

**NATURAL RESOURCES COMMISSION
Meeting Minutes
August 10, 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**, August 10, 2016. The following Commissioners were present: Lynn Huggins, Chair, Greg Higgins, Jeff Adams, Chip Poutasse, and Judy Zaunbrecher. 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.

Normandy Baker LLC, 300-310 Baker Avenue, DEP File #137-1342	7:00 pm
Karen Kirsten, 280 Estabrook Road, DEP File #137-1339	7:00 pm
Concord Museum, 200 Lexington Road, DEP File #137-1351	7:00 pm
Eric M. Stokes, 20 Winthrop Street, DEP File #137-1357	7:00 pm
Town of Concord, Assabet Avenue, DEP File #137-1323	7:00 pm
Linda Okurowski, 40 Squaw Sachem Trail, DEP File #137-1236	7:00 pm
Amy McManus, 136 Laurel Street, DEP File #137-1353	7:30 pm
Matthew Hall, 269 Sudbury Road, DEP File #137-1354	7:45 pm
Sara Bolton, 313 Silver Hill Road, RDA File #16-14	8:00 pm
Brady Sunrooms, 243 Heaths Bridge Road, DEP File #137-1359	8:05 pm
Paul Vinger, 297 Heaths Bridge Road, DEP File #137-1356	8:30 pm
Quality Contracting, 211 College Road, RDA File #16-13	8:35 pm
Elise Mott, 779 Barretts Mill Road, DEP File #137-1358	8:40 pm
First Spring Corporation, 396 Great Meadows Road, DEP File #137- 1360	8:45 pm
Everett Bramhall, 607 Main Street, DEP File #137-1361	8:48 pm

CONTINUANCES

Notice of Intent Application for Normandy Baker LLC, 300-310 Baker Avenue, DEP File #137-1342

Chair Huggins reopened the hearing for approval to construct 114 additional parking spaces with associated grading and drainage within Bordering Land Subject to Flooding 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 to September 7, 2016. Commissioner Adams seconded. All so voted.

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

Chair Huggins reopened 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.

At the request of the Applicant, Commissioner Zaunbrecher moved to continue the hearing to September 7, 2016. Commissioner Adams seconded. All so voted.

Notice of Intent Application for Concord Museum, 200 Lexington Road, DEP File #137-1351

Chair Huggins reopened the hearing for approval to demolish an existing building and construct a 4,800-square foot addition, including a new access driveway, parking lots, and utility work 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 to September 7, 2016. Commissioner Adams seconded. All so voted.

Notice of Intent Application for Eric M. Stokes, Trustee, 20 Winthrop Street Trust, 20 Winthrop Street, DEP File #137-1357

Chair Huggins reopened the hearing for approval to construct a garage off the rear of the dwelling and install a driveway with associated grading within Bordering Land Subject to Flooding.

At the request of the Applicant, Commissioner Zaunbrecher moved to continue the hearing to September 7, 2016. Commissioner Adams seconded. All so voted.

Notice of Intent Application for the Town of Concord - CPW Engineering, Assabet Avenue, DEP File #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 Zaunbrecher moved to continue the hearing to September 21, 2016. Commissioner Adams seconded. All so voted.

Amended Notice of Intent, Linda Okurowski, 40 Squaw Sachem Trail, DEP File #137-1236

Chair Huggins reopened the hearing for approval to construct a wall 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:

- Correspondence from Linda and Lee Okurowski dated July 27, 2016; and
- Site Plan prepared by Stamski and McNary, Inc. revised on July 27, 2016.

Linda Okurowski attended tonight's meeting. Ms. Okurowski would like to amend and extend the existing Order of Conditions. She said they are trying to create a useable and safe back terrace with a small lawn area for her children to play. The terrace area would be in the floodplain. She would like to create a two tiered terraced wall outside the 50-foot Buffer Zone. Ms. Okurowski is working with an arborist, Jim Harshbarger, and a wetlands expert, David Burke. In addition, Steve Phaneuf from Lawn Barber is helping design fieldstone walls. Ms. Okurowski also explained to the Commission where the 4-foot wall will be. They are trying to get up 8 feet without having a steep drop off. She showed the Commission where they plan to fill in the floodplain and where the compensatory storage will be.

