

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**April 21, 2021**

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Natural Resources Commission was held on Wednesday, April 21, 2021 at 7:00 p.m, in accordance with the Commonwealth of Massachusetts Executive Order of March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. The following Commissioners were present: Ed Nardi, Chair, Sarah Grimwood, Greg Higgins, Nick Pappas, and Judy Zaunbrecher. Natural Resources Director Delia Kaye, Assistant Natural Resources Director Colleen Puzas, and Natural Resources Administrative Assistant Karen Bockoven were also present.

<b>DIRECTOR'S UPDATE</b>
<b>TO BE OPENED AND CONTINUED WITHOUT DISCUSSION TO MAY 5, 2021</b>
<ul style="list-style-type: none"> <li>• <b>MACH</b>, 455 Bedford Street, NOI</li> </ul>
<b>TO BE CONTINUED WITHOUT DISCUSSION TO MAY 5, 2021</b>
<ul style="list-style-type: none"> <li>• <b>TOWN OF CONCORD</b>, 90Y Plainfield Road, NOI</li> <li>• <b>SHAW</b>, 43 Old Bedford Road, NOI</li> </ul>
<b>TO BE CONTINUED WITHOUT DISCUSSION TO MAY 19, 2021</b>
<ul style="list-style-type: none"> <li>• <b>GOMES</b>, 1597 Monument Street, NOI</li> </ul>
<b>CONTINUANCES</b>
<ul style="list-style-type: none"> <li>• <b>KOKOSZKA</b>, 367 Cambridge Turnpike, NOI</li> </ul>
<b>NEW APPLICATIONS</b>
<ul style="list-style-type: none"> <li>• <b>COMCAST</b>, 782, 784, 786, 788 and 790 Strawberry Hill Road, RDA</li> <li>• <b>PERRY</b>, 123 Farmers Cliff Road, RDA</li> </ul>
<b>EXTENSION REQUESTS</b>
<ul style="list-style-type: none"> <li>• <b>DZIAMA &amp; NICHOLI</b>, 209 and 29A Musterfield Road</li> </ul>
<b>OTHER BUSINESS</b>
<ul style="list-style-type: none"> <li>• JOHNSON, 177 Barnes Hill Road, Restoration Plan</li> <li>• Recommendation to the Select Board pursuant to M.G.L. Ch. 61B for a Notice of Intent to Sell and Convert use from Recreational to Residential Joan B. Litle, Trustee, 115B Monument Street (parcel 1371-4), Right of First Refusal</li> </ul>
<b>EMERGENCY CERTIFICATIONS</b>
<ul style="list-style-type: none"> <li>• <b>TOWN OF CONCORD</b>, 180 Cambridge Street, Beaver Dam Breach</li> <li>• <b>TOWN OF CONCORD</b>, Monument Street ROW, Clear Culvert and Install Beaver Deceiver</li> </ul>
<b>CLOSE and ISSUE</b>
<ul style="list-style-type: none"> <li>• <b>WESTCHESTER COMPANY, INC.</b>, Lot 2A Keuka Road</li> <li>• <b>STORLAZZI</b>, 23 Warner Street</li> <li>• <b>MIDDLESEX SCHOOL</b>, 1400 Lowell Road</li> </ul>
<b>ADMINISTRATIVE APPROVALS</b>
<ul style="list-style-type: none"> <li>• <b>TOWN OF CONCORD</b>, Walden Street (Right of Way), Replace Fence and Plantings at Lift Station</li> <li>• <b>NEWBURY COURT</b>, 80 Deaconess Road, Unpaved Pedestrian Path</li> <li>• <b>WALSH</b>, 150 Garfield Road, Tree Removal</li> </ul>

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.

### **DIRECTOR'S UPDATE**

- The wildlife culvert for the Bruce Freeman Rail Trail will be installed under Route 2 this weekend and next weekend. Traffic on Route 2 will be re-routed.
- Public hearings for Town Meeting warrant articles are coming up. The Select Board hearing will be held on April 27<sup>th</sup> and FinCom will be April 29<sup>th</sup>. On May 6<sup>th</sup> FinCom will discuss school budgets and CPC articles will be discussed. On May 11<sup>th</sup> FinCom will discuss enterprise fund. The Planning Board's public hearing for warrant May 13<sup>th</sup> is Planning Board for warrant articles.
- Offers have been extended to two new conservation crew.
- The Heywood Meadow Stewardship Committee received a request for a memorial tree for Will Umphrey, who passed away last month. The Commission was in favor of the proposed tree.
- The Umbrella has started art installations at Chamberlin Park, Mill Brook Way, and Heywood Meadow in time for Earth Day. The sculptures will be in place until June 1st.
- An additional ranger will be hired for the summer to patrol White Pond and other conservation lands. Bill Brooks currently works part-time patrolling Estabrook Woods and Punkatasset, and his hours will be increased to full-time over the summer.

