

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**January 8, 2020**

Pursuant to the notice filed with the Town Clerk, the meeting of the Natural Resources Commission was held at 141 Keyes Road, first floor conference room, Concord, MA at 7:00 p.m. on Wednesday, January 8, 2020. The following Commissioners were present: Greg Higgins, Chair, Judy Zaunbrecher, Lynn Huggins, Ed Nardi, and Nick Pappas. Natural Resources Director Delia Kaye, Assistant Natural Resources Director Colleen Puzas, and Natural Resources Administrative Assistant Karen Bockoven were also present.

Chair Higgins opened the meeting at 7:00 p.m. in accordance with the Wetlands Protection Act, M.G.L. Chapter 131, Section 40, and the Concord Wetlands Bylaw.

<p><b>APPROVE MEETING MINUTES</b></p> <ul style="list-style-type: none"> <li>• October 16, 2019</li> </ul>
<p><b>TO BE OPENED AND CONTINUED TO JANUARY 22, 2020</b></p> <ul style="list-style-type: none"> <li>• <b>NASHAWTUC COUNTRY CLUB</b>, 1844 Sudbury Road (Lot 1), NOI</li> <li>• <b>NASHAWTUC COUNTRY CLUB</b>, 1844 Sudbury Road (Lot 3), NOI</li> </ul>
<p><b>TO BE CONTINUED TO JANUARY 22, 2020</b></p> <ul style="list-style-type: none"> <li>• <b>LEMONIAS DEVELOPMENT CORPORATION</b>, 2160 Main Street, NOI</li> <li>• <b>MCGINN</b>, 95 Coolidge Road, NOI</li> <li>• <b>MAHONEY</b>, 27 Commerford Road, NOI</li> <li>• <b>MASSACHUSETTS DEPARTMENT OF CONSERVATION AND RECREATION</b>, 90B Walden Street, NOI</li> </ul>
<p><b>OTHER BUSINESS</b></p> <ul style="list-style-type: none"> <li>• Symes Development, LLC, 1440 and 1450 Main Street PRD, Special Permit Recommendation</li> </ul>
<p><b>DIRECTOR'S REPORT</b></p>
<p><b>CONTINUANCES</b></p> <ul style="list-style-type: none"> <li>• <b>AWALT &amp; CONLEY</b>, 396 Great Meadows, NOI</li> </ul>
<p><b>NEW APPLICATIONS</b></p> <ul style="list-style-type: none"> <li>• <b>ROBB</b>, 55 Musterfield Road, NOI</li> <li>• <b>WEDGE</b>, 109 Heaths Bridge Road, NOI</li> <li>• <b>GAETZ</b>, 321 Nashoba Road, NOI</li> </ul>
<p><b>CLOSE &amp; ISSUE DECISION</b></p> <ul style="list-style-type: none"> <li>• <b>MASSACHUSETTS PORT AUTHORITY</b>, 200 Hanscom Drive</li> <li>• <b>KELLY</b>, 39 White Avenue</li> <li>• <b>LONG</b>, 261 Monsen Road</li> </ul>
<p><b>OTHER BUSINESS (continued)</b></p> <ul style="list-style-type: none"> <li>• Off-Road Bicycle Policy</li> </ul>
<p><b>ADMINISTRATIVE APPROVALS</b></p> <ul style="list-style-type: none"> <li>• <b>Bagley</b>, 48 Elm Street, Tree Removal</li> </ul>

Chair Higgins stated that the NRC meeting was being audio-recorded. He requested that anyone from the public recording the meeting so inform the Commission.

## **APPROVE MEETING MINUTES**

The October 16, 2019 minutes were tabled to the January 22, 2020 NRC meeting.

### **TO BE OPENED AND CONTINUED TO JANUARY 22, 2020**

#### **Notice of Intent Application, Nashawtuc Country Club, 1844 Sudbury Road, DEP File #137-1509 (Lot 1)**

Chair Higgins opened the hearing seeking approval to construct a single-family dwelling and associated driveway, septic system, utilities and grading within Bordering Land Subject to Flooding 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 until January 22, 2020. Commissioner Zaunbrecher seconded. All so voted.

#### **Notice of Intent Application, Nashawtuc Country Club, 1844 Sudbury Road, DEP File #137-1510 (Lot 3)**

Chair Higgins opened the hearing seeking approval to construct a single-family house dwelling and associated driveway, septic system, utilities, and grading within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to open and continue the hearing until January 22, 2020. Commissioner Zaunbrecher seconded. All so voted.