Chair Huggins wanted to know why the split rail fence could not be moved out of the 50-foot No Build Zone (NBZ). Ms. Okurowski explained that there was an existing edge of lawn that she would like to maintain and delineate with a fence to keep her children from getting ticks but said she could move it out of the NBZ. Chair Huggins asked if there was another way to demarcate other than a split rail fence in order to keep all structure outside this zone. Commissioner Adams said the lawn can be kept as it historically was and to demarcate with granite bounds or shrubs. Chair Huggins stated that if Ms. Okurowski decides to use shrubs, the Commission would want to know what type of shrubs would be installed and that they would need to be native. Commissioner Adams said the bounds should be installed 25 to 30 feet apart. Commissioner Adams said that a revised plan should be submitted demarcating the traditional edge of grass with bounds placed every 25 to 30 feet, and remove the fence from the NBZ.

Director Kaye stated that the plan notes the approximate grading location and number of landscape walls may vary. Chair Huggins said the grading location cannot read “approximate”. Commissioner Adams said they need a proposed plan that has accurate elevations since this work is in the floodplain. Commissioner Higgins said that the approved plan has to agree with the as-built plan. Chair Huggins said that the river birch trees in the 25-foot No Disturb Zone, will need to be planted by hand with no machinery and requested some diversity with the tree plantings.

There were no public comments.

The Applicant agreed to continue the hearing until September 7, 2016.

EXTENSION REQUEST

Linda Okurowski, 40 Squaw Sachem Trail, DEP File #137-1236: Three year extension.

Commissioner Adams moved to grant a three year extension for 40 Squaw Sachem Trail, DEP File #137-1236 until October 4, 2019. Commissioner Higgins seconded. All so voted.

Notice of Intent Application for Amy McManus, 136 Laurel Street, DEP File #137-1343

Chair Huggins reopened the hearing for approval to demolish the existing single-family home and construct a new single family dwelling within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Correspondence from Stamski and McNary, Inc. dated July 28, 2016; and
- Wetland Permitting Plan prepared by Stamski and McNary revised on July 25, 2016.

Amy McManus of 136 Laurel Street, Molly Obendorf from Stamski and McNary, and Bill Erickson attended tonight’s meeting. Ms. McManus said they have explored the possibility of putting the bulkhead in the garage. However, they decided to move a portion of the house 12 inches further from wetlands and propose the bulkhead 18 inches closer to the wetland resulting in a net improvement. Since they have turned the bulkhead, the overall protrusion is almost 4.5 feet less.

Commissioner Adams asked the Applicant to confirm the amount of change in the outer Buffer Zone, and the amount of impervious currently proposed compared to the prior proposal. Ms. McManus thought the plan that was previously submitted was 144 s.f. of impervious surfaces within the 50-foot NBZ and on this plan it is 202 s.f. which gives a difference of 58 s.f.

Commissioner Adams said that now there is more impervious surface. Ms. McManus stated she did not ask the Zoning Board for a Variance from the Floor Area Ratio Bylaw because she believed they would not grant it.

Ms. McManus explained to the Commission that she likes the look of a front porch and she thinks that the town and community also have a preference for porches. Ms. McManus said the new submittal helps resolve the bulkhead issue. Mr. Erickson also commented that the second floor plan works much better for the interior.

Commissioner Zaunbrecher asked the Commission what will be the impact of 58 s.f. of impervious area going to have on the resource area. Commissioner Higgins said that goes to the issue of allowing a structure to go further into the NBZ. It is a matter of balancing those two issues. Director Kaye said that in this case she did not think it would have a substantial impact.

Ms. McManus commented that the footprint and setback to the wetland is in line with other houses on Laurel Street. Ms. McManus believes that overall the project is an improvement over existing conditions.

Chair Huggins stated a waiver request has been submitted for work in the 25-foot No Disturb Zone associated with removing a retaining wall and constructing a rain garden. Chair Huggins said that staff is recommending a minimum of five shrubs be planted in the rain garden and that the native seed mix must be approved by staff. Also, the landscape plan will require staff approval and should include a minimum of four trees to replace the ones removed. Chair Huggins also said there are some composted leaves that need to be removed.