### **TO BE OPENED AND CONTINUED TO MAY 5, 2021**

#### **Notice of Intent, Mach, 455 Bedford Street, DEP File #137-1561**

The Applicant is seeking approval to install a swimming pool, replace an existing patio and retaining wall, and conduct vegetation removal and management within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher moved to continue the hearing to May 5, 2021. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

### **TO BE CONTINUED TO MAY 5, 2021**

#### **Notice of Intent, Town of Concord, 90Y Plainfield Road, DEP File #137-1559**

The Applicant is seeking approval to improve the vehicular access and boat ramp, construct ADA compliant picnic areas and walkways, and install a new stormwater management system within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to May 5, 2021. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Notice of Intent, Shaw, 43 Old Bedford Road, DEP File #137-1504**

The Applicant is seeking approval to construct a garage within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to May 5, 2021. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**TO BE CONTINUED TO MAY 19, 2021**

**Notice of Intent, Gomes, 1597 Monument Street, DEP File #137-1558**

The Applicant is seeking approval to construct new deck with a pool spa within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to May 5, 2021. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**CONTINUANCES**

**Notice of Intent, Kokoszka, 367 Cambridge Turnpike, DEP File #137-1555**

Chair Nardi reopened the hearing seeking approval to convert existing 3-season porch to an addition and enlarge an existing deck within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Construction and Erosion Control Plan prepared by LandTech Consultants, Inc. revised April 9, 2021; and
- Invasive Plant Management Plan prepared by Oxbow Associates, Inc. dated April 9, 2021.

Homeowner Todd Kokoszka and Kyle Cormier of Oxbow Associates attended tonight's meeting. Mr. Cormier said that Mr. Kokoszka is requesting that existing lawn within the 25-foot NDZ remain. They intend to manage invasives as mitigation. Any areas treated within the restoration area will be seeded and planted with shrubs (highbush blueberry) where applicable, will be planted. Chair Nardi asked if this was a two year process to see what will grow back or if some infill will be needed. Mr. Cormier replied that they will monitor after a year to see what is growing.

Commissioner Pappas moved to close the hearing and issue an Order of Conditions for DEP File #137-1555 with Findings A, B, and C, Standard Conditions 1-19, and Special Conditions 20-61. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

## NEW APPLICATIONS

### **Request for Determination of Applicability, Comcast, 782, 784, 786, 788 & 790 Strawberry Hill Road, RDA File #21-5**

Chair Nardi opened the meeting seeking approval to replace existing underground conduit within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

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

- Request for Determination of Applicability Application; and
- Definitive Plan (Comcast sketch) prepared by Dewsnap Engineering Associates LLP dated March 31, 2021.

Dave Flewelling of Comcast and Paul Dewsnap of Dewsnap Engineering attended tonight's meeting. Mr. Dewsnap explained that the project involves repair work to an underground conduit. The existing cable is damaged. The cable runs from a utility pole along Bateman's Ridge approximately 760 feet all the way up to the cluster of electric transformers and pedestal. Currently the line is running overland from the pole to the furthest pedestal to keep customers up and running. Mr. Dewsnap said they will put in a new four-inch conduit in the ground. After the work is completed they will remove the overland wire. Erosion controls will be installed along the edge of wetlands. Some work is being done in the 25-foot NDZ and they have submitted a waiver for that work. No grading work is necessary. Chair Nardi asked how an underground conduit could get damaged. Mr. Dewsnap replied that it could have been from a truck going over it.

Karlen Reed of 83 Whits End Road asked what type of services are currently being run over the Comcast line that has been damaged. Mr. Flewelling replied that it is a coaxial cable. It was originally direct buried so there is no conduit. Comcast will be installing a conduit which should be able to be done in one day. Commissioner Higgins asked if they will be installing conduit just in case they need in the future. Mr. Flewelling said the three-inch conduit will have plenty of room to pull another cable if necessary.

