

**NATURAL RESOURCES COMMISSION  
Meeting Minutes  
May 4, 2016**

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, May 4, 2016. The following Commissioners were present: Lynn Huggins, Chair, Greg Higgins, Jeffrey Adams, and Chip Poutasse. Delia Kaye, Natural Resources Director, Lori Capone, Assistant Natural Resources Director, and Natural Resources Administrative Assistant Karen Bockoven, were also present.

Chair Huggins 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.

Town of Concord - CPW Engineering, Assabet Avenue, DEP File #137-1323	7:00 pm
Milltarry Offices Registered LLP, 91 Lowell Road & 105 Keyes Road, DEP File #137-1315	7:00 pm
Concord Municipal Light Plant, 214Y Main Street, DEP File #137-1341	7:00 pm
Damonmill Square Properties LLC, 9 Pond Lane, DEP File #137-1307	7:01 pm
Keolis Commuter Services, MBTA Row (Fitchburg Line), RDA File #16-3	7:40 pm
Anne and Jeff Elton, 415 Lowell Road, DEP File #137-1161	8:00 pm
Allen Sayegh, 131 Assabet Avenue, DEP File #137-1340	8:14 pm
Karen Kirsten, 280 Estabrook Road, DEP File #137-1339	8:20 pm

**CONTINUANCES**

**Notice of Intent Application for the Town of Concord - CPW Engineering, Assabet Avenue, DEP #137-1323**

Chair Huggins reopened the hearing for approval to install two overflow pipes and rip-rap swales within Bordering Vegetated Wetlands, Land Under Waterbodies and Waterways, Bordering Land Subject to Flooding, 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 Higgins moved to continue the hearing to May 18, 2016. Commissioner Poutasse seconded. All so voted.

**Notice of Intent Application for Milltarry Offices Registered LLP, 91 Lowell Road & 105 Keyes Road, DEP #137-1315**

Chair Huggins reopened the hearing for approval to construct a commercial market/office building, with associated parking, walkways, and drainage, a portion of which work is within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to Mill Brook, and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to May 18, 2016. Commissioner Poutasse seconded. All so voted.

**Abbreviated Notice of Resource Area Delineation for Concord Municipal Light Plant, 214Y Main Street, DEP #137-1341**

Chair Huggins reopened the hearing for confirmation of the Bordering Vegetated Wetland and Bank of the Assabet River delineations.

At the request of the Applicant, Commissioner Higgins moved to continue the hearing to May 18, 2016. Commissioner Poutasse seconded. All so voted.

**Notice of Intent Application for Damonmill Square Properties, LLC, 9 Pond Lane, DEP #137-1307**

Chair Huggins reopened the hearing for approval to repair and maintain an existing dam, stabilize the embankment, repair a section of wall, remove trees, and close the headrace and tailrace, a portion of which work is within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to the Assabet River, and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Commercial Development Site Layout Plan prepared by Goldsmith, Prest & Ringwall, Inc., last revised April 22, 2016; and
- Email correspondence from Bruce Ringwall, Goldsmith, Prest & Ringwall, Inc., dated April 29, 2016.

Bruce Ringwall of Goldsmith, Prest & Ringwall, Inc. and Chip Orcutt of Damonmill Square Properties, Inc. attended the meeting. Mr. Ringwall presented plan revisions since the last meeting including planting modifications, construction details, and adding notes to clarify the expectations of the contractor. Mr. Ringwall created a third sheet to the plans to show the shrub and tree planting detail and wattle detail. Mr. Ringwall also presented a photograph of the cantilevered portion of the dam remnants on the Water Street side of the Assabet River, modified to show how it will be repaired. Mr. Ringwall has filed a Self-Verification Form with the Army Corp. of Engineers.

Chair Huggins asked for clarification regarding the stump grinding. Mr. Ringwall said any stumps intertwined into the granite blocks of the stone wall will stay.

Commissioner Adams stated that at the last meeting the Commission discussed not requiring a third party review of the project provided all concerns were addressed and asked the Commission if the impact to fisheries question is adequately addressed. Mr. Ringwall informed the Commission that he spoke with Fish & Wildlife. Mr. Ringwall stated that Mr. Crossman's report was from when the river was low and Mr. Crossman at that time did not feel there was any aquatic life adjacent to the edge of the wall. Mr. Ringwall stated that there are fish in the river and they will not be negatively impacted by the proposed work, explaining that the building provides more shade to the river than the trees being removed.