### **TO BE CONTINUED TO JANUARY 22, 2020**

#### **Notice of Intent Application, Lemonias Development Corporation, 2160 Main Street, DEP File #137-1470**

Chair Higgins reopened the hearing seeking approval to construct one single-family dwelling, two septic systems, and a common driveway within the 200-foot Riverfront Area to the Assabet River and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher moved to continue the hearing until January 22, 2020. Commissioner Huggins seconded. All so voted.

#### **Notice of Intent Application, Paul McGinn, 95 Coolidge Road, DEP File #137-1502**

Chair Higgins reopened the hearing seeking after-the-fact approval for clearing vegetation and native plant restoration within Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, Land Under Waterbodies and Waterways, the 200-foot Riverfront Area to the Sudbury River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher moved continue the hearing until January 22, 2020. Commissioner Huggins seconded. All so voted.

#### **Notice of Intent Application, Caroline Mahoney, 27 Commerford Road, DEP File #137-1506**

Chair Higgins reopened the hearing seeking approval to construct two additions and a deck within the 200-foot Riverfront Area to Baptist Brook and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Zaunbrecher moved to continue the hearing until January 22, 2020. Commissioner Huggins seconded. All so voted.

**Notice of Intent Application, Massachusetts Department of Conservation and Recreation, 90B Walden Street, DEP File #137-1507**

Chair Higgins reopened the hearing seeking approval to perform ADA compliant connections between the Route 126 crosswalk, the bathhouse, and the main beach; remove existing bathhouse and replace with new accessible bathhouse; install associated utilities; improve stormwater management; and landscape improvements 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 until January 22, 2020. Commissioner Huggins seconded. All so voted.

**OTHER BUSINESS**

**Symes Development, LLC, 1440 and 1450 Main Street PRD, Special Permit Recommendation**

Chair Higgins recused himself and left the room for this matter because he had previously been involved with the sale of the property.

Acting Chair Huggins explained that the Applicant is seeking a Special Permit from the Zoning Board of Appeals (ZBA) and the NRC is required to make a recommendation for Section 10.4.3 of the Zoning Bylaw.

Jeff Rhuda of Symes Development and Richard Harrington of Williams & Sparages attended tonight's meeting. Mr. Harrington stated that the Planning Board reviewed the Special Permit last night and recommended that a Special Permit be granted subject to several modifications. The most pertinent to the NRC was that the plan include a 10-15 foot wide natural open space corridor that connects the adjacent Town-owned land and the isolated wetland. A chain link fence that is on the Town-owned land must be removed. Mr. Harrington explained that there will be a neighborhood park along Main Street to Highland Street and a walking path to Highland Street and a path down to Main Street. Mr. Harrington said the project will be less of a disturbance compared to a regular subdivision. He stated that many meetings were held to discuss the benefits of preserving the large mature trees near Main Street. Mr. Harrington said they meet the requirements for open space by providing a public park. The wetland in the back of the property will form part of the Conservation Restriction (CR). Mr. Harrington explained that the project provides a neighborhood park in West Concord and walkability to the West Concord Town center which will enhance businesses and shops.

Commissioner Nardi inquired if there was another access point from Center Village. Director Kaye replied there is access from Conant Street, however, the topography is steep.

With regard to Sections 10.4.3.1 and 10.4.3.2 Acting Chair Huggins stated that the proposed development is dense and is within a densely developed neighborhood. A large park (over 1 acre) is being proposed which is unusual for this part of Concord. A wildlife corridor is also proposed. Commissioner Pappas said that trees along Main Street will be preserved which is a benefit, as is

providing recreational space. Commissioner Zaunbrecher commented that the existing private lot will now have public access. She stated she also appreciates the wildlife corridor connecting open spaces.

Acting Chair Higgins said the Applicant is proposing that over one acre be designated as a public park. The Planning Board also recommended open space be held by the Town through the Select Board, which she considered appropriate as the primary use is recreation, not conservation. The NRC agreed.

Jack Madigan of 215 Prairie Street asked if the wildlife corridor will be big enough. Acting Chair Huggins replied that the NRC agreed with the Planning Board that a 10-15 foot wide range would be appropriate. Acting Chair Huggins noted that the master deed is for 34 private homes and language should be included to prohibit the dumping of any yard waste or debris of any kind in the isolated wetland. Mr. Harrington said there will be fencing and a natural barrier but also sections that will allow people to walk through. Director Kaye suggested that the boundary for the open space also be demarcated. Mr. Harrington agreed.

