

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**July 22, 2020**

Pursuant to the notice filed with the Town Clerk, a virtual public meeting of the Natural Resources Commission was held on July 22, 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, Ed Nardi, Nick Pappas, and Judy Zaunbrecher. Commissioner Huggins was absent. Natural Resources Director Delia Kaye, Assistant Natural Resources Director Colleen Puzas, and Natural Resources Administrative Assistant Karen Bockoven were also present.

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| <p><b>APPROVE MEETING MINUTES</b></p> <ul style="list-style-type: none"> <li>• May 6, 2020, May 11, 2020, &amp; May 20, 2020</li> </ul>   |
| <p><b>TO BE OPENED AND CONTINUED TO AUGUST 12, 2020</b></p> <ul style="list-style-type: none"> <li>• <b>TOWN OF CONCORD</b>, 90Y Plainfield Road, NOI</li> </ul>  |
| <p><b>TO BE CONTINUED TO AUGUST 12, 2020</b></p> <ul style="list-style-type: none"> <li>• <b>WALSH</b>, 150 Garfield Road, NOI</li> <li>• <b>SHAW</b>, 43 Old Bedford Road, NOI</li> <li>• <b>JAMESAPOLLOS</b>, 141 Commerford Road, NOI</li> </ul>   |
| <p><b>CONTINUANCES</b></p> <ul style="list-style-type: none"> <li>• <b>AWALT &amp; CONLEY</b>, 396 Great Meadows Road, NOI</li> <li>• <b>TOWN OF CONCORD</b>, 369, 38A &amp; 40A Commonwealth Avenue, NOI</li> <li>• <b>CORE STATES GROUP</b>, 1134 Main Street, NOI</li> <li>• <b>THE FENN SCHOOL</b>, 676 Monument Street, NOI</li> </ul> |
| <p><b>NEW APPLICATIONS</b></p> <ul style="list-style-type: none"> <li>• <b>DOWCETT</b>, 30 Walden Terrace, RDA</li> </ul>   |
| <p><b>CLOSE and ISSUE</b></p> <ul style="list-style-type: none"> <li>• <b>REYNOLDS</b>, 42 Shore Drive</li> </ul>   |
| <p><b>ADMINISTRATIVE APPROVALS</b></p> <ul style="list-style-type: none"> <li>• <b>KAIRYS</b>, 256 Thoreau Street, Tree Removal</li> <li>• <b>CLOVER</b>, 15 Fielding Street, Tree Removal</li> <li>• <b>BURTIS</b>, 25 Lowell Road, Tree Removal</li> <li>• <b>KEAN</b>, 394 Monument Street, Tree Removal</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 Zaunbrecher moved to approve the May 6, 2020 NRC meeting minutes, as amended. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

Commissioner Zaunbrecher moved to approve the May 11, 2020 NRC meeting minutes, as amended. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

The May 20, 2020 minutes were tabled to the August 12, 2020 NRC meeting.

**TO BE OPENED AND CONTINUED TO AUGUST 12, 2020**

**Notice of Intent, Ryan Kane, Town of Concord, 90Y Plainfield Road, DEP File #137-1537**

The Applicant is seeking approval to improve vehicular access, construct ADA compliant walkways and ramps, construct a pavilion, improve the existing parking lot, access drive, and boat launch, and remove and replace restroom structures within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher, moved to open and continue the hearing to August 12, 2020. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

**TO BE CONTINUED TO AUGUST 12, 2020**

**Notice Intent, Walsh, 150 Garfield Road, DEP File #137-1524**

The Applicant is seeking approval to remove trees and regrade the backyard within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher, moved to continue the hearing to August 12, 2020. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, 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 Zaunbrecher, moved to continue the hearing to August 12, 2020. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

**Notice of Intent, Jamesapollos, 141 Commerford Road, DEP File #137-1535**

The Applicant is seeking approval to repair and expand an existing driveway, repair the driveway culvert, construct a 3-season porch, extend a roof gable, construct an accessible walkway/deck, and install a gravel shoulder within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher, moved to continue the hearing to August 12, 2020. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

## CONTINUANCES

### **Notice of Intent, Awalt & Conley, 396 Great Meadows Road, DEP File #137-1525**

Chair Higgins reopened the hearing seeking approval to conduct landscape improvements, realign and lower an existing driveway, replace an existing stone and pine beam driveway turnaround retaining wall, and replace existing walkways within Bordering Land Subject to Flooding and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

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

- Phase 2 Planting Plan prepared by Alden Landscape Design revised July 9, 2020.