Commissioner Adams expressed concern about the removal of trees and the warming of the water because lack of shade. Commissioner Poutasse commented that if the wall is going to be repaired, trees being planted would not be compatible. Commissioner Adams stated that he feels some change will occur but is not convinced it will be detrimental.

Mr. Ringwall said that the same invasive species management plan that will be used for the oriental bittersweet as described in the narrative, will be used for other invasives along the river. Chair Huggins suggested that a close eye be kept out for Japanese knotweed. Chair

Huggins stated that the mitigation area along the retaining wall should be seeded with a native seed mix and mown once a year late in the fall. Chair Huggins stated that the current lawn area would be maintained the same way as it has been maintained.

Commissioner Adams asked if the abutter across the river has signed off on the proposed work and access for the project. Mr. Ringwall said that he submitted an email at the last meeting which stated that Sven Olson gave his permission to come onto his property, however, before they did, he wanted a Hold Harmless Agreement.

Commissioner Adams inquired about the erosion control plans. Mr. Ringwall answered that they have proposed that the removal of trees will only be done during low flow conditions. The only erosion controls that they will use are sandbag dikes. The sandbags will be used around the two ends when they are doing the earth work and will be removed immediately afterwards. Commissioner Higgins expressed concern regarding the area of tree removal around the dam with the potential of gravel getting washed away if there is a rain event. Mr. Ringwall stated that work will be done when there is a minimum of 48 hours of no rain in the forecast.

Chair Huggins discussed the outstanding Order of Conditions with regard to the curbing and the lights mounted to the trees. Mr. Ringwall explained that the previous owner in 1985 never filed the Order of Conditions at the Registry of Deeds but that has been done by the current property owner. The property in the back of the building was originally graded to the outside edge and there were catch basins along that edge. The catch basins were moved to the middle and the parking lot in the back was graded into a bowl therefore he was not sure what placing a curb on the top of the lip of the bowl would accomplish.

Chair Huggins said she wanted to address the lighting issue and how could they be fixed. Mr. Ringwall responded that he had no idea why the lights were put on the trees. The lights provide lighting for the parking lot which is needed for people coming and going from the building to their cars. Mr. Ringwall proposed to replace the lights in the same general area. They would put down a ring of wattles while the pole is excavated for the installation of a concrete base. If they are able to use the wiring that is there now they will, if not, they will install new conduit for lighting between the three lamps. Also, wattles along the edge of the trench will be used. Director Kaye stated the original plan had the lights on the other side of the parking lot away from the wetlands. Mr. Orcutt replied that he is currently looking at possibly repaving the entire property. The first phase of the paving would be from the entrance of the property to the fire hydrant. The second phase would be into the bigger lot and the third phase would be enhancing the parking. Mr. Orcutt would like to move the lights to the other side but he is not ready to do so as this time. Mr. Orcutt anticipates filing a Notice of Intent for this work in the next couple of years. Mr. Ringwall asked if the Commission wanted to keep open the existing Order of Conditions until a Notice for the parking lot improvements are filed which the Commission confirmed.

There were no public comments.

The applicant agreed to continue the hearing to May 18, 2016. Mr. Ringwall requested that a copy of the May 4, 2016 minutes be placed in the applicant's file.

### **Request for Determination of Applicability for Keolis Commuter Services, MBTA Row (Fitchburg Line), RDA #16-3**

Chair Huggins reopened the hearing to verify jurisdictional resource areas to perform vegetation control and management in the 200-foot Riverfront Area of the Sudbury and Assabet Rivers and the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

Kyle Fair of Fair Dermody Consulting Engineers, attended tonight's meeting. Mr. Fair stated that he has submitted the Yearly Operational Plan. Mr. Fair stated that they delineate the individual zones that intersect the railroad right-of-way. Permanent markings are done at the edge of the zones to indicate the type of chemicals and methods used, the number of times per year that it can be done and the pattern required. There are three zones: yellow, dark blue and light blue. The light blue zones receive one application per year. The dark blue zones are for surface water drinking protection. These zones can only be done once every 24 months. Any upland or undelineated areas can be brush sprayed.