There were no public comments.

The Applicant agreed to continue the hearing until September 7, 2016.

Notice of Intent Application for Matthew Hall, 269 Sudbury Road, DEP File #137-1354

Chair Huggins reopened the hearing for approval to demolish and reconstruct a single-family house within 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 on July 25, 2016.

Molly Obendorf from Stamski and McNary and Matthew Hall attended tonight's meeting. Ms. Obendorf stated that the proposed plan is to remove and reconstruct a single-family house with the same footprint but shifted to meet zoning setbacks with two proposed patios. One patio would be in the front and one would be in the back. As was suggested, they have changed the footprint of the back patio to remove it from the NDZ. The existing shed will also be relocated outside the NDZ.

Mr. Hall explained that currently the lawn is maintained up to the edge of wetland. They are proposing to use a monument to mark the edge of wetland and then do an offset about 20 to 25 feet and seed the area with a wetland mix which would be mowed once or twice a year. Assistant Director Capone said that the note on the plan says the naturalized area is 25-feet

wide but is depicted about 13 feet wide on the plan. Mr. Hall stated that he will fix this typographical error.

Mr. Hall said for markers they will use either a 4 x 4 granite monument or a 2-inch corten steel pipe, which would be dug in and be permanent. Chair Huggins asked that this information be put on the plan.

Commissioner Poutasse asked if they are offering to just seasonally mow does that become a requirement. Director Kaye explained because it is proposed as mitigation it would be expected to be maintained as a seasonal mow area in perpetuity.

Chair Huggins explained that a triple ash tree was in the town's right-of-way. Mr. Hall explained that the tree is not in good shape and creates a blind spot because of the bend in Sudbury Road. Chair Huggins explained that the Commission does not have authority to override the public right-of-way. Chair Huggins asked that they check with the Tree Warden.

Director Kaye requested more specificity on the four trees proposed to be planted noting at least two should be fairly substantial trees.

Mr. Hall explained that they are proposing to put the air-conditioner in the back right corner. However, to get the air-conditioner out of the 50-foot Buffer Zone, they would have to put in the front of the house. Mr. Hall said they would prefer to put in back of the house but it would then be in the 25-foot NDZ. The Commission was comfortable with the placement of the a/c units.

Chair Huggins commented that the Applicant should provide a waiver request for work in the NDZ.

Mr. Hall said the shed is currently on top of cinder blocks. Commissioner Zaunbrecher asked if they are going to place it on cinder blocks at the new location and what happens if the shed falls apart during the move. Mr. Hall answered that they would be on some type of sleepers or block. Mr. Hall said they will try to keep the shed together, however, long term it would probably have to be rebuilt.

There were no public comments.

The Applicant agreed to continue the hearing until September 7, 2016.

NEW APPLICATIONS

Request for Determination of Applicability for Sara Bolton, 313 Silver Hill Road, RDA File #16-14

Chair Huggins opened the hearing for approval to manually remove terrestrial invasive species and aquatic watershield within Land Under Waterbodies, Bordering Land Subject to Flooding and the 100-foot Buffer Zone to Bank.

List of plans and documents discussed at this meeting:

- Request for Determination of Applicability; and
- Mortgage Plot Plan dated July 28, 1984.

Sara Bolton attended tonight's meeting. Ms. Bolton explained to the Commission that she would like to remove invasives and their root system by hand. It is a good time to do now since the water is low and wildlife would not be affected. Commissioner Adams asked how she would get the roots out. Ms. Bolton replied that the watershed forms a root mat which holds the dirt that is coming into the pond from the street. The water is about a foot shallower as compared to when she first moved to her property. She said if this is not taken care of now, probably in five years a good part of the bridge will be marsh and only wet in the spring. Once they remove the roots, they will have the ability to suck up the muck in a local way in the future. Ms. Bolton further explained that they have looked at having the muck vacuumed but that cannot be done with the extensive vegetation that exists. Commissioner Adams said that a clam rake works well. Chair Huggins asked what Ms. Bolton will do with the material that is removed. Ms. Bolton replied it will be moved off site to the invasives bin at the town's composting facility.

There were no public comments.

