

an important role in open space planning pursuant to its authority under the Conservation Commission Act (MGL Chapter 40 Section 8c).



from left: George Lewis, Steve Verrill, Elissa Brown, Dean Banfield, Jamie Bemis, Chair; Jeff Adams, Associate

Wetlands Protection Act

The majority of Commission and staff time relates to administering and enforcing wetland regulations. The NRC held multiple hearings on 23 evenings to review wetland permit applications, which included 44 Notices of Intent, two Abbreviated Notices of Resource Area Delineation, and 15 Requests for Determination of Applicability, for a total of 61 new applications, the same number as in 2009. The NRC received six requests to Amend an Order of Conditions, six Requests to Extend an Order of Conditions and one (Emerson Hospital) Request to Extend an Order of Resource Area Delineation. The NRC closed out many completed projects, issuing 26 Certificates of Compliance and six Partial Certificates of Compliance. The NRC began working with 10 property owners to resolve new violations, and issued one Enforcement Order for a noncompliant homeowner with an unauthorized garage foundation in the 25-foot No Disturb Zone. Five of the new violations were resolved and ongoing work to bring homeowners into compliance continues for the remaining five. Nine of 10 violations identified in 2009 were resolved (one was determined not to be a violation). The NRC also made substantial progress on a major on-going violation for industrial activities in wetlands, and closed out an Enforcement Order for unauthorized roadway expansion, both identified in 2008.

The NRC and staff responded to two appeals to the

Department of Environmental Protection (DEP). DEP upheld the NRC's decision to permit an artificial turf field partially in the Riverfront Area of the Concord River; this decision was appealed to adjudicatory hearing and again upheld. DEP continues to review the second appeal denying a project for failing to provide requested information. Staff issued two Emergency Certifications, both related to the excessive flooding in March of this year.

Major projects reviewed by the NRC this year included the Route 2/Crosby's Corner roadway improvement project, which required a Denial from the NRC because of extensive wetland impacts, a Planned Residential Development at 506 Old Bedford Road, a meeting hall and performing arts center building at the Fenn School, and relocating the Caesar Robbins House closer to the North Bridge. Division staff performed numerous site visits to determine if proposed projects required NRC approval, to monitor ongoing construction for permitted projects, and to respond to violations.

Wetlands Bylaw and Regulations

With the passage of the Wetlands Bylaw at 2009 Town Meeting, voters approved an amendment requiring that Wetland Bylaw Regulations also be approved by Town Meeting. These were presented and approved at 2010 Town Meeting and provide guidance for work in sensitive areas, including within 100 feet of Certified Vernal Pools and the 25-foot No Disturb Zone.

NATURAL RESOURCES DIVISION (DNR)

Delia Kaye, Natural Resources Director
Lori Capone, Natural Resources Assistant Director
Cindy Gray, Administrative Assistant

Open Space Protection

Division staff worked closely with other Town officials, the Board of Selectmen, and the Concord Land Conservation Trust to preserve a 4.7-acre parcel in West Concord off Harrington Avenue. This included preparing a LAND grant application to the State Executive Office of Energy and Environmental Affairs and an application to the Community Preservation Committee. Purchase of this property is on the Warrant for 2011 Town Meeting.

Conservation Restriction Stewardship Committee: The Conservation Restriction Stewardship Committee finalized 15 conservation restriction baseline documentation reports prepared by the CRSC and the consultant hired last year. The CRSC continued work on improving the quality of the maps for the restrictions on the Town GIS database. DNR staff issued a Request for Proposals to retain a consultant who has begun to prepare 15 reports. Members include Ann Colony, Marilyn Hughes, G. Montgomery Lovejoy, Lydia Rogers, and Emily Wheeler

Open Space and Recreation Plan Update: The Executive Office of Energy and Environmental Affairs offered communities an opportunity to extend valid Open Space and Recreation Plans by submitting an updated Action Plan for State review and approval. DNR and Planning Division staff reconvened many of the original members of the Open Space Task Force to update the 2004 Open Space and Recreation Plan, updated the Action Plan, and received a 2-year extension to the Plan, which is now valid through February 2012.

Natural Resource Management

The Division is responsible for the stewardship of approximately 1,320 acres of Town conservation land (including White Pond Reservation), maintaining 19 miles of trails, and mowing 84 acres to maintain trails and open meadows. Natural resource management also includes staff support to NRC subcommittees, as well as coordinating with other local and regional stewardship initiatives.

