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November 6, 2025

VIA EMAIL

Natural Resources Commission
141 Keyes Road
Concord MA 01742

Dear Committee Members:

This firm represents Katie Kelly and Kim Walsh (“Clients”). At the October 29, 2025, Natural Resource Commission (“NRC”) meeting, the Committee asked my Clients to provide a timeline of events to give the Committee a better understanding of my Clients’ backyard pool and pool house project (the “Project”). Below is a concise, chronologically ordered timeline, with citations to the attached exhibits.

1. **March 2018** — Clients purchase 150 Garfield Road.
2. **May 2020** — Clients submit 2020 Notice of Intent plans (the “2020 Plans”).
3. **July 2021** — Kim Walsh emails Delia Kaye regarding the 2020 Plans. Ms. Kaye advises Kim to “file a Request for a Certificate noting that the work was not completed.”
(Exhibit A)
4. **May 2023** — Clients provide their contractor with the 2020 Plans to discuss goals for the backyard.
5. **June 14, 2023** — Ms. Kaye and the contractor walk the property and discuss raising/leveling the backyard because the 2020 Plans were not sufficient or usable.
6. **June 14, 2023** — Clients sign a contract with the contractor for the Project.
7. **August 14, 2023** — The contractor states he is submitting the Project permit online.
(Exhibit B)
8. **August 16, 2023** — The contractor assures the Clients that he is proceeding correctly with the Project’s permitting procedures and states that he is waiting to hear from “Delia from nature resources.” **(Exhibit C)**
9. **August 17, 2023** — The contractor states: “We will get permit. They’re just making me submit some extra documents and drawings. Now that I know we are going to get it, I can continue the work.” **(Exhibit D)**

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10. **November 10, 2023** — Contractor claims to complete fill work for the Project.
11. **November 20, 2023** — Contractor sends mockup of the Project to clients. **(Exhibit E)**
12. **December 4, 2023** — Clients ask the contractor about tree removal; the contractor assures Clients he will handle it. **(Exhibit F)**
13. **February 2, 2024** — Contractor confirms the Project permit is in the process of being signed off on. **(Exhibit G)**
14. **February 27, 2024** — Contractor informs Clients that he met with Natural Resources: “[NRC] wanted me to add set back numbers on the plan I drafted, and they wanted to make sure any discharge from the pool filter [went] into the wetlands. I have to add those items into the plan. I also put up some additional erosion control just in case they stop by unannounced.” **(Exhibit H)**
15. **March 15, 2024** — Contractor states: “A little bird told me we made it through the natural resources dept. [R]eally good news.” **(Exhibit I)**
16. **March 19, 2024** — Contractor states, “Just met with the head of natural resources and she signed off on the permit for the pool and shed.” **(Exhibit J)**. That same day, Karen Bockoven signs off on the project, “pool and shed outside 50-foot-NBZ.” **(Exhibit K)**
17. **October 8, 2024** — Clients email Kevin Pickering of the Building Department with stamped plans.
18. **October 9, 2024** — Mr. Pickering emails back stating that he met with “members of the Natural Resources Division” and “They are requesting additional information from you before moving forward.” **(Exhibit L)**. On the same day, contractor informs Clients that he met with the NRC.
19. **October 11, 2024** — Clients email Mr. Pickering an updated plot plan with the requested NRC changes.
20. **October 17, 2024** — Mr. Pickering confirms the NRC has approved the updated plot plan. **(Exhibit M & N (Updated Plot Plan))**
21. **June 16, 2025** — Ms. Kaye emails Clients regarding slope stabilization. **(Exhibit O)**

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22. **July 2, 2025** — Clients engage Gatsby Grounds to stabilize the slope and confirm to Ms. Kaye that Flexterra was added to the ground.
23. **October 8, 2025** — ANRAD submitted.
24. **October 24, 2025** — Site visit conducted by Ms. Kaye. Engineering partners and Clients were not on site.
25. **October 25, 2025** — Violation letter received from Ms. Kaye.
26. **October 29, 2025** — ANRAD approved for the wetland delineation.
27. **October 29, 2025** — CPESC stamped plan to address slope stabilization is submitted.
28. **October 31, 2025** — A CPESC site visit was conducted to review the stamped and submitted slope protection plan and to assess remediation progress and compliance with NRC stabilization requirements.
29. **November 5, 2025** — NRC conducts site visit at 150 Garfield Road.