Commissioner Higgins made a motion to Issue a Negative Determination of Applicability #2 and #3 with the following conditions: 1) A preconstruction site visit shall be held to review the limit of work; 2) Up to 75% of watershed may be manually removed up to waist deep water elevation; 3) Plants shall be disposed of outside resource areas; 4) Pre- and post-photos of the treatment area shall be submitted annually; and 5) After the project has been completed, the Applicant shall submit a letter to the Natural Resources Commission stating that all work has been conducted in accordance with all conditions of this Determination of Applicability. Any changes from the RDA shall be described. Commissioner Adams seconded. All so voted.

Notice of Intent Application for Brady Sunrooms, 243 Heaths Bridge Road, DEP File #137-1359

Chair Huggins opened the hearing for approval to remove the existing deck, install a sunroom and addition to the existing house, and construct a new detached garage within the 200-foot Riverfront Area to the Sudbury River and within the Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application;
- Plan of Land prepared by Hancock Associates revised on July 27, 2016; and
- Plan for 243 Heath Bridge Road, Concord, MA prepared by Holly S. Darzen, Architect received on July 19, 2016.

Kevin Kieler of Brady Built Sunrooms and Michael Talbot, attended tonight's meeting. Mr. Kieler informed the Commission that 197 s.f. of the house is within the 100-foot Buffer Zone but outside the 50-foot No Disturb Zone. Mr. Kieler said the present kitchen is very small. The plan for a sunroom was supposed to be a kitchen/dining room expansion area. There is a 193 square foot deck presently attached to the house. Therefore, they designed the sunroom to be 193 square feet exactly to replace the existing deck. They do not want to disturb the soil, and therefore they will use the helical screw system which only disturbs 10 cups of soil per hole. They will only have to use three helical screws to shore up the platform for the sunroom. The homeowner also designed the master bedroom and bathroom as far away from the wetland as possible. The proposed garage is designed to be as far away from the wetlands as possible based on the driveway location. The scope of work for this project will consist of

putting in the helical screws for the deck, putting in a foundation for the new addition which is 642 square feet, a master bedroom and bathroom, and a garage foundation.

Currently the property has 1,326 square feet of decking, and stone paver walkways. Mr. Kieler said they are planning on reconfiguring the decks and walkways. When they are done there will be 1,312 square feet of decking and walkways and 3,583 square feet of structures in the Riverfront Area. Mr. Kieler informed the Commission that Mr. and Mrs. Talbot have cleaned up the Riverfront Area since they have moved in. They want to mitigate the work as much as possible to make the wetlands better than before.

Mr. Kieler stated there are seven additional trees that need to be removed, two of which are dead. The trees are either leaning towards the house or the studio structure. They are proposing a 2:1 replacement ratio for the trees. There is a significant amount of invasives in the Riverfront Area they want to remove. They are going to hire Oxbow Associates to put together a comprehensive removal plan. Any invasive plants that have a stem or root smaller than 1 inch in diameter will be pulled out. Invasive plants with a stem more than 1 inch in diameter will be cut low to the ground and specific spot herbicide applied to kill the plant. Any area where there is a significant amount of invasive species will be replanted. In addition, 1,200 s.f. of additional native species will be planted. Currently off the corner of the deck there are landscaping plants that are not native and piles of firewood. These things will be moved and the area will be replanted with native species. A landscape garden that is in existence now will be removed and they plan to add 600 square feet of plantings primarily consisting of pollinator-friendly flowering plants. In the shady area of the property they will plant 600 square feet of low growing shrubs that are tolerant of shady areas. The homeowners plan to hire a landscape architect to put together a plan of plantings. Chair Huggins informed the Applicant that the Commission will need a mitigation plan identifying the species to be planted. Director Kaye asked when the Applicant was looking to begin construction. Mr. Kieler said by the end of September. Director Kaye stated if a landscaping plan is submitted by September 9th, it can be heard at the September 21st meeting. Mr. Kieler agreed to provide a landscape plan by September 9th.

Commissioner Higgins asked if the location of the garage is predicated by the existing driveway. Mr. Kieler responded yes.

There were no public comments.

The Applicant agreed to continue the hearing until September 21, 2016.