Division staff worked with Concord Public Works to implement a grant from the Garden Club at Warner's Pond. This involved planting more than one-half an acre with native plants and identifying invasive species to be removed as partial mitigation for the Warner's Pond dam reconstruction. Division staff also prepared and received a grant from the Garden Club to plant more than 40 native shrubs along the newly constructed path along the Emerson Thoreau Amble on Emerson Association land.

Conservation Land Use Permits: Division staff issued 22 Land Use permits to several groups using Town conservation lands including drag hunting with foxhounds, filming at the Town Forest, a variety of groups

for field classroom purposes, and the Musketaquid Arts and Environment Program for their Earth Day and solstice celebrations at the Old Calf Pasture. Two educational workshops were held by the Association of Massachusetts Wetland Scientists at the Town Forest. Two permits were issued for ecological studies on conservation lands, one dealing with two vernal pool studies to research salamanders and one to test green frog and bullfrog tadpoles for the presence of *Batrachochytrium dendrobatidis* at Fairyland Pond.

Conservation Crew: Bruce McGarry and Ross Boden-berg, performed trail maintenance, removed invasive exotic vegetation, mowed open meadows and fields, including a recently acquired open space behind 335 Walden Street. Conservation Crew conducted general maintenance on conservation lands, including replenishing mutt mitts, and removing trash and fallen trees across trails. Efforts to water new plantings at Chamberlin Park and Cousins Field were increased in response to the summer drought. Invasive plants were tackled along the stone wall at Heywood Meadow, and many young saplings removed. A new trail was cut over Emerson Association land that will connect the Emerson Thoreau Amble from Heywood Meadow to the Town Forest. The Warner's Pond Stewardship Committee was assisted with purple loosestrife and water chestnut removal from Warner's Pond.

Invasive Species Control: As part of the Cooperative Invasive Species Management Area, Division staff continued working with other towns, organizations, and individuals in the Sudbury, Assabet, and Concord Rivers (SuAsCo) watershed to develop a strategic regional plan for invasive species management in the watershed and to promote collaborative approaches to achieve these priorities. The CISMA will help attract new funding to the task of invasive species control efforts, promote greater regional cooperation, and share the knowledge gained in these efforts.

Conservation Crew and CPW staff continued water chestnut harvesting in Fairhaven Bay and the Sudbury River, continuing the cooperative effort with the US Fish and Wildlife Service, which loans the use of its water chestnut harvester to the towns of Concord and Lincoln, the Concord Land Conservation Trust, and Hop Brook Association in Sudbury.

DNR staff oversaw implementation of invasive species control at the Old Calf Pasture conducted by the New England Wildflower Society. The Old Calf pasture is a historically significant open space, originally used as common pasturage for the Town. It is home to a regionally significant rare violet population, as well as infested with a common invasive, glossy buckthorn. In an effort to control the buckthorn while protecting the violet, DNR staff worked with NEWFS and Dr. Sally Zielinski to establish methods for buckthorn removal and began the removal this fall. Ongoing efforts for invasive species control will continue in upcoming years.

Heywood Meadow Stewardship Committee: The Heywood Meadow Stewardship Committee continued its mission to rehabilitate and preserve historic Heywood Meadow. With the help of over twenty volunteers, members spruced up the meadow in time for Patriots Day. The meadow was mowed by Conservation Crew and CPW four times over the season, except for a small swath near the woodland where wildflowers and grasses were allowed to flower all season. Most importantly, the HMSC worked with Town staff to prepare an application for \$95,000 in Community Preservation Act funds to restore a section of stone wall along Lexington Road and to control invasives along the Mill Brook, which was recommended for approval by the Community Preservation Committee to Town Meeting 2011. The Concord Independent Battery joined with the HMSC to pledge \$5,000 toward the project. The HMSC members are Joanne Gibson, Chair; Annette Bagley, John Bordman, Susan Clark, Mary Clarke, Marion Grabhorn, Bruce MacAlpine, Marian Thornton, Sandy Smith, and Win Wilbur.

Mattison Field Stewardship Committee did not meet.

Mill Brook Task Force: The Mill Brook Task Force continued its efforts to restore Mill Brook by conducting biannual cleanups, continued public awareness efforts through annual catch basin tagging, and celebrated the 8th Annual Riverfest with an educational walk in the Town Forest. Members include: Allan Schmidt, Chair; Carol Gupta, Bruce MacAlpine, Lorna Mack, and Fran and John Neville.