Molly Obendorf of Stamski and McNary attended tonight's meeting. Ms. Obendorf informed the Commission that they have received a final determination from Natural Heritage who determined that the project, as currently proposed, will not have any adverse effects on rare species. As requested by the Commission, more substantial plantings are proposed to replace the larger trees that will be removed. A timeline for their planting plan has also been provided.

There were no public comments.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for DEP File #137-1525 with Findings A, B, and C, Standard Conditions 1-19, and Special Conditions 20-59. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

### **Notice of Intent, Town of Concord, 369, 38A & 40A Commonwealth Avenue, DEP File #137-1522**

Chair Higgins reopened the hearing seeking approval to construct a municipal recreation center, associated activity center/event barn, and walking trails; remove trees, and conduct invasives species control, and install plantings within Bordering Land Subject to Flooding and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

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

- Notice of Intent Plans prepared by Greenman-Pedersen, Inc. revised July 10, 2020; and
- Resource Impact Plan prepared by Greenman-Pedersen, Inc. revised July 9, 2020.

Alexander Patterson of ESS Group, Robert White and Sage Sluter of Greenman-Pedersen, and Deputy Town Manager Kate Hodges attended tonight's meeting. Mr. Patterson stated that they have submitted a waiver for work within 25-foot NDZ and 50-foot NBZ. A revised project narrative has also been provided. There are no fundamental changes to the overall design of the project. Some revisions made for clarification purposes were to the Invasives Species Management Plan, waivers, planting tables, and impact calculations, which were revised to include minor design changes. Mr. Patterson said they have provided three new attachments which include Attachment H (Invasives Species Management Plan), Attachment I (Alternative Analysis), Attachment J (Proposed Mitigation for work within the 50-foot NBZ), and Attachment F (revised Proposed Impacted Mitigation Area). These plans have been revised to account for all the changes listed. Chair Higgins asked who authored the attachments. Mr. White said he assembled the attachments with several of his team members.

Deputy Town Manager Hodges informed the Commission that the proposed event barn has been removed from the plan for various reasons. They are now proposing to construct a simple pavilion with restroom facilities. The proposal for an event barn is being pushed out indefinitely.

Chair Higgins commented that the site walk was helpful to understand the current trail alignment and proposed trees to be removed. He requested that the Applicant identify the species and size of trees to be removed on the plan. Mr. White said that the Vegetation Management Plan shows the trees that will be removed, and plans will be revised as requested. Chair Higgins noted that now that trails have been identified on the ground, some trees should be able to be saved. Mr. White concurred.

Chair Higgins commented that using heavy equipment for invasives removal was not typically approved. He asked why that method was proposed. Mr. White replied that the invasives currently on the site are between 6 and 12 inches in height. With regard to invasives within the 50-foot NBZ they would like to pull anything that is less than two inches. Over two inches they would like to cut and dab. Brush cutting seems like the best idea so that can clear the area and see what they are dealing with. They are trying to come up with a strategic plan and not just go in and brush cut everything. They believe the most difficult invasive on site is the knotweed. They will be hiring an invasives contractor to do work and they can provide a plan to staff when available. Chair Higgins said that information is necessary during the approval process. Chair Higgins explained that the state provided a very detailed plan for the BFRT for invasives management. Mr. White stated that his office was involved in the BFRT project.

Commissioner Zaunbrecher asked about their experience with brush cutting and its effectiveness. Mr. White said the site is large with over a ½ acre of dense, thick invasives. Different species need different treatment. It is best to remove the roots. They would like to cut the honeysuckle this fall and paint with herbicide, then follow up in the spring. Commissioner Zaunbrecher said since they are using a different approach than what is usually done, it would be helpful to know how successful this type of treatment has been in the past for other projects. Mr. White asked if the Applicant could provide a qualified contractor's formal proposal to see what methods will be used and what the goals will be to present to the NRC. Chair Zaunbrecher said she would expect to see a proposal before the NRC can approve the project. Chair Higgins agreed.