Commissioner Higgins moved to issue a Negative Determination of Applicability #3 with the following conditions 1) A pre-construction site visit shall be held with DNR staff and the Contractor to review to erosion controls (staked straw wattles) and limits of work; 2) Disturbed areas shall be loamed, seeded, and mulched with weed-free straw following construction; 3) Any landscape plantings removed or damaged by the proposed work shall be replaced with native plantings; and 4) Following completion of the project, the Applicant shall submit a letter to the NRC confirming that all work was conducted in accordance with the approved plan. Any changes shall be described. Commissioner Zaunbrecher seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

### **Request for Determination of Applicability, Perry, 123 Farmers Cliff Road, RDA File #21-6**

Chair Nardi opened the meeting seeking approval to replace existing lawn with native trees, shrubs, and perennials within the 100-foot Buffer Zone to Bordering Vegetated Wetlands

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

- Request for Determination of Applicability Application; and
- Landscape Plan prepared by Jane Rupley Landscape Design dated January 2021.

Jane Rupley of Jane Rupley Landscape Design attended tonight's meeting. The homeowners would like to remove some grass in order to create an environment for native plantings, birds, butterflies, etc. They will plant native perennials, shrubs, and trees. Ms. Rupley said that approximately

2,500 sf. of lawn will be turned into planting beds. They will need to grind some pine tree stumps. They would also like to add some additional rocks to the existing beds. The homeowners are proposing to place a bench at the end of a path with a couple of field stones in front of the bench. Ms. Rupley said there are round millstones already on the path as well as existing path lights. They are proposing native ground cover (no vinca).

There were no public comments.

Commissioner Zaunbrecher moved to issue a Negative Determination #3 with conditions 1) A staked straw wattle shall be placed at the pond edge; 2) A pre-construction site visit shall be held with DNR staff and the Contractor to review the erosion controls and limits of work; 3) Stockpiling shall occur outside the 100-foot Buffer Zone; and 4) After the project has been completed, the Applicant shall submit a letter to the NRC stating that all work has been conducted in accordance with all conditions of this Determination of Applicability. Any changes from the RDA shall be described. Commissioner Pappas seconded. It was **VOTED** by roll call vote: Grimwood, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye. Commissioner Higgins lost internet connection when the Commission was voting.

### **EXTENSION REQUEST**

#### **Dziama & Nicholi, 209 & 29A Musterfield Road, DEP File #137-1450**

Lawrence Beals of Beals Associates attended tonight's meeting. Mr. Beals said that an ORAD was issued in 2018. There is an existing house on the original property. Originally there was one lot which has been subdivided into two lots. Since approval the property have been actively marketed and the original house lot has been sold. The owner of the original lot is also interested in purchasing the second lot. The real estate closing for that purchase may occur after the ORAD expires. Both the buyer and the seller are interested in extending the ORAD. Mr. Beals said that Director Kaye asked to have the wetland boundary re-established. Staff has reviewed that boundary and do not believe the wetlands have moved.

There were no public comments.

Commissioner Zaunbrecher moved to approve an Extension Permit for the Order of Resource Area Delineation DEP until April 23, 2024 for DEP File #137-1450. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

### **OTHER BUSINESS**

#### **Johnson, 177 Barnes Hill Road, Restoration Plan**

Scott Smyers of Oxbow Associates attended tonight's meeting. Mr. Smyers explained that Mr. Johnson was advised by his attorney not to attend tonight's meeting. Mr. Smyers said that an enforcement order was issued for this property at the Natural Resources Commission meeting on March 17, 2021. Since that time additional soil testing has been done. On April 6th he submitted restoration recommendations. Yesterday a field meeting was held with Director Kaye to review the site conditions. Mr. Smyers said he has submitted a turtle protection plan to Natural Heritage. He explained that the red-shaded area on the plan is where they estimated that stone was placed in

2016. They are proposing to remove the stone with a small machine and sift out the soil. They will add clean topsoil if necessary. They will plant a native seed mix appropriate for pastures. Erosion controls will be installed around the limit of work. Someone from Oxbow will be on site to supervise all work. Oxbow will submit a report when work is completed and will provide pictures. The only piece of equipment they will use is skid steer which will come onto the site from the higher ground area to access the work site. They are waiting for things to dry out before they do any work. Director Kaye said that the work must be completed by the end of June. If there are any weather conditions that prevent work from being done she asked Mr. Smyers to contact her.

There were no public comments.