Trails Committee: The Trails Committee completed blazing the White Pond area and the Old Rifle Range,

and began blazing at Punkatasset. Maps were finalized for the White Pond area and are being developed for the Old Rifle Range and Punkatasset. The Committee began measurements for the assessed trail at Tuttle Lane, working with staff and Matt Burne from the Walden Woods Project, and blazed a new trail from the new handicapped parking area to the entrance of the Brister's Hill Interpretive Site. A trail stewards program was initiated with a request for volunteers in the *Concord Journal*. Several residents volunteered and will monitor trails for any actions needed, such as identifying and removing downed trees. Stewards will also pick up trash and report anything they see amiss. The Bay Circuit Trail still has a small gap in town blazing at Heywood Meadow but after several meetings with the Safety Officer and Concord Public Works, the Committee is working to complete blazing early next year. Members of the committee include Ken Miller, Chair; Harry Beyer, David Clarke, Jonathan Keyes, Peter Siebert, Elissa Brown, and Ross Roberts.

Warner's Pond Stewardship Committee: The Warner's Pond Stewardship Committee lost a very effective and dedicated Co-Chair this year with the passing of Joanne Loynd who was the key to the Town receiving Community Preservation Act funding to develop a comprehensive watershed management plan for Warner's Pond. Following issuance of a Request for Proposals representatives of the WPSC worked with staff to evaluate the four proposals received. A consultant has been hired and will begin studies in early 2011. Members of the WPSC and Conservation Crew were successful in hand pulling water chestnut and purple loosestrife. It was encouraging to note that the amount of water chestnut was substantially less than observed in 2009. Members include: Charles Simpson, Chair; Rebecca Gates, Dorothy Higgins, Carsten Nielson, Maureen Swanson, and John Tovrov, Associate Members: Mary Johnson, James Larden, Claire Lawton, and David Netherton.

Wildlife Passages Task Force: The Wildlife Passages Task Force continues to monitor the four underpasses constructed under Route 2. Lydia Rogers presented monitoring results at the International Conference on Ecology and Transportation in Duluth, MN. In another study, Noah Charney, a task force volunteer,

field-tested cameras that are able to photograph small mammals, amphibians and reptile species, which have been difficult to identify to date. Results were presented at the Northeast Wildlife and Transportation Conference. The PBS children's program Curious George has been airing a segment about the underpasses. Task force members are Dave Kay, Ron McAdow, Bob Metcalfe, Lydia Rogers, Dan Stimson, and Bryan Windmiller.

Blandings Turtle: The NRC continues to support Dr. Bryan Windmiller's research on the Blandings Turtle, a threatened species with a population at Great Meadows. Dr. Windmiller continued radio tracking turtles and has been "headstarting" a portion of the new hatchlings at local schools and Stone Zoo in Stoneham to increase survival rates. This year showed the earliest known nesting date for the Great Meadows population (late May) and the earliest hatch date on record, August 4.

Agricultural Leases and Community Gardens

Agricultural Leases: The Division continued to work with local farmers to retain land in agriculture, managing 13 agricultural leases covering 211 acres of farmland, and supporting three community gardens. In an effort to better balance hay yields with ground nesting bird productivity at Mattison Field, Division staff worked with Gerry Cupp to plow one-third of the field, which will be planted with low vegetable crops over the next few years. This is intended to reduce the amount of milkweed in the hay and continue to provide adequate nesting, feeding, and cover for bobolink and other ground-nesting birds. Subsequent sections of the field will be plowed in upcoming years.

Gaining Ground: Gaining Ground, the leaseholder at the Thoreau Birthplace conservation land, is a non-profit organization that grows organic produce to give away to ten area food-assistance programs. Gaining

Ground now has approximately 4 acres in production on Town land, as well as two abutting acres on newly leased Massport land. Gaining Ground donated 30,000 pounds of fresh food in 2010, a record. Though the trees budded early, abbreviating the season, this year was the first that their maple-sugaring operation was in full swing at the new sugar house.



East Quarter Community Gardens: installation of a well and a neighborhood potluck.