Notice of Intent Application for Paul Vinger, 297 Heaths Bridge Road, DEP File #137-1356

Chair Huggins opened the hearing for approval to replace the existing septic system within the 200-foot Riverfront Area to the Sudbury River and within the Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and
- Proposed Septic System Plan prepared by Perley Engineering LLC dated August 10, 2016.

Scott Smyers from Oxbow Associates attended tonight's meeting. Mr. Smyers presented revised plans to the Commission. Mr. Smyers explained the overall landscape, topography and

components of the existing system. The previously approved retaining wall along the river is almost completed. Mr. Smyers said the proposed septic tank and pump chamber within jurisdiction will be pumped to a leach field outside jurisdiction. The contractor will use the same access road for installing the septic installation that was used for the retaining wall. The machines needed for the septic work are far more extensive than the equipment used for the retaining wall. Consequently, they need to remove six trees. They will replant native trees, such as eastern red pine, red oak, red maple, balsam fir and eastern hemlock, in similar locations, all to be approximately 1-inch caliper. They will use some of these varieties depending on availability at the time of planting. No work will be done in the floodplain. All the work is within existing landscaped location. Very little grading is necessary.

Commissioner Poutasse asked if there was an existing leaching field. Mr. Smyers said yes but they are not sure where it is right now. Chair Huggins requested that it be decommissioned if encountered during construction.

There were no public comments.

Commissioner Poutasse moved to close the hearing and issue an Order of Conditions for 297 Heaths Bridge Road, DEP File #137-1356 with Findings A, B and C, Standard Conditions 1-19, and Special Conditions 20-47. Commissioner Higgins seconded. All so voted.

Request for Determination of Applicability for Quality Contracting, Inc., 211 College Road, RDA File #16-13

Chair Huggins opened the hearing for approval to demolish the existing dwelling which was destroyed by fire within the 100-foot Buffer Zone to Bank and Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Request for Determination of Applicability; and
- Plot Plan of Land prepared by Hancock Survey Associates, Inc. dated July 15, 2016.

Paul Bourgeois from Quality Contracting, Inc. attended tonight's meeting. Mr. Bourgeois informed the Commission that the house is falling down because of the fire and the site is a safety concern. They have installed fencing around the house. They will disturb as little as possible while taking the house down. They will come up the driveway and live load debris out. Inside the fenced in area they will have a mini machine to push everything towards the driveway. Chair Huggins asked how they will stabilize the soil. Mr. Bourgeois said they will take out the foundation and then plant some grass seeds.

Commissioner Zaunbrecher asked if the garage would remain. Mr. Bourgeois replied yes.

There were no public comments.

Commissioner Higgins moved to issue a Negative Determination of Applicability #3 with the following conditions: 1) A preconstruction site visit shall be held to review erosion controls and the limit of work; 2) All disturbed areas shall be stabilized with grass immediately following removal of the structure; and 3) After the project has been completed, the Applicant shall submit a letter stating that all work has been conducted in accordance with all conditions of this Determination of Applicability. Any changes from the RDA shall be described. Commissioner Zaunbrecher seconded. All so voted.

Notice of Intent Application for Elise Mott, 779 Barretts Mill Road, DEP File #137-1358

Chair Huggins opened the hearing for approval to construct a 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
- Wetland Permitting Plan prepared by Stamski and McNary, Inc. dated July 20, 2016.

Molly Obendorf from Stamski and McNary, Inc. attended tonight's meeting. Ms. Obendorf presented revised plans to the Commission. Ms. Obendorf explained that the proposed garage falls slightly into the 100-foot Buffer Zone. Erosion controls are proposed all along the driveway. Chair Huggins inquired if they meet the floor area ratio. Ms. Obendorf said it did. Director Kaye stated that the floor area ratio really applies to smaller lots in town.

There were no public comments.

Commissioner Adams moved to close the hearing. Commissioner Higgins seconded. All so voted.

Notice of Intent Application for Ken Musen, First Spring Corporation, 396 Great Meadows Road, DEP File #137-1360

Chair Huggins opened the hearing for approval to repave the existing driveway within 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
- Wetland Permitting Plan prepared by Stamski and McNary, Inc. dated July 21, 2016.