Commissioner Higgins moved to approve the restoration plan as outlined in the Wetland Impact Analysis prepared by Oxbow Associates, dated April 6, 2021, with the following conditions: 1) Prior to any work, with the exception of erosion control installation, the Applicant shall schedule a pre-construction site visit with the Contractor, Wetland Scientist, and Natural Resources staff to review erosion controls and limits of work; 2) Conditions imposed by NHESP shall be incorporated into the restoration plan; and 3) Spot shot elevations of the adjacent, undisturbed wetlands shall be taken before work begins. Spot shot elevations shall also be taken of the final grade of restored areas.

Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Recommendation to the Select Board pursuant to M.G.L. Ch. 61B for a Notice of Intent to Sell and Convert use from Recreational to Residential Joan B. Litle, Trustee, 115B Monument Street (parcel 1371-4), Right of First Refusal**

Attorney Thomas Falwell of Comins & Newbury attended tonight's meeting, representing Mark White, the potential buyer. Mr. Falwell said that the property has been in Chapter 61A for some time and is now under agreement. The intention is for the parcel to build single-family residences.

Director Kaye informed the Commission that the parcel has not been identified in the Open Space and Recreation Plan as a property of conservation interest. The parcel is not adjacent to any other Town protected conservation land. In addition, it is not mapped as rare species habitat.

There were no public comments.

Commissioner Higgins moved that the Natural Resources Commission recommend that the Select Board not exercise its right of first refusal to acquire 115B Monument Street (assessor's parcel 1371-4). Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**EMERGENCY CERTIFICATIONS**

**Town of Concord, 180 Cambridge Turnpike, Beaver Dam Breach**

Director Kaye said the dam spans approximately 200 feet behind 180 Cambridge Turnpike. Mike Callahan of Beaver Solutions looked at it last year, and determined it isn't suitable for a beaver deceiver. Therefore, the dam will have to be breached, in a controlled fashion to prevent scour and downstream impacts.



There were no public comments.

Commissioner Higgins moved to ratify the Emergency Certification for 180 Cambridge Turnpike. Commissioner Zaunbrecher seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Town of Concord, Monument Street ROW, Clear Culvert and Install Beaver Deceiver**

Director Kaye provided a picture of the stone culvert (downstream side) that conveys Sawmill Brook under Monument Street, eventually discharging to the Concord River. Beavers have dammed the culvert and caused significant upstream flooding of Ellen Emerson and Bruce Kohler's property, including upland trails. Mike Callahan of Beaver Solutions inspected and can install a beaver deceiver once CPW has cleared the beaver dam.

There were no public comments.

Commissioner Higgins moved to ratify the Emergency Certification for Monument Street ROW. Commissioner Zaunbrecher seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**CLOSE AND ISSUE PERMITS**

**Westchester Company, Inc., Lot 2A Keuka Road, CWB File #20-1**

Chair Nardi reopened the hearing seeking approval to construct a single-family home with garage, patio, driveway and associated grading within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for CWB File #20-1 with Finding A, Standard Conditions 1-19, and Special Conditions 20-62. Commissioner Higgins seconded.

Mark Arnold, Goddard Consulting, asked about Special Condition #22. Director Kaye said the Special Conditions were sent to Steve Marsh previously. Construction vehicles should use the subdivision road only. No access through Keuka Road is permitted.

Director Kaye asked that Special Condition #22 be amended to say "is approved". Commissioner Zaunbrecher moved to amend Special Condition #22 as noted. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Storlazzi, 23 Warner Street, DEP File #137-1550**

Chair Nardi reopened the hearing seeking approval to demolish an existing deck and construct an addition within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for DEP 137-1550 with Finding A, Standard Conditions 1-19, and Special Conditions 20-56. Commissioner

Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Middlesex School, 1400 Lowell Road, DEP File #137-1545**

Chair Nardi reopened the hearing seeking approval to improve existing playing fields including reorientation of the baseball infield; conversion of the relocated infield to an all-weather artificial surface; relocation of the grass football field; and conversion of two existing multi-purpose grass fields into an all-weather sports surface within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Pappas moved to close the hearing and issue an Order of Conditions for DEP File #137-1545 with Finding A, B, C, and D, Standard Conditions 1-19, and Special Conditions 20-65. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

Steve McKeown of the Middlesex School and Ryan Chmielewski of Weston & Sampson attended tonight's meeting. Mr. McKeown said he had a few questions about the Order. Finding C refers to a monitoring protocol for the life of the fields, which is also referenced again in Special Condition #22. He wanted to confirm that both items were the same. The monitoring protocol called for five years, not the life of the field. Director Kaye said she emailed a redlined version of the Special Conditions to Mr. McKeown and Mr. Chmielewski. Life of the fields was removed from the Finding. Director Kaye believes Middlesex School agreed to sampling heavy metals. Heavy metals can include zinc, copper, cobalt, and selenium. That was based on the EPA study. Mr. Chmielewski said he would like to verify that with Ms. Rudiman, who could not attend tonight's meeting because she is on vacation.