Carl Geyer, of 260 Estabrook Road and a physician at Lahey said that the biggest lawsuit currently in the United States is against the company that manufacturers Roundup. He also suggested googling Roundup and disappearing bees. For those reasons, he would like the Commission to decline the use of the proposed pesticide and come up with an alternative. Commissioner Huggins replied that is outside the Commission's authority. Mr. Fair responded that EPA has the exclusive authority in regulating the labeling, distribution, sale, storage, transportation, use, application, and disposal of pesticides. Commissioner Adams clarified that the Commission's purpose this evening is to determine the wetland boundaries and not what pesticides are allowed.

Commissioner Adams moved to Issue a Determination of Applicability #2 and #3 with the following condition: 1) Annual reports shall be submitted showing compliance with the Yearly Operational Plan. Commissioner Higgins seconded. All so voted.

Mr. Fair replied that he does not send a letter to each community but their website shows the documents that are required for the towns to receive. A notification is also published in the newspaper to let the public know when the application takes place. Director Kaye said if information that the work has been completed is posted on website that would be sufficient.

### **Request to Amend a Notice of Intent for Elton, 415 Lowell Road, DEP #137-1161**

Chair Huggins reopened the hearing to construct an in-ground swimming pool, pool house, hot tub, and patio; and enclose an existing deck within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

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

- Invasive Species Management Plan for: 415 Lowell Road, prepared by Goddard Consulting, dated April 21, 2016; and
- Wetland Permitting Plan prepared by Stamski and McNary, Inc. revised May 4, 2016.

Joshua Bath, Nashawtuc Architects, Inc., Susan Redmond, Redmond Design Group, and Mark Arnold, Goddard Consulting, attended tonight's meeting.

Mr. Bath said that they have provided the requested site survey containing the following: CR boundaries, landscaping plan, proposed trees for removal with shrubs to mitigate the tree removal, proposed siltation barrier, proposed invasive species mitigation area, list of invasive

species that will be removed and plants that will be added, and proposed infiltration trench. Their plans also show that all landscaping work proposed will be behind the 50-foot No Build Zone with the exception of the trees between the 25 and 50-foot Buffer Zone.

Chair Huggins wanted to confirm that the pool was outside the 50-foot No Build Zone. Mr. Bath confirmed that it was and that the infiltration trench is right up to, but outside, the 50-foot setback.

Chair Huggins inquired what the square foot calculation was with regard to the number of trees being removed and replaced with shrubs. Mr. Bath replied that it will be a 2 to 1 ratio of shrubs planted to trees removed. Mr. Arnold stated that a perk test was done with regard to the retention pond. They chose a mix of New England Wildlife plants which will provide a good balance for that area.

Some of the mitigation is proposed in the 25-foot No Disturb Zone. Mr. Bath was asked to submit a waiver request detailing how the project meets the waiver provisions.

There were no public comments.

Commissioner Adams moved to close the hearing and issue an Amended Order of Conditions for Elton, 415 Lowell Road, DEP #137-1161, with Findings A through D, Standard Conditions 1-19 and Special Conditions 20-48, contingent upon receipt by Friday, May 6, 2016 at 12 noon the waiver and revised plan. Commissioner Higgins seconded. All so voted.

#### **NEW APPLICATIONS**

##### **Notice of Intent for Allen Sayegh, 131 Assabet Avenue, DEP File #137-1340**

Chair Huggins opened the hearing for approval to construct an addition, driveway extension, patio; conduct landscaping; and remove three sheds within Bordering Land Subject to Flooding, the 200-foot Riverfront Area to the Assabet 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 prepared by Allen Sayegh, dated April 20, 2016.
- Existing Conditions Plan prepared by Gateway Survey Associates, LLC, received on April 20, 2016.

Allen Sayegh, 131 Assabet Avenue, attended tonight's meeting. Mr. Sayegh explained that he would like to build an addition to an existing single family house and extend the driveway within an existing lawn area. There are three sheds that he wants to remove near the wetlands. Mr. Sayegh does not have a design plan yet. Chair Huggins clarified to the applicant that he is requesting the Commission to authorize a maximum footprint which appears to be well below the allowable 10% threshold for alteration of the Riverfront Area and the shed removal is commensurate mitigation for the work that is proposed.

There were no public comments.

Chair Huggins stated that as of this meeting the DEP File # for this project was not yet available. The applicant agreed to continue the hearing to May 18, 2016.

