

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**May 6, 2020**

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Natural Resources Commission was held on May 6, 2020 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: Greg Higgins, Chair, Lynn Huggins, Ed Nardi, and Nick Pappas. Commissioner Zaunbrecher was absent. Natural Resources Director Delia Kaye, Assistant Natural Resources Director Colleen Puzas, and Natural Resources Administrative Assistant Karen Bockoven were also present.

<b>APPROVE MEETING MINUTES</b> <ul style="list-style-type: none"><li>February 19, 2020 and March 4, 2020</li></ul>
<b>TO BE OPENED AND CONTINUED TO MAY 20, 2020</b> <ul style="list-style-type: none"><li><b>WIENER</b>, 20 Bow Street, NOI</li></ul>
<b>TO BE CONTINUED TO MAY 20, 2020</b> <ul style="list-style-type: none"><li><b>SHAW</b>, 43 Old Bedford Road, NOI</li></ul>
<b>CONTINUANCES</b> <ul style="list-style-type: none"><li><b>Concord Country Club</b>, 246 Old Road to Nine Acre Corner, NOI</li><li><b>Concord Country Club</b>, 246 Old Road to Nine Acre Corner, NOI</li></ul>
<b>CLOSE and ISSUE DECISIONS</b> <ul style="list-style-type: none"><li><b>BUSHNELL</b>, 1599 Lowell Road</li><li><b>ADLER &amp; STERLING</b>, 185 Elsinore Street</li></ul>
<b>CERTIFICATES OF COMPLIANCE</b> <ul style="list-style-type: none"><li><b>McCLURE</b>, 21 Riverside Avenue</li></ul>
<b>ADMINISTRATIVE APPROVALS</b> <ul style="list-style-type: none"><li><b>JOHNSTONE</b>, 233 Prairie Street, Tree Removal</li><li><b>LAX</b>, 261 Park Lane, Patio Replacement</li><li><b>PATTERSON</b>, 109 Seymour Street, Tree Removal</li></ul>
<b>OTHER BUSINESS</b> <ul style="list-style-type: none"><li><b>GAMBINO</b>, 336 Lexington Road, Review Order of Conditions</li><li>1651-1657 Main Street, PRD Recommendation to ZBA</li></ul>

Chair Higgins 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 Huggins moved to approve the February 19, 2020 NRC meeting minutes, as amended. Commissioner Nardi seconded. **UNANIMOUSLY VOTED** by Roll Call Vote: Chair Higgins, Aye, Huggins, Aye, Nardi, Aye, Pappas, Aye.

Commissioner Huggins moved to approve the March 4, 2020 NRC meeting minutes, as amended. Commissioner Pappas seconded. **UNANIMOUSLY VOTED** by Roll Call Vote: Chair Higgins, Aye, Huggins, Aye, Nardi, Aye, Pappas, Aye.

**TO BE OPENED AND CONTINUED TO MAY 20, 2020**

**Notice of Intent Application, David Wiener, 20 Bow Street, DEP File #137-1518**

The Applicant is seeking approval to replace the front porch, driveway, walkways, and retaining walls within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to Mill Brook, and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to open and continue the hearing to May 20, 2020. Commissioner Pappas seconded. **UNANIMOUSLY VOTED** by Roll Call Vote: Chair Higgins, Aye, Huggins, Aye, Nardi, Aye, Pappas, Aye.

**TO BE CONTINUED TO MAY 20, 2020**

**Notice of Intent Application, Harold and Susan 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 Huggins moved to continue the hearing to May 20, 2020. Commissioner Pappas seconded. **UNANIMOUSLY VOTED** by Roll Call Vote: Chair Higgins, Aye, Huggins, Aye, Nardi, Aye, Pappas, Aye.

**CONTINUANCES**

**Notice of Intent Application, Gregory Cincotta, Concord Country Club, 246 Old Road to Nine Acre Corner, DEP File #137-1517**

Chair Higgins opened the hearing seeking after-the-fact removal of trees and earthwork disturbance associated with the construction of an irrigation pond within the 200-foot Riverfront Area of Jennie Dugan Brook.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Irrigation Pond Plan prepared by Stamski and McNary, Inc., revised March 18, 2020.

Commissioner Huggins recused herself because she is a member of the Concord Country Club.

General Manager Gregory Cincotta and Superintendent Peter Rappoccio of the Concord Country Club, and David Crossman of B&C Associates, attended tonight's meeting. Mr. Crossman said that the Concord Club was in the process of tree and earth removal to construct an irrigation pond when they were instructed by the Town to stop work. The contractor did not realize they were cutting into the Riverfront Area of Jennie Dugan Brook. Mr. Crossman explained that approximately 80 s.f. of earth was removed, and about 400 s.f. of vegetation was cut in the Riverfront Area. Those areas will be restored to their natural state. Mr. Crossman said they will be attending a Board of Appeals meeting soon for a Special Permit to request approval for earth removal within the Groundwater Conservancy District.

Commissioner Pappas asked how an error like this occurs. Mr. Crossman explained that the contractor had measured from the edge of the wetlands and staked an area of what they thought was 200 feet from the edge of brook, but they did not take into account the change of topography or trees that they had to go around, and a survey wasn't done prior to the commencement of work. Mr. Crossman said Stamski and McNary has since surveyed the lot.

Director Kaye informed the NRC that she just received a message from Administrative Assistant Jeremy Romanul of the Town Manager's Office who said that the Finance Committee is unable to hold their meeting while the NRC's meeting is running. Director Kaye suggested the NRC adjourn this meeting and reschedule. Chair Higgins agreed.

The Applicant agreed to continue the hearing until May 13, 2020.

Commissioner Huggins noted that comments for pending state legislation for changes to mosquito control are due before May 13 and suggested that the NRC meet on May 11 to discuss. The NRC agreed.

In accordance with Chapter 53 of the Acts of 2020, Commissioner Nardi moved to adjourn this meeting and reschedule all pending matters to May 13, 2020 at 7:00 pm. Commissioner Pappas seconded. **UNANIMOUSLY VOTED** by Roll Call Vote: Chair Higgins, Aye, Huggins, Aye, Nardi, Aye, Pappas, Aye.

This meeting adjourned at 7:36 pm.

Respectfully submitted,

Karen Bockoven  
Administrative Assistant