Commissioner Zaunbrecher asked if it would be necessary to make sure mature trees are protected during construction. Harrington said they are working with landscape architect Kim Ahern. They have a tree protection plan that can be updated. Mr. Harrington also noted that the corridor will be naturalized with native plantings.

Commissioner Zaunbrecher moved to authorize Director Kaye to draft a letter that the NRC would recommend approval to the ZBA subject to modifications for the Planned Residential Development for 1440 and 1450 Main Street with demarcation of open space, and a 10-15 foot wide corridor in the rear of the property for wildlife passage. Commissioner Pappas seconded. All so voted.

### **DIRECTOR'S REPORT**

- Director Kaye informed the Commission that the Land Manager position is in the draft FY21 budget. The position will be 85% funded by restructuring existing programs.
- Three vernal pools in Town were recently certified bringing the number from 53 to 66. All the newly certified pools are within Estabrook Woods. Certified vernal pools regardless of whether they are within or outside of resource areas are afforded extra protection under the Concord Wetlands Bylaw.
- Minuteman National Historical Park is working on incorporating the 2009 boundary expansion of the Barretts Farm Unit. The National Register boundary will include the 58 acres of Town land, as well as NPS and private land.
- Director Kaye and Assistant Director Puzas will attend a cyanobacterial workshop next week. The focus of the workshop consider regional trends and what other communities are experiencing with blue-green algal blooms. The workshop will also provide training to identify different types of cyanobacteria. Director Kaye noted that the restoration work at Sachem's Cove may have helped in reducing blooms at White Pond. She has been corresponding with Professor Curt Stager from Paul Smith's College who is evaluating historic trends. He will send Director Kaye a report in a few months.

- OARS is seeking a grant from Massachusetts Environmental Trust to look at re-establishing American eel in Nashoba Brook and the Assabet River. OARS would like a letter of support from the NRC. The NRC requested that Director Kaye draft a letter of support on behalf of the Commission.
- Director Kaye and Assistant Director Puzas are working on two general Notices of Intent. Assistant Director Puzas will work with the Engineering Department for a new general roads maintenance permit. Director Kaye is working with two other communities to develop a general permit for homeowners to conduct terrestrial invasive species management work without having to go through an entire permitting process.

### CONTINUANCES

#### **Notice of Intent of Application, Elizabeth Awalt and John Conley, 396 Great Meadows Road, DEP File #137-1497**

Chair Higgins reopened the hearing seeking approval to construct an addition and deck, and conduct invasive species removal 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:

- Wetland Permitting Plan prepared by Stamski and McNary, Inc. revised December 2019;
- Proposed Art Studio Floor Plan prepared by Hart Associates, Inc. dated December 20, 2019;
- Land Management Plan prepared by Parterre Ecological received January 8, 2020; and
- Planting Plan prepared by Alden Landscape Design revised January 7, 2020.

Homeowners Elizabeth Awalt and John Conley, Molly Obendorf of Stamski and McNary, Jen Hart of Hart Associates Architects, and Miles Connors of Parterre Ecological attended tonight's meeting. Ms. Obendorf said initially the homeowners were hoping to construct a deck which w within the 50-foot NBZ. However, after comments from the Commission they have decided to remove the deck. They are now proposing two smaller decks on both sides of the addition, outside the 50-foot NBZ. The footprint of the addition has increased by approximately 170 s.f.. To mitigate they have increased the infiltration trenches at the downspouts. They will manage invasives and replant with natives sitewide.

Commissioner Zaunbrecher said 16 trees are proposed to be removed. She understands the removal of some trees for the addition but not others. Ms. Obendorf replied that was to allow more sunlight to help other plantings. In addition, the homeowners would like more sunlight for the art studio. They will be replacing trees at a 1:1 ratio.

Chair Higgins asked what the Applicants were proposing for bathroom facilities, paint disposal, and washing paint brushes. Ms. Obendorf said they are proposing a compostable toilet. The sink will discharge to a non-hazardous, industrial waste holding tank which will be pumped on a regular basis.

Chair Higgins asked if there were any future plans to convert the art studio to a residence because there is no room for septic. Ms. Awalt stated there is no plan to convert to residential living.

