

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**May 19, 2021**

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Natural Resources Commission was held on Wednesday, May 19, 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. Assistant Natural Resources Director Colleen Puzas and Natural Resources Administrative Assistant Karen Bockoven were also present.

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| <b>ASSISTANT DIRECTOR'S UPDATE</b>   |
| <b>TO BE CONTINUED WITHOUT DISCUSSION TO JUNE 2, 2021</b> <ul style="list-style-type: none"><li>• <b>SHAW</b>, 43 Old Bedford Road, NOI</li><li>• <b>MINER</b>, 399 Lowell Road, Amended NOI</li><li>• <b>GOMES</b>, 1597 Monument Street, NOI</li></ul> |
| <b>CONTINUANCES</b> <ul style="list-style-type: none"><li>• <b>TOWN OF CONCORD</b>, 90Y Plainfield Road, NOI</li><li>• <b>LAND STEWARDSHIP, INC.</b>, 299 Estabrook Road, NOI</li><li>• <b>FIORI</b>, 309 Strawberry Hill Road, NOI</li></ul>            |
| <b>CERTIFICATES OF COMPLIANCE</b> <ul style="list-style-type: none"><li>• <b>SCAVONGELLI</b>, 129 Everett Street</li></ul>   |
| <b>OTHER BUSINESS</b> <ul style="list-style-type: none"><li>• Battle Road Connector Trail – Letter of Support</li><li>• Town Meeting Warrant Articles Discussion</li></ul>   |
| <b>ADMINISTRATIVE APPROVALS</b> <ul style="list-style-type: none"><li>• <b>FELSHIN</b>, 19 Sunnyside Lane, Removal of Concrete Pad</li><li>• <b>MIDDLESEX SCHOOL</b>, 1400 Lowell 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.

**ASSISTANT DIRECTOR'S UPDATE**

The Boston Gas Company will be replacing the main gas pipe along 11-33 Warner Street.

**TO BE CONTINUED TO JUNE 2, 2021**

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

Chair Nardi reopened the hearing 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 Zaunbrecher moved to continue the hearing to June 2, 2021. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Amended Notice of Intent, Miner, 399 Lowell Road, DEP File #137-1546**

Chair Nardi reopened the hearing seeking approval to remove trees and conduct invasive species 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 June 2, 2021. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

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

Chair Nardi reopened the hearing 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 Zaunbrecher moved to continue the hearing to June 2, 2021. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**CONTINUANCES**

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

Chair Nardi reopened the hearing 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.

Deputy Town Manager Kate Hodges, Facilities Supervisor Ryan Orr, and Brandon Kunkel of Weston and Sampson attended tonight's meeting. Mr. Kunkel said they have provided responses to comments received from the NRC, DEP, and CPW Engineering. Per his discussion with Director Kaye, he is still working on the waiver request in order to provide additional clarification. He explained that drain manholes have been switched out throughout the entire property to deep sump hooded catch basins. Chair Nardi said it was good that comments have been addressed and noted the plans need to be updated to include areas of plantings and types of plants. Ms. Hodges said the Town has some budgetary questions that may impact phasing. She explained that work for the park came under budget but building costs came over. The building work had to be sent out to bid again.

Commissioner Zaunbrecher asked if the stormwater recharge system is considered mitigation for the project. Mr. Kunkel said he has discussed this with Director Kaye and will include that in the waiver request.

Marya Piasecki of 28 Shore Drive asked when the design aspect of the project going to be discussed. Ms. Hodges said the Town wants to be respectful of everyone's wishes, and they are trying to create a space that is accepted and appreciated by everyone. The Town wants the property to be markedly better than it is now, but they may not have enough funding to do all the desired improvements. The Applicant agreed to continue the hearing to June 2, 2021 to allow additional information to be provided.