Chair Higgins asked for clarification about the fencing that will be used to protect the wetlands and the edge of pond. Mr. White explained that there are some plants along the edge of the pond mostly within the 25-foot NDZ. They plan to install a rustic fence in the meadow areas along the pathway to the water. The fence will consist of wooden posts with wire mesh.

Chair Higgins asked if mandatory leashing of dogs will be required, and what the rules are for bicycles. Deputy Town Manager Hodges said she is not sure if the Town's Manager Office or Recreation Department has the authority to dictate the rules. She believes that the Town Manager and the Select Board would have to approve them. Chair Higgins said a proposal should be submitted. Deputy Town Manager Hodges said she will provide that and obtaining the NRC's approval would be great. Jane Hotchkiss (Select Board) said they would welcome any recommendations.

Commissioner Pappas asked about closure of existing trails and trails to be completed. Deputy Town Manager Hodges explained that many of paths are natural and made by people who were using the property prior to the Town owning it. The Town will try to discourage people from using these trails so they are not overused. Commissioner Pappas asked if that could be documented in writing for the record. Mr. White said he believes that in the trails narrative that is noted. None of

the informal trails are causing erosion. They would possibly rake some leaves over them. They will be creating new accessible walkways. Deputy Town Manager Hodges said they would not be maintaining the informal trails. Commissioner Pappas said that not doing anything to the informal trails is different than raking leaves over them. Deputy Town Manager Hodges said they will be leaving the trails alone with the hope that people will prefer to use the new trails. Chair Higgins said that the Town's Trails Committee may be interested in helping since they maintain a lot of trails in Town. Mr. White replied that they would welcome the opportunity to work with the Trails Committee.

Commissioner Zaunbrecher asked if Area C was for both invasive species management and replanting for stabilization of the slope. Mr. White replied that there may be a little buckthorn in the restoration area and on the slope but largely they are exclusive of each other.

Chair Higgins stated that Concord Public Works has reviewed the Stormwater Management and it appears that is all set. Mr. White said they need to do test pits for the septic system and get Board of Health approval.

There were no public comments.

The Applicant agreed to continue the hearing to August 12, 2020 to allow additional information to be provided.

**Notice of Intent, Core States Group, 1134 Main Street, DEP File #137-1536**

Chair Higgins reopened the hearing seeking approval to demolish an existing structure, and construct a new structure with associated utilities, drainage, parking, and remote ATM's within Bordering Land Subject to Flooding and the 200-foot Riverfront Area to the Assabet River and an unnamed tributary to the Assabet River.

List of plans and documents discussed at this meeting:

- Public Comment Letters from Edward P. Sinni, Jr. dated July 2, 2020, July 9, 2020, and July 19, 2020;
- Public Comment Letter from Richard Lloyd dated July 7, 2020;
- Volumetric Analysis prepared by Core States Group received July 10, 2020;
- Existing Flood Storage Plans (Elevations 123, 124 & 125) prepared by Core States Group received July 22, 2020; and
- Proposed Flood Storage Plans (Elevations 123, 124, & 125) prepared by Core States Group received July 22, 2020.

Alan Roscoe of Core States Group attended tonight's meeting. Mr. Roscoe said information requested at the last meeting regarding the existing structure on the site has been provided. Flood storage compensation calculations have also been provided. Chair Higgins asked how they determined the size of the structure. Mr. Roscoe said by survey measurement and according to information from the Assessing Department. The two numbers are in agreement (12,070 s.f.) that is the main building. They did not count the canopy. The occupied space on the ground is what they measured.