### **Notice of Intent for Karen Kirsten, 280 Estabrook Road, DEP File #137-1339**

Chair Huggins opened the hearing for approval to remove trees and vegetation, plant a meadow, and remove invasive species within the 200-foot Riverfront Area of a tributary to Dakins Brook 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 prepared by Dan K. Gordon Associates, Inc., received April 20, 2016;
- Existing Conditions Plan prepared by Perley Engineering LLC, revised February 4, 2016;
- Site Plan prepared by Dan K. Gordon Associates, Inc., revised May 2, 2016;
- Correspondence from Andrea and David Meyers received on May 4, 2016; and
- Correspondence from Patricia Geyer received on May 4, 2016.

Dan Gordon and Peter Shaw of Dan K. Gordon Associates, Inc. attended tonight's meeting. Mr. Gordon stated that the original plans were submitted to the neighbors and they have received some comments and subsequently the plans were revised. Mr. Gordon explained that the entire property is priority and estimated habitat and they have filed with Natural Heritage & Endangered Species Program (NHESP) to review. The proposed work is primarily clearing and re-establishing an existing dense pine forest with a meadow that would be cut once a year. To date, he has not heard back from NHESP. The other resource areas include Bank with Bordering Vegetated Wetlands to the east, which outlets to a perennial stream at the southeast and their associated 200-foot Riverfront Area and 100-foot Buffer Zone.

The property is comprised of three lots. Lot 1 is the main body to the south. The upper portion is Lot 3 which has a Conservation Restriction (CR) on it. Lots 1 and 2 have been developed into single family lot, which is currently under reconstruction. The work that has already been done is outside of wetland resource areas and associated Buffer Zones. Sedimentation controls were installed prior to construction and have been maintained.

Mr. Gordon stated that work proposed within the 50-foot No Build Zone is limited to clearing smaller trees and dead trees and saving the biggest trees. They want to clear the outer 50 feet and convert the pine forest to a meadow. The meadow will provide a diversity of habitat, cover, nesting material, and food for many species. The meadow would only be cut once a year. No work within the inner riparian zone is proposed and limited clearing and revegetation with meadow mix is proposed for the outer 50 feet of the 200-foot Riverfront Area. They propose to clear the trees, destump, and conduct minor re-grading without substantially changing the contour. Any areas greater than a 3:1 slope would receive erosion control matting and would be revegetated. Mr. Gordon stated that they are looking to balance some openness and some vegetation on the site.

Commissioner Adams asked about the work within the CR in relation to the terms of the CR. The Conservation Restriction Stewardship Committee was asked to provide an advisory opinion because the language of the CR is vague. Director Kaye said it would also be helpful to have the applicant provide a written justification of how they feel the project meets the intent of the CR. Mr. Gordon responded that he believes that all of the work that is being proposed is allowed under the CR and they have had legal counsel review. Mr. Gordon stated that the removal of trees has specifically been excluded from this CR. Chair Huggins asked Mr. Gordon to provide an outline in writing with his interpretation of the CR and how the work that is being proposed is in sync with the allowable uses within the CR. Director Kaye explained that the intent of the CR is to retain the site in its current condition which is

standard language. The question now is what that condition was 40 years ago when the CR was placed on the property.

Commissioner Poutasse asked what the difference from the previous plan filed is. Mr. Gordon explained that there are eight trees which were tagged for removal that will now be retained. They also eliminated work on the stone wall. Chair Huggins asked if all the trees to be removed within the CR and wetlands were tagged in the field. Mr. Gordon will mark the area so it is clear.

Commissioner Adams asked if it has been noted how many trees are being removed from the 100-foot Buffer Zone. Mr. Gordon said he did not know but agreed to provide this information. Commissioner Adams also inquired if there was an invasive species management plan for site. Mr. Gordon answered that they did not identify any invasives on site but they will remove if they see any. Asst. Director Capone confirmed invasive plants are present in the understory. Mr. Gordon agreed to evaluate the site and develop an invasives management plan.