Commissioner Pappas said that would be up the Health Department and the Building Department. Ms. Hart believes there is already a deed restriction on the existing house with regard to septic. The house is already at maximum amount of bedrooms.

Chair Higgins asked if the Applicants have contacted Natural Heritage to discuss when the work can proceed. Ms. Obendorf replied that they are working with Natural Heritage and have hired outside consultants to assist. Director Kaye said that it would be conditioned that prior to any work beginning that all surveys have to be completed.

Commissioner Nardi asked where stockpiling of materials and equipment would be located. Ms. Hart said they will stake the location. Director Kaye recommended that the Commission condition that the foundation as-built be provided to ensure the structure is outside the 50-foot NBZ.

Mr. Connors explained that invasives removal will be site-wide with Phase 1 and Phase 2. Director Kaye noted replanting would be limited to Phase 1.

Ms. Obendorf said there was a discrepancy with the Land Management Plan. Mr. Connors said he was not aware that the footprint had increased in size. The numbers have been corrected and are noted on the revised plan.

The Applicants agreed to continue the hearing until January 22, 2020.

### **NEW APPLICATIONS**

#### **Notice of Intent Application, George and Nancy Robb, 55 Musterfield Road, DEP File #137-1500**

Chair Higgins reopened the hearing seeking approval to construct an addition to the existing single-family dwelling, modify the septic system, and install a vegetated stormwater drainage swale within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Septic System Modification Plan prepared by Hancock Associates revised December 18, 2019.

Homeowner George Robb and Jacob Lemieux of Hancock Associates attended tonight's meeting. Mr. Lemieux said the proposed project involves the construction of a new addition and replacement of existing septic system. The pump chamber will remain and the lines will connect to existing leaching field. Based on staff comments, their wetland scientist went back out to the property to reflag and staff has confirmed the new line with the exception of Flag #103 flag. Mr. Lemieux addressed the following staff comments:

A previous recorded Order of Conditions was not closed out. They have submitted a Request for a Certificate of Compliance.

Mr. Lemieux explained that the homeowners will stop mowing the 25-foot NDZ. In addition, they will remove two existing gardens and associated fencing. They will demarcate the 25-foot NDZ with wooden posts on the angle points. If in the future if the homeowners decide to plant new gardens

they will be sited outside the 25-foot NDZ. Commissioner Huggins asked if there were invasives where the gardens are now. Mr. Lemieux said because the area was mowed they could not tell but they will keep an eye out.

Mr. Lemieux said they are not proposing a swale for work involving the walk out for the basement because they are now proposing a bulkhead instead. Mr. Lemieux said the building will be on a foundation. Director Kaye asked what steps they will take if they encounter groundwater during construction. Mr. Lemieux replied that they do not anticipate any groundwater, however, the contractor will have dewatering equipment and a filter bag will be used for any outletting. He also noted that a previous permit for this property conditioned that if necessary a dewatering plan must be approved by the NRC. The Commission could apply this same condition for the current permit. Director Kaye said it would be better to note dewatering on the plan now so the Applicant does not have to come back and get additional approval. Mr. Lemieux said that stockpiling of construction materials will be near the driveway outside of the 100-foot Buffer Zone.

Mr. Lemieux said the septic design has been submitted to the Health Department and they have approved. They will remove the septic tank. Director Kaye noted that the plan indicates that the tank will be crushed in place. Please put revised information on plan.

Trees proposed for removal are outside the limit of work. They will have provide protection for the trees.

As requested, the erosion controls will be extended along the southern boundary.

A note has been added to the plan to stabilize the site as soon as possible. All disturbed areas will loamed and seeded.

Mr. Lemieux stated that access during construction will be from the driveway. Director Kaye said because of the steep slope she recommends installing a silt fence in addition to the straw wattle.

Commissioner Zaunbrecher inquired if the gravel driveway in the back of the property is used. Mr. Robb said he uses it to drive his tractor around and for access for septic trucks. The driveway has been there since the house was built.

Director Kaye asked that the plans be revised to include the installation of a silt fence, removal of septic tank, gardens and fencing, and to plant a wetland seed mix in the 25-foot NDZ. No waivers are required.

Chair Higgins asked if a sump pump in the future would be installed in the basement. Mr. Lemieux said they are not planning on installing a sump pump. If they do encounter water they will submit a dewatering plan.

