

**NATURAL RESOURCES COMMISSION**  
**Meeting Minutes**  
**January 23, 2019**

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 23, 2019. The following Commissioners were present: Greg Higgins, Chair, Lynn Huggins, Jeff Adams, and Ed Nardi. Delia Kaye, Natural Resources Director, 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.

<b>APPROVE MEETING MINUTES</b> <ul style="list-style-type: none"><li>November 19, 2018 and December 5, 2018</li></ul>
<b>DIRECTOR'S REPORT</b>
<b>TO BE CONTINUED TO FEBRUARY 6, 2019</b> <ul style="list-style-type: none"><li><b>PILGRIM NOMINEE TRUST</b>, 83 Pilgrim Road, NOI</li><li><b>CONCORD CULINARY</b>, 430 Old Bedford Road, NOI</li></ul>
<b>CONTINUANCES</b> <ul style="list-style-type: none"><li><b>LEMONIAS DEVELOPMENT COMPANY, INC.</b>, 2160 Main Street, ANRAD</li></ul>
<b>NEW APPLICATIONS</b> <ul style="list-style-type: none"><li><b>MIDDLESEX SCHOOL</b>, 1400 Lowell Road / New Public Meeting, NOI</li></ul>
<b>CLOSE and ISSUE</b> <ul style="list-style-type: none"><li><b>DAVIS</b>, 513 Strawberry Hill Road</li></ul>
<b>CERTIFICATES OF COMPLIANCE</b> <ul style="list-style-type: none"><li><b>MOODY</b>, 62 Elm Street</li></ul>
<b>OTHER BUSINESS</b> <ul style="list-style-type: none"><li>Harrington Park, Building Envelope</li></ul>
<b>ADMINISTRATIVE APPROVALS</b> <ul style="list-style-type: none"><li><b>VERRILL</b>, 131 Wheeler Road: Tree Removal</li></ul>

**APPROVE MEETING MINUTES**

Commissioner Adams moved to approve the November 19, 2018 NRC meeting minutes as written. Commissioner Nardi seconded. All so voted.

Commissioner Adams moved to approve the December 5, 2018 NRC meeting minutes as written. Commissioner Nardi seconded. All so voted.

**DIRECTOR'S REPORT**

- Director Kaye informed the Commission that the MACC Annual Environmental Conference will be held on March 2, 2019. She asked that any Commissioner interested in attending to contact the office to sign up.

- The Department of Conservation & Recreation (DCR) is holding a public meeting regarding renovations for the Walden Pond bathhouse and improvements to the pathway for better accessibility. They are also considering moving the bathhouse. DCR is looking for input and comments from the public. They have scheduled a meeting at the Harvey Wheeler Community Center on January 30<sup>th</sup> at 7:00 p.m.

**TO BE CONTINUED TO FEBRUARY 6, 2019 (NO DISCUSSION)**

**Notice of Intent Application, Daniel Aho, Trustee, Pilgrim Nominee Trust, 83 Pilgrim Road, DEP File #137-1462**

Chair Higgins reopened the hearing seeking approval to demolish and reconstruct a single-family house 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 continue the hearing until February 6, 2019. Commissioner Adams seconded. All so voted.

**Notice of Intent Application, Zur Attias, Concord Culinary, 430 Old Bedford Road, DEP File #137-1436**

Chair Higgins reopened the hearing seeking approval to construct an eight-unit Planned Residential Development with associated driveway, soil absorption system, grading, utilities, and community gardens within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Huggins moved to continue the hearing until February 6, 2019. Commissioner Adams seconded. All so voted.

**CONTINUANCES**

**Abbreviated Notice of Resource Area Delineation Application, Lemonias Development Company, Inc., 2160 Main Street, DEP File #137-1460**

Chair Higgins reopened the hearing seeking confirmation by the Natural Resources Commission of the Bordering Vegetated Wetland delineation, Mean Annual High Water of the Assabet River, and Bordering Land Subject to Flooding elevation.

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

- Resource Area Delineation Plan prepared by Stamski and McNary, Inc. revised on January 11, 2019.

Paul Kirchner of Stamski and McNary attended tonight's meeting. Mr. Kirchner said that most of the property is within the jurisdiction of the NRC. Mr. Kirchner said the resource areas were delineated by B&C Associates with the exception of the floodplain, which was located via field survey. Changes requested by staff have been incorporated.

There were no public comments.

Commissioner Adams moved to close the hearing and issue an Order of Resource Area Delineation for Lemonias Development Company, Inc., 2160 Main Street, DEP File #137-1460 with Finding 1. Commissioner Huggins seconded. All so voted.