Andrea Meyers, 116 Estabrook Road, attended tonight's meeting and read a letter she wrote. She asked if the Commission would deny the cutting of trees within the 100-foot Buffer Zone on the applicant's property. Ms. Meyers quoted the Town's Bylaw with regard to this matter. Ms. Meyers believes that the applicant's proposal will affect an entire ecosystem that includes the wetlands, the wetland buffer, the manmade berm that encloses the pond, the trees and the vegetation next to the pond, and the pond itself, none of these concerns have been addressed in the application. The removal of large trees and vegetation will release carbon and other nutrients. The pond is small and the removal of trees and vegetation will affect the pond. The fish that winter in the pond will also be affected. Tree removal will also change the shading and temperature of the water. She is concerned about run off from the proposed meadow. It could take a long time for the meadow to become established. Weeds may become a problem and pesticides and herbicides may be needed to control the weeds. Another concern is the frequent mowing of the meadow disturbing the natural habitat. The removal of trees and vegetation will eliminate habitats for birds and other species. The Blanding's turtle would be affected by the pond's water quality and the cutting of the meadow during their active season. Ms. Meyers believes that given the size of the property in question, there is no need to disturb the wetland buffer. Their view of the pond would also be greatly disturbed. This would also affect hikers, dog walkers, and horseback riders. She also objects to the removal of the six square feet of wall on the joint property line. Andrea and David Meyers urged the Commission to preserve the wetland buffer.

Erin Geyer, 260 Estabrook Road, attended tonight's meeting and read a letter on behalf of her mother, Patricia Geyer. Patricia Geyer opposes the proposed project at 280 Estabrook Road. Patricia Geyer explained through her letter that the strip of wetlands between 260 and 206 Estabrook Road are her property in ecological stewardship. Her vote against the project is many including wildlife, wind impacts, pond run off, wetland silting, and destabilization of large pine trees.

Carl Geyer, 260 Estabrook Road, presented a history of the pond, created in the 1930s. Judge Eaton was the prior owner. Dr. Geyer believes the previous house on the property was built during the 1930s and the pine trees have been around for quite some time. Dr. Geyer was able to walk through Estabrook Woods with Judge Eaton, before he passed away. Dr. Geyer said he had asked Judge Eaton why he never clear cut any of his trees. Judge Eaton replied

that he wanted to preserve a buffer in addition to the conservation land bestowed upon the Town of Concord in the mid 1970s. The area is used by a variety of species. Dr. Geyer said that it is important to note that Judge Eaton owned the property for 50 years and he could have cut it any time but he thought it was more important to keep it as a conservation resource. Dr. Geyer has lived at the adjoining property for 25 years and has never cut down any trees because he feels it is important to keep a natural buffer. He thinks the buffer is compromised by the concept of a meadow. He strongly urged the Commission to deny this proposal.

Geoffrey Trussell, 206 Estabrook Road, said on the western part of the pond there are some large trees that came down during a microburst as well as some large trees that came down in the undisturbed portion of his property where the woods are intact. The big issue for Mr. Trussell is the Buffer Zone. He is a professionally trained ecologist. On a scientific basis, he feels that trading a forest and replacing with a meadow does not add up in an ecological sense. The original land was an elm, hemlock, and pine forest. It was not cleared land. He suggested determining the age of the trees. He is not against this proposal in its entirety, but he feels the Buffer Zones are important.

A site visit was scheduled for Wednesday, May 11, 2016 at 8:00 a.m.

The Applicant agreed to continue the hearing to May 18, 2016.

#### MINOR MODIFICATIONS

**Massport, 711 Virginia Road, DEP File #137-1265**

List of plans and documents discussed at this meeting:

- Correspondence from Stantec Consulting Services, Inc. received on April 29, 2016; and
- FY15-FY17 Term Airport Vegetation Management Plan prepared by Stantec Consulting Services, Inc., revised on April 28, 2016.

Jim Stolecki, of Massport, and Randy Christensen of Stantec Consulting Services, Inc., attended tonight's meeting. Mr. Stolecki has reviewed the Vegetation Management Plan. He stated that it has been two winters since they have been able to get in to clear any trees. Mechanized felling was approved under frozen ground conditions. The winter of 2014/2015, the snow insulated the ground and they were only able to get one-tenth of the area done. Last winter there were no frozen ground conditions. They have known about the air space obstructions for two years and they need to be removed. They still want to do a mechanized felling, same targets, but they want to do the work during the dry season with swamp mats to mimic the frozen ground conditions. They had a site visit with Director Kaye last Thursday and made minor modifications to the plan. They would like to do a post-removal inspection and determine appropriate mitigation if shrubs are damaged by the work. Mr. Christensen said they will reseed disturbed areas with a wetland seed mix.

Commissioner Poutasse asked what kind of trees or vegetation will be removed. Mr. Christensen replied that the majority are red maple. White and red oak are around the fringes. There could be some white pine. Most of the trees are second growth because they have been cut before dating back to 1998. The trees are 12-inch dbh or smaller. All the trees will be chipped and then loaded onto trailers. The materials go to BioMass or it goes to landscaping companies.