Chair Higgins said that the Commission has received public comment from neighbors, who asked whether an LSP has evaluated the site. Mr. Roscoe said that recently they were asked to investigate the drainage with a camera. Geotechnical borings were done last year for the foundation design, but

not for hazardous materials. These investigations were conducted across the street, at the former gas station. All investigations and wells were monitored for a two-year period and the cleanup has been certified by DEP. Chair Higgins asked if they had submitted their video of the drainage to the Town Engineer for review. Mr. Roscoe confirmed that the video was submitted. The existing corrugated metal pipe is in good condition. They will be replacing a portion out near the street to install the new connection. The new building location interferes with the alignment of the existing pipe, therefore, they will need to add approximately 100 feet of new piping. Some of the catch basins will need to be cleaned during construction.

Mr. Roscoe referenced the existing and proposed flood storage charts, noting that lowering the elevation of the parking area creates nearly double the flood storage. Only the building and the entrance sidewalk is above 100-year floodplain (elevation 125). Therefore, they will be able to maximize storage. Director Kaye said she had requested information about the square footage of work within the 100-year floodplain. Mr. Roscoe said they will address that.

Director Kaye asked for clarification that the new proposed building will be at an elevation of 126. Mr. Roscoe said that current standards for construction within the floodplain requires that the finished floor be one foot above. Mr. Roscoe said that the building itself will be supported with a typical frostwall foundation. To meet flood insurance requirements they were compelled to keep the floor above the floodplain. There will be no open space beneath. Director Kaye asked that Mr. Roscoe provide the plans that analyze the cut and fill volumes. Mr. Roscoe said they can draw cross-sections through each condition to show how they are lowering the existing terrain.

There were no public comments.

The Applicant agreed to continue the hearing to August 12, 2020 to allow additional information to be provided.

**Notice of Intent, The Fenn School, 676 Monument Street, DEP File #137-1534**

Chair Higgins reopened the hearing seeking approval to install a seasonal floating dock within Bordering Land Subject to Flooding, the 200-foot Riverfront Area of the Concord River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Site Preparation, Erosion Control and Detail Plan prepared by Samiotes Consultants, Inc. revised July 9, 2020;
- Proposed Site Layout and Grading Plan Samiotes Consultants, Inc. revised July 9, 2020;
- Public Comment Letter submitted by Susanna Bedell dated July 15, 2020;
- Public Comment letter submitted by Ardis Bordman dated July 16, 2020; and
- Public Comment Letter submitted by David Witherbee dated July 22, 2020.

David Platt of the Fenn School and Dwight Dunk of Epsilon Associates attended tonight's meeting. Mr. Dunk said that Natural Heritage has corresponded that the proposed project will not result in an adverse effect to rare species. A revised design for the floating dock structure has been submitted. They rotated the dock so it is more parallel with the shore and does not intrude into the Concord River as much at the upstream end. The surveyor located the existing canoe rack which is outside the 50-foot NBZ. Future, temporary canoe racks will be in same location.

The only work proposed within the 25-foot NBZ are two 10-inch diameter, permanent sonotube footings. Mr. Dunk said that they have discussed with a restoration ecologist different options for establishing a pollinator meadow. They are proposing a means and method where the area will be rototilled and then seeded, which would be a better option than overseeding. Mr. Dunk explained that the Fenn School and the summer camps that they offer would be using the dock. They will probably have 22 to 24 canoes which would require four racks. Six canoes per rack.

Chair Higgins asked how many canoes the school uses now. Mr. Platt said that previously they did not have access to the river, so there was no canoe program. Since they have owned the property for this section of property for the last two years, they have owned six canoes. They will probably need about 16 canoes for several groups of classes and staff. There will be no motor boats. Mr. Platt said with or without the dock they will have canoe activity. They believe that the dock will protect the shoreline. Commissioner Zaunbrecher asked if the canoes would be taken out of the water and returned to the rack after each use. Mr. Platt said that is the intention. Chair Higgins said 22 canoes is significant.

Chair Higgins said that the field has been mowed a couple of times this year and asked is the intention was to continue mowing. Mr. Platt replied yes. They would like to manage the land like it has been managed for the last decade. Chair Higgins said the previous owner had the property under Chapter 61A. Mr. Platt said the Fenn School does not have the property under 61A but are applying to put the property under 61B. That transfer may happen next summer. Chair Higgins asked if they would consider mowing at the end of July so nesting bobolinks can successfully fledge young. Mr. Platt said he cannot answer tonight. They have been advised to do mowing as how it was previously done until legal issues are resolved.