## **NEW APPLICATIONS**

### **Notice of Intent Application, Middlesex School, 1400 Lowell Road, DEP File #137-1464**

Chair Higgins opened the hearing seeking approval to construct three faculty duplex residences, new parking and driveway, new access walkways, stormwater management facilities, site utilities, and landscaping, portions of which work is within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

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

- Notice of Intent Application;
- Site Plan prepared by Stantec Consulting Services, Inc. dated January 9, 2019; and
- Stormwater Report prepared by Stantec Consulting Services, Inc. dated January 9, 2019.

Frank Holmes and Eric Bradanese of Stantec Consulting Services and Steve McKeown of the Middlesex School attended tonight's meeting. Mr. McKeown said that Middlesex School is proposing to construct three duplexes for faculty housing. There will be minimal work within the 100-foot Buffer Zone. The majority of the work within the Buffer Zone is for the roadway. Mr. Holmes said that the work within the Buffer Zone is limited to about 350 s.f. to relocate the driveway entrance. A corner of the existing driveway will be repaved. They are proposing an infiltration system for the relocated driveway drainage system towards the edge of the road. They will need to remove four hemlock trees to accommodate the new driveway and the grading that will be associated with that. The hemlocks are stunted in growth and have limited canopy cover. The hemlocks also have elongated scale disease. Mr. Holmes said they feel they have met the standards of the Wetlands Protection Act and the Town's Bylaw. They will be improving water quality and reducing the volume of runoff with a new drainage system.

Mr. Bradanese explained that as part of the project they will be installing some new stormwater facilities to meet state and town stormwater standards. They will be reducing and mitigating peak runoff rates and volumes for the entire limit of work. They also dug test pits to verify the soil conditions. The soil conditions were used to verify their recharge rates. Mr. Bradanese said they will be providing water quality inlets that will have units that will treat for total suspended solids before discharging to each system. They will be installing an eight-inch HDPE pipe to connect the new drainage overflow to the existing drainage system. Commissioner Adams asked about the system that extends into the 100-foot Buffer Zone and if that will be for the overflow of the system next to the third house. Mr. Bradanese replied yes.

Chair Higgins asked if something would be planted elsewhere to replace the four unhealthy hemlocks. Mr. Holmes replied that they are proposing to plant new trees around the houses but not in the same area of the driveway.

Commissioner Adams said that Middlesex School has been robust in their invasives management on the site and asked if there was anything else in the area they could address. Mr. Holmes replied that through all the projects that the Middlesex School has done, invasives are being actively maintained along the entire edge of Bateman's Pond and at the back of the campus.

There were no public comments.

The Applicant agreed to continue the hearing until February 6, 2019 to allow time for Concord Public Works to review the drainage design.

## **CLOSE AND ISSUE PERMITS**

**Notice of Intent Application, Jefferson Davis, 513 Strawberry Hill Road, DEP File #137-1451**  
Chair Higgins reopened the hearing seeking approval for an after-the-fact filing for clearing vegetation, restoration with native plantings and invasive species management, and approval to construct a gravel walking path within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

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

- Native Plant Restoration Plan prepared by Kerry Lewis Landscape Architects revised on January 10, 2019.

Commissioner Adams moved to close the hearing an issue an Order of Conditions for Jefferson Davis, 513 Strawberry Hill Road, DEP File #137-1451 with Special Condition A, Standard Conditions 1-19 and Special Conditions 20-52. Commissioner Huggins seconded. All so voted.

## **CERTIFICATES OF COMPLIANCE**

### **Moody, 62 Elm Street, DEP File #137-1386**

Commissioner Adams moved to issue a Certificate of Compliance for Moody, 62 Elm Street, DEP File #137-1386. Commissioner Huggins seconded. All so voted.

## **OTHER BUSINESS**

### **Harrington Park Tenant Use Area**

Director Kaye shared the Tenant Use document with Marcia Rasmussen, Director of Planning & Land Management, Kate Hodges, Assistant Town Manager, and Ryan Orr, Facilities Director for feedback. Chair Higgins said he understands the first eight permitted activities listed but was not sure about utilities. Director Kaye said that she added that permitted activity should a new tenant want to have fiber optics installed. The tenant would not be required to get approval from the NRC and could coordinate directly with Mr. Orr.

There were no public comments.

Commissioner Huggins moved that the NRC accept the proposed Tenant Use Area Envelope and Guidelines for the Wheeler/Harrington House tenants at 249 Harrington Avenue as drafted. Commissioner Adams seconded. All so voted.

### **Administrative Approvals:**

- **Verrill, 131 Wheeler Road, Tree Removal**  
Mr. Verrill has a huge silver maple that is in bad health. Commissioner Adams asked if just the outer limbs could be trimmed. Director Kaye explained that the entire trunk was hollow. Mr. Verrill will replant something but he is not sure with what yet. Approval was granted.

Commissioner Adams moved to adjourn. Commissioner Nardi seconded. All so voted. This meeting adjourned at 7:23 p.m.

Respectfully submitted,

Karen Bockoven, Administrative Assistant