There were no public comments.

The Applicant agreed to continue the hearing until January 22, 2020 to allow for additional information to be provided.

**Notice of Intent Application, Hugh Wedge, 109 Heaths Bridge Road, DEP File #137-1511**

Chair Higgins opened the hearing seeking approval to replace two existing decks, expand an existing garage, construct a new garage, install pea stone and a stonewall in the existing patio area, prune overgrown vegetation, remove and replace an existing green house with an enclosed porch, and remove trees within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to the Sudbury River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Proposed Site Plan (Lot 2) prepared by Perley Engineering LLC dated December 17, 2019.

Matthew Charpentier of Oxbow Associates attended tonight's meeting. Mr. Charpentier explained that they have flagged the Inland Bank (IB), Bordering Vegetated Wetland (BVW), Bordering Land Subject to Flooding (BLSF), and Riverfront areas. The house was built in the 1950s and most of the site has manicured lawn. They would like to remove six trees, including two dead ash. They may damage another ash in between when removing the dead trees. Therefore, they would like permission to remove that one as well. There is a 24-inch pine up against the house which should be removed. They would like to remove two twin 9-inch gray birch that are leaning against the house. In addition there is a 3-inch hawthorne close to the house and a 16-inch crabapple that they would like to remove.

Mr. Charpentier explained that additional pea stone is needed because of the location of the septic and distribution tank. They would like to cover that area with pea stone so it is still accessible. The proposed stone wall will demarcate the extent of the patio and deter future encroachment towards the river. The homeowner would like to replace wooden decks that are rotting. The homeowner would also like to remove an existing green house and replace with an enclosed porch. The addition to the garage and new garage would be located between the 100-foot Buffer Zone and 200-foot Riverfront Area. They would like to connect both garages with a breezeway and cover with a roof. For mitigation they are proposing the removal of invasives both by hand pulling, mechanical means, and herbicide. They will replant area with native conservation seed mix. Mr. Charpentier asked if the NRC could recommend mitigation for the removal of trees. Commissioner Pappas requested that they leave snags. Mr. Charpentier replied that some need to be removed because of the proximity of the deck. Director Kaye asked how would they access trees for removal. Mr. Charpentier said they need to discuss with arborist.

Commissioner Nardi asked what will be provided in exchange for the expansion of existing deck and the addition of the stone wall. Mr. Charpentier replied that they are proposing removing an edge of lawn and letting it naturally revegetate. Chair Higgins asked that they quantify the size of wall and then suggest a space to offset.

Chair Higgins stated that work done within the 50-foot NBZ requires 10:1 mitigation to meet the NRC's policy. Director Kaye said the chart noting the amount of impervious surfaces does not include existing and proposed driveway/patio surfaces. She asked that a chart providing this information be submitted. Director Kaye added that a waiver is required for any work within 50-foot NBZ.

Mr. Wedge asked if removing pachysandra could be considered mitigation. Director Kaye replied yes with native replanting.

Chair Higgins asked if existing decks were on sonatubes. Mr. Wedge said the deck off the house to the north is on two posts. There is no foundation. The deck to the east is cantilevered.

There were no public comments.

The Applicant agreed to continue the hearing until January 22, 2020 to allow for additional information to be provided.

**Notice of Intent Application, Kenneth Gaetz, Jr., 321 Nashoba Road, DEP File #137-1512**

Chair Higgins opened the hearing seeking approval to construct a replacement septic system, an addition, and garage within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Proposed Soil Absorption System Plan prepared by Whitman & Bingham Associates, LLC dated October 4, 2019.

Homeowner Kenneth Gaetz and Anthony Cleaves of Whitman & Bingham Associates attended tonight's meeting. Mr. Cleaves stated the homeowner would like to replace the existing septic system, and construct an addition and garage. The new septic system will be further away from the house in order to save an existing mature tree. They will demolish the existing garage and construct one addition at the front of the house and the second addition to the rear of the house. Mr. Cleaves stated that the homeowner has revised the plan in order to decrease the size of the addition. Originally, 1,200 s.f. of impervious surface was proposed but now it may be only a 600 to 700 s.f. increase. Another revision to the plan is the removal of an old screen porch and constructing a new screen porch at the end of the house and construct a porch on the front of the house. A portion of the new screen porch and front porch would be within the 50-foot NBZ. Director Kaye said that the Applicant would have a high hurdle to overcome if they want to build in the 50-foot NBZ. The patio must be kept outside of the 50-foot NBZ. She explained that the part of the NRC's policy is to look at other alternatives and demonstrate there are no other possibilities. Chair Higgins said the Commission does want any new structures or impervious surfaces closer to the wetlands that was is currently there. The homeowners should reconsider and finalize their plans based on information presented tonight and keep structures out of the 50-foot NBZ.