Mr. Dunk said they would like to plant annual rye in the pollinator meadow for quick stabilization. It would be best to rototill in the fall. Commissioner Zaunbrecher said the area that the Applicant wants to plant with rye grass in the pollinator meadow is relatively flat until you get to the riverbank. Mr. Dunk explained that the annual rye grass will provide protection until the seed mix germinates. Director Kaye recommended against annual rye because it does not die off after a year or two and can outcompete native seed mix to allow the pollinator plants a chance to establish. Mr. Dunk said they can make that change.

Chair Higgins asked if a management plan has been devised to keep the students on the path. Mr. Platt stated that the students will be supervised. Mr. Dunk said it was noted in the Notice of Intent that they are proposing a 10-foot wide mowed path from the campus to the river. Chair Higgins asked if they intend to plant any shrubs. He also said that the plans do not show where the path comes in from the rest of the campus. Mr. Dunk replied that the path is depicted on Figure 7 (Attachment B) on the Notice of Intent. Chair Higgins said a management plan will be helpful to show what type of management practices will be used including the time of year the dock will be used, who will use, will people be supervised at all times, etc.

Chair Higgins stated for the record that the NRC's jurisdiction is created by Massachusetts General Laws and Town Bylaws. The Wild and Scenic River designation is not within the NRC's jurisdiction.

Richard Chazen of 131 Carr Road attended tonight's meeting. He and Dr. Susanna Bedell are shocked to learn that the Applicant would like approval for 22 canoes. That information was not disclosed in the original application. He asked whether there will be boats, jet skis, kayaks, rafts, or

swimming. Mr. Chazen urged the Commission to make sure they have a complete application and a complete description of the intended use of this project. He believes that a master plan for the entire property should be submitted. Mr. Chazen is concerned that if this application is approved it will set a dangerous precedent, and other people will also be able to build a dock. This would open the door to others having the same idea. The Applicant submitted a wetland delineation plan that was done in 2018 and Mr. Chazen asked whether an updated plan should be submitted. He would like to know if the Fenn School will allow other people in the community access and whether there will be restroom facilities. Mr. Chazen said he did not see on the revised plan the location of the four canoe racks, and he asked where storage will be for the other equipment? The Fenn School stated at the last meeting that the dock system will be manually removed at end of season and he asked if that was realistic. H noted that the dock is secured into the riverbed with augers. Are casings for the augers going to remain or is it just the augers that will be removed.

Chair Higgins said that many of Mr. Chazen's questions pertain to needing a management plan. Mr. Dunk said that the wetland delineation from 2018 is valid for three years. The augers do not have a casing. No permanent structures will remain in the river during the non-boating season. Mr. Dunk explained that currently six canoes are used. The intent is to have the boating program increase over time but not extensively. No motor boats will be used. Chair Higgins commented that if property owners along the river wanted to install a dock that would be quite an impact. The Fenn School has not addressed the issue as to why they need 22 canoes. Mr. Platt said they can provide a management plan that will address those questions.

David Witherbee of 195 Heath Bridge Road attended tonight's meeting. Mr. Witherbee said he is the Concord representative for the SuAsCO River Stewardship Council, and also a volunteer at Great Meadows. The Fenn School site has some unique values including history and scenery. He believes that the Fenn School needs a dock to launch canoes because they cannot put in a sand beach, which would drift away. The area is a rocky and the bank is low. An aluminum dock and ramp seem out of place with respect to the river being Wild and Scenic. He felt that the dock should be smaller. Mr. Witherbee has seen rare nesting bobolinks and various other birds on the property. Mr. Witherbee was there about a week and a half ago and the meadow had been mowed down the middle towards where the proposed dock will be. In the areas where it had not been mowed pretty flowers were growing and it looked beautiful. When he returned a few days later he was shocked to see that the entire meadow was mowed, destroying any bobolink nests. He is concerned that the school does not care about preserving nature. The teachers, parents and students probably do care. He believes that the school should not have been given permission in the past to install an artificial turf field.