**Notice of Intent, Land Stewardship, Inc., 299 Estabrook Road, DEP File #137-1556**

Chair Nardi reopened the hearing seeking approval to conduct invasives species removal and management in Bordering Land Subject to Flooding, Bordering Vegetated Wetland, the 200-foot Riverfront Area of Dakins Brook, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

Chris Polatin and Jess Aplin of Land Stewardship attended tonight's meeting. Mr. Polatin said he visited the site last week with Bud Sechler of Native Plant Trust. They were looking for something that would be meaningful to the site that they could plant after the invasives were removed. Almost 200 plantings will be planted. Native shrubs or plugs will be planted in bare spaces. Chair Nardi commented that if the planting plans are revised, staff will need to approve. He said that given the expertise of the consultants the NRC is comfortable that the project is in good hands.

There were no public comments.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for DEP File #137-1556 with Findings A, B, C, D, E, F, and G, Standard Conditions 1-20, and Special Conditions 21-48. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**Notice of Intent, Fiori, 309 Strawberry Hill Road, DEP File #137-1563**

Chair Nardi reopened the hearing seeking approval to demolish and reconstruct a barn within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Plan prepared by Winter GEC, LLC revised May 7, 2021.

Tom Hughes of Hughes Environmental Consulting attended tonight's meeting. Mr. Hughes said they have labeled exact trees to be removed on the plan. They worked with staff to come up with an appropriate number of plantings. He said they will plant six rhododendrons which will replace the two trees they will be removing. They will try to save the leaning tree by pruning it. Their plan also shows the new location for the propane tank.

There were no public comments.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for DEP File #137-1563 with Finding A, Standard Conditions 1-20, and Special Conditions 21-50. Commissioner Higgins seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

**CERTIFICATES OF COMPLIANCE**

**Scavongelli, 129 Everett Street DEP File #137-1326**

Assistant Director Puzas said the staff inspected the site and everything looks good and recommended that the Commission issue a full Certificate of Compliance.

Commissioner Higgins moved to issue a Certificate of Compliance for DEP File #137-1326. Commissioner Zaunbrecher seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

## **OTHER BUSINESS**

### **Battle Road Connector Trail – Letter of Support**

Chair Nardi said the NRC discussed this letter of support at their last meeting. He explained that because this project will come before the Commission for permit approval it would be a conflict of interest to comment. Therefore, the NRC should not issue a letter of support. The NRC agreed.

### **Town Meeting Warrant Articles Discussion**

Chair Nardi said the Natural Resources Division has four articles for Town Meeting approval for CPA funding (Article 34) which include Chamberlin Bridge Survey and Permitting, Emerson Conservation Restriction, Warner's Pond Dredging, and the Old Rifle Range Design and Permitting. Commissioner Zaunbrecher said the projects are fully supported by the CPC.

There were no public comments.

Commissioner Higgins moved to recommend the approval of Article 34 at the upcoming Town Meeting. Commissioner Grimwood seconded. It was **UNANIMOUSLY VOTED** by roll call vote: Grimwood, Aye, Higgins, Aye, Pappas, Aye, Zaunbrecher, Aye, Nardi, Aye.

Commissioner Nardi said that Article 40 is for the prohibition of neonicotinoid from any new agricultural leases. He said the Agriculture Committee has already stated their position. He said Steve Verrill attended an NRC meeting a few months to discuss. Chair Nardi did not see a need for the NRC to take a position. The NRC agreed.

There were no public comments.

### **Administrative Approvals:**

- **Felshin, 19 Sunnyside Lane, Removal of Concrete Pad**  
Assistant Director Puzas said the homeowner would like to remove a concrete pad outside the 50-foot NBZ. Approval was granted.
  
- **Middlesex School, 1400 Lowell Road, Tree Removal**  
Assistant Director Puzas said the Middlesex School would like to remove a tree that is leaning over the parking lot. Approval was granted.

Chair Nardi thanked Commissioner Zaunbrecher for six years of service. Commissioner Zaunbrecher said it was a pleasure and great experience to be on the Commission. Commissioner Higgins said Judy was a wonderful member with good thoughts. The NRC wished her well.

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

This meeting adjourned at 7:39 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=9FReUTkVPSU&list=PL1TTzrWEKOOImahd64BNDrCmG6lzsnlhS&index=49>