will be within the 50-foot No Build Zone. They have already installed some temporary piping to manage the water. The Commission requested a waiver be submitted for work within the 50-foot NBZ.

Director Kaye requested that any proposed plantings around the drywell be reviewed with staff prior to planting. Mr. Anderson-Miller said they will submit a revised landscaping plan.

There were no public comments.

Commissioner Huggins moved to issue a Minor Modification for DEP File #137-1478 for the drainage improvements, conditioned on receiving a waiver for work within the 50-foot NDZ. Commissioner Zaunbrecher seconded. All so voted.

CLOSE AND ISSUE PERMIT

DCR, 90B Walden Street, DEP File #137-1507, Revised OOC

Invasives removal was referenced in the Order of Conditions issued on February 5, 2020, but not proposed as part of the project. The Commission reviewed revised language for the OOC and Commissioner Huggins moved to approve the revised Order of Conditions for DEP File #137-1507. Commissioner Nardi seconded. All so voted.

CERTIFICATES OF COMPLIANCE

Vouros, 260 Annursnac Hill Road, DEP File #137-1488 (partial)

Commissioner Zaunbrecher moved to issue a Partial Certificate of Compliance for DEP File #137-1488. Commissioner Huggins seconded. All so voted.

OTHER BUSINESS

Administrative Approvals:

- **The Trustees of Reservations, 269 Monument Street, Tree Removal**

A damaged basswood in the inner Riverfront Area poses a hazard and should be removed. The tree will be flush cut during frozen ground conditions if possible. The Trustees will replant with a native tree. Approval was granted.

Commissioner Zaunbrecher moved to adjourn. Commissioner Huggins seconded. All so voted. This meeting adjourned at 7:46 p.m.

Respectfully submitted,

Karen Bockoven
Administrative Assistant