Molly Obendorf from Stamski and McNary, Inc. attended tonight's meeting. Ms. Obendorf explained to the Commission that this project involved repaving an existing driveway. Erosion controls will be used along the driveway. Ms. Obendorf said any dumpster or truck will remain on the existing surface. Commissioner Zaunbrecher asked for clarification about the roots now in the driveway and the tree associated with the roots. Assistant Director Capone said the root system will be extremely damaged by the replacement of the driveway and the tree should be taken down. Chair Huggins asked the Applicant to confirm what type of tree will be taken down.

Ms. Obendorf said to her knowledge they have not heard back from Natural Heritage regarding endangered species. Chair Huggins asked that the tree to be removed be noted on the plan and to please check with the homeowner to consider putting in a replacement tree.

There were no public comments.

The Applicant agreed to continue the hearing until September 7, 2016.

Notice of Intent Application for Everett Bramhall, 607 Main Street, DEP File #137-1361

Chair Huggins opened the hearing for approval to construct an addition and convert an existing covered porch into living space within the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

List of plans and documents discussed at this meeting:

- Notice of Intent Application; and

- Wetland Permitting Plan prepared by Stamski and McNary, Inc. dated July 26, 2016.

Molly Obendorf from Stamski and McNary, Inc. attended tonight's meeting. Ms. Obendorf explained to the Commission that the homeowner would like to convert the existing two-story deck into living space which is currently within the 25-foot NDZ. Also proposed is a small addition in the front. For mitigation they are proposing that a pipe from the roof which drains directly into the wetland be piped into a sub-surface infiltration trench to infiltrate water. They would also like to propose some invasive species mitigation. They will hire a botanist to review the property and flag the invasives and give them a proposal. Chair Huggins asked that the proposal be submitted to the Commission for review.

Commissioner Adams asked if the footings for the porch which is there now will remain and support the proposed finished space. Ms. Obendorf replied it will be a new foundation. Commissioner Higgins asked if it was going to be a foundation and not sona tubes. Ms. Obendorf said she thought so but will check that information.

Chair Huggins said the current plan includes everything but invasives.

Commissioner Adams commented that since the foundation was being replaced from what it was originally, the applicant should see whether it can be rebuilt outside the NDZ.

There were no public comments.

The Applicant agreed to continue the hearing to September 7, 2016.

MINOR MODIFICATION

Glazier, 390 Westford Road, DEP File #137-1036: Replace existing retaining wall and fence

Brian Maloney attended tonight's meeting. Mr. Maloney said the homeowners would like to replace the existing split rail fence with another split rail fence, same style. He also stated there is an existing railroad tie retaining wall. They want to replace that with a stone wall. It would not be visible from the top side and grading would be to the top of the wall. It would be the same length. The fence will be in the same location and the same length.

Commissioner Adams moved to approve a Minor Modification for 390 Westford Road, DEP File #137-1036. Commissioner Zaunbrecher seconded. All so voted.

CERTIFICATE OF COMPLIANCE

Crowley, 75 Ayrshire Lane, DEP File #137-1343

Assistant Director Capone informed the Commission this Order was for a septic system and the system has been installed and the site is stable.

Commissioner Adams moved to close the hearing and issue a Certificate of Compliance for Crowley, 75 Ayrshire Lane, DEP File #137-1343. Commissioner Zaunbrecher seconded. All so voted.

CLOSE AND ISSUE PERMITS

Town of Concord, Shadyside Avenue, DEP File #137-1355

Chair Huggins reopened the hearing for approval to replace three culverts within Bordering Vegetated Wetlands, Land Under Waterbodies and Waterways, and the 100-foot Buffer Zone to Bordering Vegetated Wetlands.

Commissioner Poutasse moved to close the hearing and issue an Order of Conditions for 49 Shadyside Avenue and Shadyside Right-of-Way, DEP File #137-1355, with Finding A, Standard Conditions 1-19, and Special Conditions 20-54. Commissioner Adams seconded. All so voted.