Community Gardens: The long-standing tradition of community gardening continues to thrive under the helpful guidance of coordinators Ray Andrews, Jim Catterton, Dale Clutter, Elizabeth Elden, Pamela Hathaway, John Nevins, Rebecca Sheehan Purcell, and Kitty Smith. Following development of a third community garden, Division staff revised the gardener agreement this year to formalize the guidelines and policies that govern Concord's community garden's, most notably by requiring that all gardens follow organic gardening

practices and by establishing procedures for plot assignments.

Cousin's Field community garden has an evolving, small perennial area with asparagus and rhubarb. The two berry cooperatives provided plentiful returns for both blueberries and raspberries with the raspberries producing in both the spring and the fall.

In its second year, East Quarter Farms community garden expanded to 40 gardeners, working a total of 61 plots. Even during the mid-summer drought, the historical agricultural drainage ditch that runs through the farmland proved sufficient to supply adequate water, enhanced by the new distribution system. Bill Kenney was instrumental in plowing and spreading compost. Surplus produce was distributed to open tables in Concord and Maynard as well as the MCI Farm in Concord.

The Hugh Cargill community garden began in the early 1970's, and is fully subscribed with about 50 families working 75 garden plots. This year's growing season was



*Planning Board: standing from left -- John Shipe, Elisabeth Elden, Christopher Sgarzi, Coleman Hoyt
seated from left: Doris Cole, Elise B. Stone, Mark Bobrowski*

hot and dry following an exceptionally wet spring. It was hard to get fall crops to germinate, but this was the best year for melons and winter squash in memory. Gardeners donated vegetables to Open Table and flowers to the Town House and for the Stone Soup Dinner.

Environmental and Educational Activities

The Division continues to sponsor the longstanding tradition of early morning Conservation Coffees held on the first Tuesday morning of most months at 7:30a.m. These lively and stimulating gatherings of citizens, federal, State, and local officials provide an interesting and effective forum to exchange information, ideas, and concerns about conservation and the environment.

PLANNING BOARD

The Planning Board's authority is contained in MGL Ch. 41 "Improved Methods of Municipal Planning" and MGL Ch. 40A "The Zoning Act". Additional responsibilities are found in the Town Bylaws and the Town Charter.

Jeffrey W. Adams completed his term on the Planning Board in 2010; the Board is grateful for his acumen and dedication to the Town. The Board welcomed new members Coleman Hoyt and John Shipe.

The Board held twenty-three public meetings and four public hearings. The hearings were for the following: zoning amendments to be considered by the 2010 Annual Town Meeting; and three special permits applications for changes of use in the West Concord Interim Planning Overlay District at 13B & 135 Com-

monwealth Avenue, 23 Commonwealth Avenue, and 119 Commonwealth Avenue.

Residential development

Sixteen "Approval Not Required" (ANR) plans were submitted to the Board. Twelve of these plans approved changes of lot lines that did not create additional building lots. The remaining four plans created six additional building lots.

There were two affirmative recommendations made to the Zoning Board of Appeals for Planned Residential Developments, an 8-unit development at 506 Old Bedford Road and a 13-unit Planned Residential Development, Concord River Walk, at 1631 & 1641 Main Street.

Comprehensive permits

A 22-unit Comprehensive Permit (Chapter 40B) Application, filed in 2007, for 506 Old Bedford Road ultimately was not reviewed by the Planning Board for a recommendation to the Board of Appeals. The Applicant withdrew the application in November, after being granted a special permit for the aforementioned Planned Residential Development.

Commercial, institutional and other development

Nine site plan reviews were filed with the Board. Six plans received affirmative recommendations to the Zoning Board of Appeals. One plan (Fowler Library) received an affirmative recommendation to the Building Commissioner. One application was withdrawn; and one application (Heritage Pool & Racquet Club) is still under review by the Planning Board for a recommendation to the Board of Appeals.

Wireless Communication Facility applications

Three of the aforementioned site plans submitted were for Wireless Communication Facilities. All three applications received affirmative recommendations to the Zoning Board of Appeals. The locations for these were: 40Y (a/k/a 400) Annursnac Hill Road, 133 Old Road to Nine Acre Corner (ORNAC), and 100 Keyes Road.

Zoning amendments and Town Meeting actions

The Planning Board sponsored thirteen articles at Annual Town Meeting, eleven of which passed. Two amendments addressed environmental issues: extending groundwater protection to the Town of Acton's Assabet well field in Concord and adopting the new