Mr. Cleaves said in order to provide mitigation they have consulted with a wetland scientist to review the site to see what type of invasives are present. Director Kaye said once the invasives are removed the area needs to be replanted with natives. She asked that this information be noted on the plan.

Mr. Cleaves said that the construction trucks will travel on the same side of the house where vehicles have already gone for septic testing and they will extend the erosion controls accordingly. They will protect any existing trees and show stockpiling. The Board of Health has given approval. Chair Higgins requested for clarity that the "future addition" on the plan should be noted as "proposed garage". Mr. Cleaves said they will correct the language where it says "patio" because it is a "basement walkout" and where labeled "patio" is actually a "screen porch".

There were no public comments.

The Applicant agreed to continue the hearing until January 22, 2020 to allow for additional information to be provided.

### **CLOSE AND ISSUE PERMITS**

#### **Massachusetts Port Authority, 200 Hanscom Drive, DEP File #137-1496**

Chair Higgins reopened the hearing seeking approval to update the existing airport-wide Vegetation Management Plan for the ongoing control and management of vegetated obstructions to navigable airspace at L.G. Hanscom Field within Bank, Bordering Vegetated Wetlands, Bordering Land Subject to Flooding, the 200-foot Riverfront Area of Elm Brook, Certified Vernal Pool Habitat, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

Commissioner Huggins moved to close the hearing and issue an Order of Conditions for DEP File #137-1496 with Findings A, B, C, D, E, F, G, H, and I, Standard Conditions 1-19, and Special Conditions 20-71. Commissioner Zaunbrecher seconded. All so voted.

#### **Kelly, 39 White Avenue, DEP File #137-1508**

Chair Higgins reopened the hearing seeking approval to enclose an existing deck within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Zaunbrecher moved to close the hearing and issue an Order of Conditions for DEP File #137-1508 within Findings A and B, Standard Conditions 1-19, and Special Conditions 20-46. Commissioner Nardi seconded. All so voted.

#### **Long, 261 Monsen Road, DEP File #137-1505**

Chair Higgins reopened the hearing seeking approval to enclose an existing deck, install fencing, and reconfigure an existing patio within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Nardi moved to close the hearing and issue an Order of Conditions for DEP File #137-1505 with Findings A and B, Standard Conditions 1-19, and Special Conditions 20-55. Commissioner Pappas seconded. All so voted.

### **OTHER BUSINESS (continued)**

#### **Off-Road Bicycle Policy Discussion**

Director Kaye said the Trails Committee is recommending etiquette for bikes using conservation land based on guidelines from the New England Mountain Bike Association (NEMBA). Director Kaye believes it would be good for the NRC to consider and also to make recommendations to other boards. Chair Higgins said the Police Department has a publication about bicycle etiquette and the documents should be consistent.

Jane Hotchkiss (Select Board liaison) said that the Select Board has been approached by a committee regarding bicycle on trails. This was discussed as part of a broader discussion regarding transportation. She is not sure if this committee will be a stand alone committee. Electric bikes (e-bikes) were discussed as well as wheelchairs on the Bruce Freeman Rail Trail (BFRT). E-bikes are now being used by a growing number of older individuals. Ms. Hotchkiss would like feedback from the NRC.

The Commission questioned whether bikes, and e-bikes, were appropriate on conservation lands and the need for more signage associated with additional guidance. The discussion was tabled to a future meeting.

Ms. Hotchkiss said that Phil Posner would be the best person to correspond with on this issue. Director Kaye suggested that the NRC consider appointing someone as a liaison to any potential bike committee.

**Administrative Approvals:**

- **Bagley, 48 Elm Street, Tree Removal**

Director Kaye requested approval for the homeowner to remove a Norway maple. The homeowner will replace with a serviceberry. Approval was granted.

Commissioner Zaunbrecher moved to adjourn. Commissioner Huggins seconded. All so voted. This meeting adjourned at 8:58 pm.

Respectfully submitted,

Karen Bockoven  
Administrative Assistant