Please let us know if the Committee would like any additional documentation.

Very truly yours,



Daniel J. Goodrich

Attachments

#847869

EXHIBIT A

11:58



Kim Walsh Jul 23, 2021



to Kasey, Delia, Katie, me

To add more clarity here, Delia. The plan that was approved doesn't make sense for us to even start to do any of the project work. It will leave us with a massive slope that's dangerous for our children so to Kasey's point, what's the best way to move forward given we have an existing plan with no work started and want to submit a plan that takes away the slope while staying within the 50 ft.

Looking forward to your response.

...



Delia Kaye Jul 23, 2021



to Kim, Kasey, Katie, me

Please file a Request for a Certificate noting that the work was not completed.

Delia Kaye | Natural Resources Director



Reply all

Forward



EXHIBIT B

11:03

35



DP



Aug 11 10:55 AM

2 People >

DAVID POOR

Just left the town hall. I have to submit the pool permit on line. So I will fill it all out and get it submitted. I'll chase it down in person to speed it up.

DP

Amazing thank you!!

Kim Walsh

Amazing!! Thank you!
What's next?:) do you need anything from us?



DAVID POOR

No not yet. Today working on permit and some homework. Later today fixing up the erosion control fence.

Big storm coming tonight. I will fix up the drainage for the water coming tonight

DP

EXHIBIT C

11:04

Signal strength, Wi-Fi, and battery (35%) icons.

All good. Makes sense! Let us know if you need us for anything



1



DP



2 People >

Aug 16, 2023 at 7:10 PM

DAVID POOR

Just an update. No word yet. Should have better luck tomorrow.

DP

Kim Walsh

Okay thank you. Who are we waiting to hear from again?

DAVID POOR

Delia from nature resources. It's the most important dept. I keep missing her every time I go. I got was told how to catch her tomorrow.

DP

I was tipped off. Lol.



She is the only dept that could give us a delay but I am confident by doing it this way we should be fine.

DP

Kim Walsh



iMessage



EXHIBIT D

Yes I have been working on
11:06 I will put it all on paper and give it to you tomorrow,



May be able to give you the numbers

2 People



Aug 17, 2023 at 11:11 AM

DAVID POOR



So good news. We will get permit. They're just making me submit some extra documents and drawings. Now that I know we are going to get it , I can continue the work. It will be like the middle of next week until the permit is issued but that won't hold us up. 👍

I will put together the numbers for the extra work asap.



Kim Walsh



Great news!

Aug 17, 2023 at 1:26 PM

DAVID POOR



Yes



iMessage



EXHIBIT E

11:15

31

Good luck!!



DAVID POOR

2 People >

Thank u

DP

Nov 20, 2023 at 10:57 AM

DAVID POOR



Just an idea

DP

The fence on top of wall is just for looks

DP

EXHIBIT F

11:19

31



1

Monday I'll m... the fence



DP



Kim Walsh

2 People >



Great. Thank you!

DAVID POOR

DP

No problem.

Dec 4, 2023 at 8:39 AM

Kim Walsh



Do we need to align on the trees or are you good to just remove the ones that are currently marked with red tape from the town?

DAVID POOR

Before the trees get cut I'll tape them. After the trucks are done coming in and out with fill and the dirt for the slopes. The trees will be down.

DP

I will make sure we're on the same page before they get cut

EXHIBIT G

DAVID POOR

11:35

Sun is out. 🌞 i am going to
check on permit today.
Great weather ahead.



DP

2 People

Fel

AM

Thanks David! What should I communicate to Fabio for when we want him ready to go? Since you're doing the foundation should I share a time frame for when we want him to have his guys ready?