Commissioner Zaunbrecher said that when someone tests materials like eco-fill analytically it can be somewhat confounding as you try to extract those from the materials and then test. It can be different than testing water which is what is happening here. Water tends to be a very clean item to test. Commissioner Zaunbrecher wanted to understand while the test of the materials may show nothing how does that compare to what could potentially be leached out. She is concerned about background information interfering with tests of non-water substrates. Mr. Chmielewski said Kevin McKinnon of his office does a lot of the physical testing and analyzes lab results as well. Between Kevin and Marie they could come up with an answer. Mr. Chmielewski requested that Commissioner Zaunbrecher put her request in writing so the question can be conveyed correctly. Commissioner Zaunbrecher agreed to provide.

Mr. McKeown is concerned about mitigation and timeline. The Order of Conditions is a three year permit. He would like to tie to one work schedule. Director Kaye explained that a mitigation language schedule is standard. She asked when Middlesex was starting construction. Mr. McKeown thinks they are upon the growing season without the issuance yet of an Order of Conditions permit. Director Kaye said presumably the invasives removal and replanting would be done in the fall. Mr. McKeown replied that fall was good.

Mr. Chmielewski said Condition 63 states "during construction all disturbed or exposed surfaces shall be brought to final finished grade and stabilized within 30 days". Based on construction establishing finished grade within 30 days is not practical. Maybe wording that "once final finish grade is established then exposed soil surfaces shall be stabilized within 30 days". Director Kaye



said this is just during construction the NRC and staff does not want to see big exposed stockpiles that are not protected so they don't wash into wetlands. Director Kaye asked Mr. Chmielewski to send her some suggested.

The Applicant agreed to continue the hearing to May 5, 2021 to allow for review of the Special Conditions.

### **Administrative Approvals:**

- **Town of Concord, Walden Street (Right of Way), Replace Fence and Plantings at Lift Station**

Assistant Director Puzas said Public Works would like to replace four wooden posts and one wooden barrier at the corner of Walden Street and Laurel Street. They would also like to replace 12 shrubs that are in bad shape. They will probably replace with salt tolerant shrubs such as pasture rose, red chokeberry, or sweet pepper bush. Commissioner Zaunbrecher asked if Public Works would consider stone posts which would last longer and would over time cause less disruption to the wetlands. Director Kaye said she could make that suggestion to them. It may be a matter of cost. Approval was granted.

- **Newbury Court, 80 Deaconess Road, Unpaved Pedestrian Path**

Director Kaye said that Jim Breslauer of Newbury Court would like to install a trail (approximately 400 feet long) primarily in the 25-foot NDZ. Three-foot wide, unpaved paths except for one portion that would go through wetlands and would require two boardwalks. The trail would allow the residents of Newbury Court to walk along the edge of the property and do a loop. This type of project is something the Trails Committee often does. No tree removal would occur, but there may be some minor brush cutting.

Jim Breslauer of Newbury Court attended tonight's meeting. He explained that the trail would go along the toe of slope along the south entrance to Newbury Court. There is a 10-foot area that is wet. The rest of the trail is above wetlands. They would need to clear some underbrush. Anyone with mobility issues would probably not use because there are several steep inclines. Commissioner Pappas was concerned about the trail being in the 25-foot NDZ. He said that is something the Commission would not normally permit. Director Kaye explained trails are often within the 25-foot NDZ. There would be minimal disturbance to wetlands and it would provide community benefit. There are trails from the Deaconess well that cross over publicly accessible conservation restrictions connecting into Mattison Field. This new trail would connect into public trails. Approval was granted.

- **Walsh, 150 Garfield Road, Tree Removal**

Director Kaye said there is a hazardous red oak tree on the 50-foot NDZ. She believes that a contractor may have put rocks around the base of the tree which ended up killing it. Land Manager Will Holden inspected the tree and reported that the tree had significant crown die back and rot. Staff recommended that the tree be removed. Approval was granted.

Commissioner Higgins moved to adjourn. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

This meeting adjourned at 8:28 p.m.

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/watch?v=eD-9IeuKTnE&list=PL1TTzrWEKOOlmahd64BNDrCmG6lzsnlhS&index=44>