There were no public comments.

Commissioner Adams moved to approve Minor Modification for 711 Virginia Road, DEP File #137-1265 with a site visit to confirm any needed restoration plantings. Commissioner Higgins seconded. All so voted.

#### CLOSE AND ISSUE PERMITS

##### **Concord Public Works, 40X Bedford Road, DEP File #137-1338**

Chair Huggins reopened the hearing for approval to repair a culvert and associated sink hole in the Reformatory Branch Trail within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Higgins moved to close the hearing and issue Order of Conditions for DEP File #137-1338 for 40X Bedford Street, with Findings A-E, Standard Conditions 1-19, and Special Conditions 20-43. Commissioner Poutasse seconded. All so voted.

#### CERTIFICATES OF COMPLIANCE

##### **Bolio, 748 Main Street, DEP File #137-1074**

Assistant Director Capone informed the Commission that the applicant did not build a garage on the property and would like to close out the permit.

Commissioner Adams moved to issue a Certificate of Compliance for 748 Main Street, DEP File #137-1074. Commission Higgins seconded. All so voted.

#### OTHER BUSINESS

##### **Director's Report**

Director Kaye informed the Commission that the irrigation well at the Rogers Land has been drilled. They hit a very good yield at 300 feet, more than 60 gallons per minute. Director Kaye is still getting quotes on the irrigation, the pump, and electric (coordinating with the light plant). The total project cost is estimated at \$15,000. The well has been subsidized with a generous gift of \$5,000 from Stone Soup Dinner, Inc., a non-profit to promote agricultural education and initiatives in Concord. The land has been plowed by the farmer and the gardeners have staked their plots.

Director Kaye advised the Commission that a Request for Proposals for the Warner's Pond Dredging Feasibility Study was issued, which was one of the recommendations from the Warner's Pond Management Plan. The project will consider a limited dredge of about six acres of the 54-acre pond. Bids are due by the end of May. Director Kaye would like to have a consultant on board by the middle of the summer. Director Kaye suggested a public meeting to get input from residents and the community on the proposed dredge area. The goal is to dredge an area eight to twelve feet deep (currently three to four feet deep). Director Kaye said funds are proposed in the 2021 Capital Plan to perform the dredge, with additional funds to be applied from CPA. Commissioner Poutasse asked if dredging had ever been done at Warner's Pond. Director Kaye did not think dredging had ever been done.

Roan Callahan and Brendan Burke, Rangers from last year, will be returning in 2016. Director Kaye and Assistant Director Capone are currently reviewing applications for the Conservation Crew.

## Administrative Approvals

- **Ambrose, 934 Lowell Road: Tree removal**

Assistant Director Capone said that although it does not show on the map there is a pond on one side of the driveway with Bordering Vegetated Wetlands on the other side. The trees are on either side of the driveway. One of the trees is dead and 30 feet off the driveway. There are overhead wires that go through this area that the homeowner is concerned that if the tree comes down, it will take out the electrical service. This project would require either a crane on the driveway or climbing the live trees near it and taking it down in sections and roping it down to the driveway. The homeowner is very aware of not damaging any wetland plants. The second tree is forked and leaning towards the neighbor's house. The tree is damaged, not in horrible shape, but the homeowner is concerned that the tree will come down and damage his neighbor's property. The second tree would be removed from the neighbor's property. Approval was granted.

- **Nashoba Brooks School, 200 Strawberry Hill: Tree removal**

Assistant Director Capone said there is a pond behind the school and there is a tree on the edge. Part of the tree recently came down. The school is concerned about the playground next to the area because the tree is leaning that way. The school will leave the stump. There are many invasives surrounding the pond and grounds of the school. The school is looking for feedback from the Commission as to whether they would entertain removing invasives around the pond in the future. Approval was granted for the tree removal and there was agreement that they would look favorably on an invasives removal project.

- Assistant Director Capone asked the Commission if they would entertain a swing set in the 25-foot No Disturb Zone and if so, what application they would like to see. The Commission replied that the homeowners should file a Request for Determination of Applicability.

Director Kaye introduced Jane Hotchkiss, the new Select Board representative to the NRC.

Commissioner Adams moved to adjourn. Commissioner Poutasse seconded. All so voted. This meeting adjourned at 9:30 p.m.

Respectfully submitted,

Karen Bockoven  
Administrative Assistant