DAVID POOR

Depends on when permit is in hand. soon as permit is in hand it will be safe to say 10 days to get everything ready for him to build. So 3 weeks. Hopefully sooner.

The permit has to go through all the departments for approval. Any day it should be ready.

That time frame i gave you is worst case.

DP

EXHIBIT H

11:40



Kim Walsh



Nice! Thank you for the update

2 People

Feb 27, 2024 at 3:05 PM

DAVID POOR

Meeting went well, they wanted me to add set back numbers on the plan I drafted and they wanted to make sure any discharge from the pool filter into the wetlands. I have to add those items into the plan. Working On revisions now submitting as soon as they open.

DP

I also put up some additional erosion control just incase they stop by unannounced. I think they would already have if they were going to. Hoping and sounds like were good.

DP

EXHIBIT I

No luck today. Will be there

11:41    24

DP



Mar 14, 7:11 PM



DP

Kim Walsh



2 People

Thanks for the update. Any idea what the process is ?



DAVID POOR


Yes it goes throu all the departments for sign off. Ill camp out there tomorrow

DP

Mar 15, 2024 at 12:09 PM

DAVID POOR



A little bird told me we made it through the natural resources dept. really good news. I will know on monday if you need to sign anything. That was the only dept i was worried about. I am ok getting started monday so we dont waist any more time. 

DP

EXHIBIT J

11:43



DAVID POOR



Call me

DAVID POOR



Just met with the head of natural resources and she signed off on the permit for pool and shed. 👍👍👍👍👍👍👍👍



1 Reply

Amazing!!!!

DAVID POOR



They will email us both when its ready to pick up. Check in with me before you respond to anything. Please

Will do!



iMessage



EXHIBIT K

Natural Resources Division

History

No.	SignOff Date	Comment	Result	Submitted By
1.	03/19/24	pool and shed outside 50-foot NBZ	Approved	Karen Bockoven

EXHIBIT L



PDF



Kevin Picke... Oct 9, 2024



to me, Kim ▾

Good morning Katie,

I met with staff members of the Natural Resources Division yesterday afternoon. They are requesting additional information from you before moving forward. Please contact their office for more information. (978)318-3285.

Additionally, the location of the pool equipment is not indicated on the plot plan however, the pool house drawings show a mechanical room. Please confirm the pool equipment will be contained within the pool house structure.

Thank you,



Reply all

Forward



EXHIBIT M

10:52



Kevin Pick... Oct 17, 2024



to me, Kim ▾

Hi Katie,

The Natural Resources Division has approved the updated plot plan. I am now able to release your building **permit** so you can resume construction. Please be sure to call our offices to request inspections as needed.

Be advised at the end of the project an as-built from the surveyor will be required.

Let me know if you have any questions.