OTHER BUSINESS

Director's Report

- Director Kaye informed the Commission that there was a fire at Hapgood Wright Town Forest today and a few acres burned. The fire probably appears to have been smoldering for a few days. The Fire Department responded and discovered the fire went approximately 2 feet below grade. The Fire Department will monitor.
- Director Kaye said the OARS cleanup is scheduled for Saturday, September 17th beginning at 9:00 a.m. until approximately 12 noon. OARS is looking for people to help organize event.
- Director Kaye informed the Commission that the White Pond water quality monitoring will begin next week. Sampling will include sediment sampling for phosphorus as well as diurnal sampling for water quality parameters throughout the water column. Wet weather sampling will be done once there is an adequate rain event.
- Director Kaye advised the Commission of a recently formed group called BioCan. This group is interested in biodiversity, climate change, and ecological restoration. They have asked if the Natural Resources Commission would be interested in sponsoring a talk given by Judith Swartz, author of *Water in Plain Site Hope for a Thirsty World* scheduled for October 14th. Director Kaye will forward additional information to the Commissioners.
- Director Kaye advised the Commission of the LAND grant site visit scheduled for August 18th to review the application submitted for the Ball's Hill Road acquisition. The purpose of the site visit is to provide the Executive Office of Energy and Environmental Affairs with information to evaluate the grant proposal. Mike Lawson and Jane Hotchkiss from the Select Board and the Town Manager will be attending, as well as Land Trust representatives. Commissioner Huggins and Zaunbrecher, Director Kaye, and Asst. Director Capone plan on attending.
- Director Kaye said the Division has kicked off the Warner's Pond Dredging Feasibility Study with consultant ESS and there will be a community meeting on September 15th to present the project to the public. Director Kaye's goal is to get community feedback and support on the targeted dredging area which is not the whole pond, just six acres. Commissioner Zaunbrecher asked how the dredge will be funded. Director Kaye replied that it was estimated last year to be \$800,000 for the 6 acres. It is in the Capital Plan for \$500,000 for fiscal year 2020. The other money would come from the CPC or other grant funding sources.

Administrative Approvals

- **Division of Natural Resources - Town Forest, 55A Walden Street: Beaver deceiver**
Director Kaye informed the Commission that beavers at Fairyland have caused more trail flooding. Mike Callahan of Beaver Solutions installed a beaver deceiver similar to what he had installed on the downstream side of Fairyland and the two at Punkatasset to alleviate trail flooding. No concerns were noted by the Commission.
- **Concord Public Works - Water and Sewer Division, Monument Street, Water Main Replacement**
Director Kaye said that Public Works is doing a water main replacement project on Monument Street. They are doing some work on Liberty and sections of Monument. She explained that the area along Monument between Liberty and about 500-feet north of Redcoat Lane is an 8-inch line that is cast iron and keeps breaking. The line is about 85 years old. The 8-inch line connects into a 12-inch line. Public Works would like to upsize the line from 8-inch to 12-inch. It is all within the paved right-of-way. Approval was granted.
- **CCRSO, 500 Walden Street, New Sign**
Two new signs are proposed at the High School entrances. The one on Thoreau Street is within jurisdiction and is within the 25-foot No Disturb Zone. It will be a 3-foot high curved wall. Director Kaye inquired with Brian Schlegel to provide justification as to why it could not be moved outside of the 25-foot NDZ but has not heard back yet. She also asked that the Korean planting be replaced with a native species. Chair Huggins asked if it is possible to take it out of the 25-foot NDZ. Director Kaye responded it didn't seem likely and that she will obtain justification from the Applicant on its location with the 25-foot NDZ. Approval was granted.
- **26X Old Mill Road, Musketaquid Sportsmen's Club: Outdoor Open Sided Rifle Range Cover**
Assistant Director Capone said that near Kennedy's Pond, the club has a shooting shed that they want to replace. It is open pavilion with a roof outside of the 50-foot No Build Zone in an existing gravel area. The club would like to make the shed/pavilion larger to accommodate the outdoor pistol range. Approval was granted.

Approve Meeting Minutes

- Commissioner Zaunbrecher moved to approve the July 6, 2016 NRC meeting minutes as amended. Commissioner Higgins seconded. All so voted. (Chair Huggins abstained.)

Commissioner Zaunbrecher moved to adjourn. Commissioner Higgins seconded. All so voted. This meeting adjourned at 9:24 p.m.

Respectfully submitted,

Karen Bockoven
Administrative Assistant