

NATURAL RESOURCES COMMISSION
Meeting Minutes
March 16, 2022

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Natural Resources Commission was held on Wednesday, March 16, 2022 at 7:00 pm. The following Commissioners were present: Ed Nardi, Chair, Greg Higgins, and Nick Pappas. Commissioners Grimwood and Kleiman were absent. Natural Resources Director Delia Kaye, Assistant Natural Resources Director Colleen Puzas, and Natural Resources Administrative Assistant Karen Bockoven were also present.

APPROVE MEETING MINUTES <ul style="list-style-type: none">January 19, 2022, February 2, 2022, and February 16, 2022
DIRECTOR'S UPDATE
TO BE CONTINUED WITHOUT DISCUSSION TO APRIL 6, 2022 <ul style="list-style-type: none">LIMPAECHER, 61 Black Duck Road, NOIFREDETTE, 286 Barretts Mill Road, NOI
NEW APPLICATIONS <ul style="list-style-type: none">ARTHUR, 555 Annursnac Hill Road, NOI
CLOSE and ISSUE <ul style="list-style-type: none">TOWN OF CONCORD NATURAL RESOURCES DIVISION, 2X Warner St., 39A Commonwealth Ave., 28A Union Tpke, 976 Barretts Mill Road, and 123B Elm Street
ADMINISTRATIVE APPROVALS <ul style="list-style-type: none">TOWN OF CONCORD, 36A Baker Avenue, Tree Removal

Chair Nardi called the meeting to order at 7:00 p.m. He stated that the NRC meeting was being audio-recorded and requested that anyone from the public recording the meeting so inform the Commission.

APPROVE MEETING MINUTES

Commissioner Pappas moved to approve the January 19, 2022 NRC meeting minutes, as amended. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Higgins, Aye, Pappas, Aye, Nardi, Aye.

The February 2, 2022 and February 16, 2022 minutes were tabled to the April 6, 2022 NRC meeting.

DIRECTOR'S UPDATE

- Land Manager Will Holden and Bouke Noordzij installed four bluebird boxes on the gunhouse side of Heywood Meadow this week and almost immediately after the bird houses were installed, bluebirds were investigating. The two boxes on the west meadow will be replaced at a later date.
- Director Kaye said the proposal for the Assabet River Bluff Preservation Project is moving along well. The Town was encouraged to apply for a Municipal Vulnerability Preparedness (MVP) grant, in addition to the Land and Water Conservation grant application submitted in

January. The MVP grant is due on May 5th. Director Kaye said that both grants are for \$500,000 but only one grant would be awarded, if successful.

- Director Kaye informed the Commission that someone has recently been posting mean-spirited signage at White Pond. The Commission felt that the signage was unproductive and could be considered threatening, and that the work being done at the White Pond beach is considerate and unobtrusive. Director Kaye noted the robust tree mitigation plan for trees that needed to be removed for the ADA-compliant path and other improvements.

TO BE CONTINUED TO APRIL 6, 2022

Notice of Intent, Limpaecher, 61 Black Duck Road, DEP File #137-1578

Chair Nardi reopened the hearing seeking approval to construct an addition, convert an existing deck into a sunroom, extend the rear deck, and remove failing retaining wall within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to April 6, 2022. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Higgins, Aye, Pappas, Aye, Nardi, Aye.

Notice of Intent, Fredette, 286 Barretts Mill Road, DEP File #137-1590

Chair Nardi opened the hearing seeking approval to remove a wooden deck, shed, portions of a paved driveway, and retaining walls; install an in-ground swimming pool, pool house, boardwalk, stone patio, retaining walls, vegetable garden, fencing, and stone steppers; repave a driveway, and relocate a playset within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to Spencer Brook and an unnamed perennial tributary to Spencer Brook, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetland.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to April 6, 2022. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Higgins, Aye, Pappas, Aye, Nardi, Aye.

NEW APPLICATIONS

Notice of Intent, Arthur, 555 Annursnac Hill Road, DEP File #137-1592

Chair Nardi opened the hearing seeking approval to replace an existing septic system within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Septic Plan prepared by Innovative Septic Design, Inc. revised March 10, 2022.

Matthew Marro of Matthew Marro Environmental Consulting attended tonight's meeting. Mr. Marro explained that a portion of the new septic system will be within 100-foot BZ. Some trees will have to be removed. A replanting plan has been submitted. Tree protection will be provided for the remaining trees. Chair Nardi asked if the tree located at the southern part of the property will be protected. Mr. Marro replied that he will revise the plan to note that tree. Chair Nardi said that staff

noticed five trees have been cut close to the wetlands varying in height and diameter. Mr. Marro said those trees were cut before his client purchased the property. He said his client did cut some small saplings because they were damaged by storms. Mr. Marro said he can add some more trees to the plan in the tree planting area. The NRC approved five additional trees being planted.

Director Kaye informed the Commission that the wetlands on the property were flagged but the flags were not evident when staff went out. Staff reviewed a previous filing which showed that the flags generally lined up and reflagging would not be necessary.

There were no public comments.

Commissioner Higgins moved to close the hearing and issue an Order of Conditions for DEP File #137-1592 with Findings A and B, Standard Conditions 1-20, Standard Conditions 21-52, and pending receipt of a revised plan which will include five additional trees to be replanted in the Buffer Zone in the general location from which they were removed and to put tree protection around the southernmost tree. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Higgins, Aye, Pappas, Aye, Nardi, Aye.

CLOSE AND ISSUE PERMITS

Notice of Intent Application, Town of Concord Natural Resources Division, 2X Warner Street, 39A Commonwealth Avenue, 28A Union Turnpike, 976 Barretts Mill Road, and 123B Elm Street, DEP File #137-1585

Chair Nardi reopened the hearing seeking approval to hydraulically dredge approximately 35,750 cubic yards of accumulated sediment from Warner's Pond, dewater sediments, dispose of sediments in an upland location, and improve the Warner's Pond boat access off Commonwealth Avenue. Activities are proposed in Bank, Bordering Vegetated Wetland, Land Under Waterbodies, Bordering Land Subject to Flooding, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetland.

Commissioner Higgins moved to close the hearing and issue an Order of Conditions for DEP File #137-1585 with Findings A, B, and C, Standard Conditions 1-20, and Special Conditions 21-76. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Higgins, Aye, Pappas, Aye, Nardi, Aye.

Administrative Approvals:

- **Town of Concord, 36A Baker Avenue, Tree Removal**

Director Kaye explained there is a 12-inch Norway maple shading the new pollinator meadow at the Baker Avenue boat launch. The tree is on the 200-foot Riverfront boundary. Land Manager Will Holden and Trails Committee Chair Bob White will flush cut the tree. Approval was granted.

At 7:22 pm, with no further presentations or public comment, the Chair adjourned the meeting.

Respectfully submitted,

Karen Bockoven
Administrative Assistant

A video of the meeting can be seen by clicking this link or entering it into a web browser:

https://www.youtube.com/results?search_query=Concord+Natural+Resources+Commission