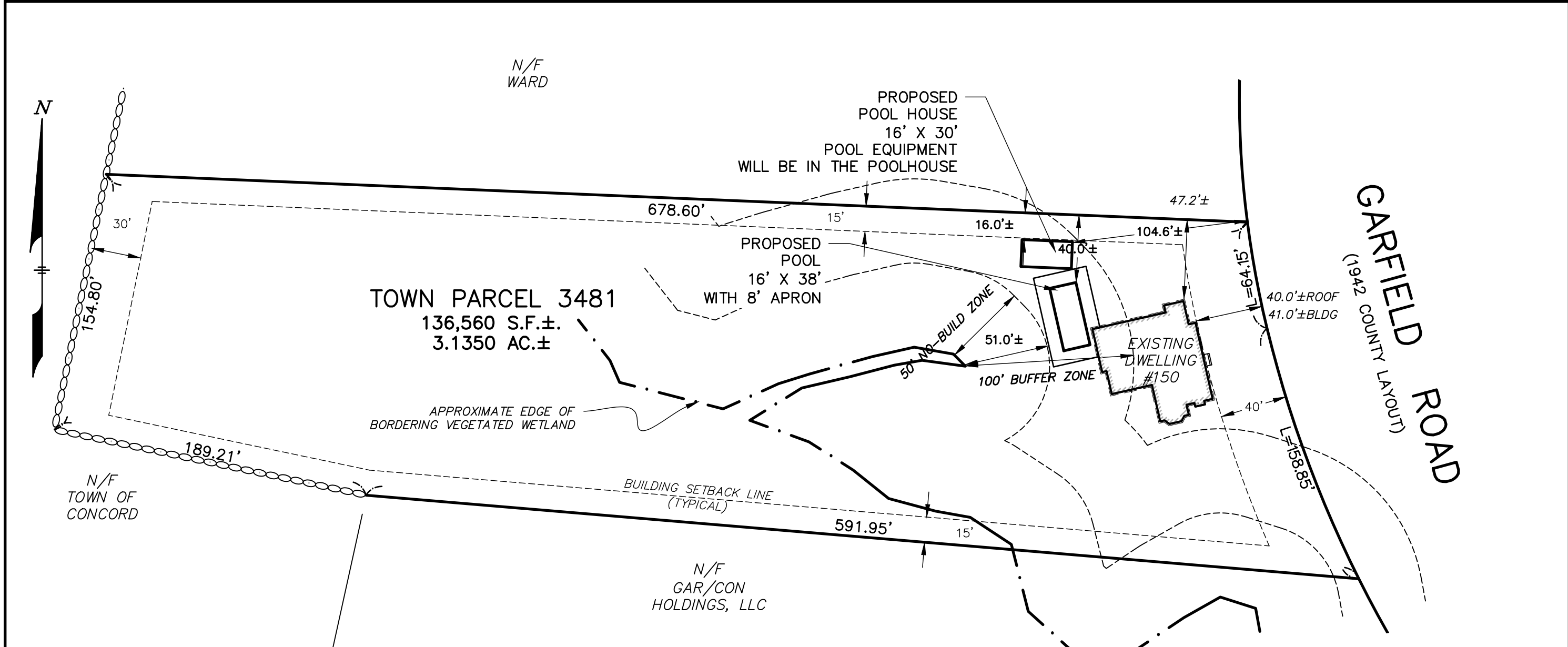
...



me Oct 18, 2024

That's great news, thank you!

EXHIBIT N



PROPOSED PLOT PLAN
IN

CONCORD, MASSACHUSETTS
(MIDDLESEX COUNTY)

FOR: **FABIO'S CONSTRUCTION**
SCALE: 1"=60' OCTOBER 10, 2024

STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING

(7568.P.PPL.dwg) 150 Garfield Road SM-7568

THE LOCATION OF THE PROPOSED POOL AND POOL HOUSE ON THIS PROPERTY CONFORMS WITH THE ZONING BYLAW (DIMENSIONAL SETBACK) OF THE TOWN OF CONCORD, MASSACHUSETTS AND THEY ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP; MIDDLESEX COUNTY, MASSACHUSETTS; MAP NUMBER 25017C0386 F DATED: JULY 7, 2014.

10/12/24 *Joseph March*
DATE REGISTERED PROFESSIONAL LAND SURVEYOR

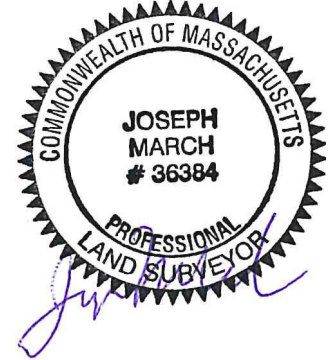


EXHIBIT O



150 Garfield Next Steps



Delia Kaye Jun 16
to me



Katie and Kelly,

Thanks for your time this morning. As discussed, please provide the following:

- Immediate slope stabilization with Flexterra or other product designed to stabilize steep slopes
- Survey of the site by a Professional Land Surveyor with the following elements
 - Pool location
 - Top and bottom of slope
 - Fence location
 - Location of topped and removed trees beyond those that were approved
- Stake the limits of the leach field with orange construction fencing. As noted on the plans, equipment must remain outside the area of the leach field.

To ensure that the pool and pool decking are not constructed within the 50-foot No Build Zone,



Reply all



Forward