The Applicant agreed to continue the hearing to August 12, 2020 to allow additional information to be provided.

### **NEW APPLICATIONS**

#### **Request for Determination of Applicability, Dowcett, 30 Walden Terrace, RDA File #20-6**

Chair Higgins opened the hearing seeking approval to demolish an existing porch and construct an addition 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;
- RDA Plan prepared by Meisner Brem Corporation revised July 8, 2020;
- Certified Plot Plan prepared by Meisner Brem Corporation revised June 25, 2020; and

- Phase I Planting Plan prepared by Fisher Design Group dated July 7, 2020.

Homeowner, Peggy Dowcett, and Jeffrey Brem of Meisner Brem Corporation attended tonight's meeting. Mr. Brem said the project is a remodel and no changes to the existing footprint are being proposed. The existing porch currently has sonotube footings, which will be replaced with a foundation. The Board of Appeals has approved the project. In addition, a patio is proposed at the rear of the house. Mr. Brem noted that there is a tree inside the 50-foot NBZ which is potentially hazardous. They are proposing to plant two new maple trees to replace the one unhealthy tree. They will also plant a dogwood tree and various flowering plants.

There were no public comments.

Commissioner Zaunbrecher moved to issue a Negative Determination of Applicability #3 with the following conditions: 1) A pre-construction meeting will be held on site before demolition begins; 2) disturbed areas to be loamed and seeded; 3) replacement trees are to be planted per the approved plan; and 4) a letter shall be submitted to NRC when work is complete. Any changes from the RDA shall be described. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

### **CLOSE AND ISSUE PERMITS**

#### **Notice of Intent Application, Reynolds, 42 Shore Drive, DEP File #137-1531**

Chair Higgins reopened the hearing seeking approval to replace the existing dock and stairs within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

Commissioner Zaunbrecher moved to close and issue an Order of Conditions for DEP File #137-1531 with Findings A, B, and C, Standard Conditions 1-19, and Special Conditions 20-51. Commissioner Pappas seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

### **CERTIFICATES OF COMPLIANCE**

#### **Fabio's Construction, 150 Garfield Road, DEP File #137-1375**

Commissioner Zaunbrecher moved to issue a Certificate of Compliance for DEP File #137-1375. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

#### **Administrative Approvals:**

- **Kairys, 256 Thoreau Street, Tree Removal**
- **Clover, 15 Fielding Street, Tree Removal**

Director Kaye explained that 256 Thoreau Street and 15 Fielding Street are abutting properties. There are four trees on 256 Thoreau Street and two trees on 15 Fielding Street that the homeowners are requesting permission to remove. Several of the trees are on a shared boundary. The homeowners at 256 Thoreau Street would like to remove a maple, cherry, evergreen, and a stump. They would also like to prune some additional trees. The

homeowners at 15 Fielding Street would like to remove two maples. The homeowners will replant 1:1 trees or 2:1 shrubs. Approval was granted.

Mr. Kairys of 256 Thoreau Street attended tonight's meeting. He explained that a tree branch fell on his car. No one was hurt, but that was the reason for the request.

- **Burtis, 25 Lowell Road, Tree Removal**

Director Kaye said there are five trees (one butternut, three Norway maples, and a catalpa) within the floodplain and outer Riverfront. The homeowners would like to remove and will replace 1:1 with native trees. Approval was granted.

- **Kean, 394 Monument Street, Tree Removal**

Director Kaye explained that a willow tree fell from the bank of the homeowner's house towards the river, which they would like to remove (cut flush). Swamp mats will be used to access the tree, within floodplain and the inner Riverfront Area. He will replant with a good-sized silver or red maple. A tree company will come out on swamp mats to remove. They will replace with a large silver maple or red maple.

Commissioner Zaunbrecher moved to adjourn. Commissioner Nardi seconded. It was **UNANIMOUSLY VOTED** by Roll Call Vote: Higgins, Aye, Nardi, Aye, Pappas, Aye, Zaunbrecher, Aye.

This meeting adjourned at 9:30 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=GRKHHe5LO4&list=PL1TTzrWEKOOImahd64BNDrCmG6lzsnlhS&index=17&t=0s>